Department for Transport Reference: TWA/17/APP/05/OBJ/148

TRANSPORT AND WORKS ACT 1992

THE TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS) (ENGLAND AND WALES) RULES 2006

THE PROPOSED NETWORK RAIL (ESSEX AND OTHERS LEVEL CROSSING REDUCTION) ORDER

STATEMENT OF CASE
and
RELATED DOCUMENTS

submitted on behalf of

The RAMBLERS' ASSOCIATION

4 July 2017

ramblers
at the heart of walking

THE RAMBLERS' ASSOCIATION is a registered charity—England and Wales No 1093577—
and a company limited by guarantee, founded as a voluntary body in 1935.
Registered office: 2nd Floor, Camelford House, 87–90 Albert Embankment, London SE1 7TW.

DEPARTMENT FOR TRANSPORT REFERENCE: TWA/17/APP/05/OBJ/148

TRANSPORT AND WORKS ACT 1992

THE TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS) (ENGLAND AND WALES) RULES 2006

THE PROPOSED NETWORK RAIL (ESSEX AND OTHERS LEVEL CROSSING REDUCTION) ORDER

RAMBLERS' STATEMENT OF CASE, SUPPORTING DOCUMENTS, & AUTHORITIES

—CONTENTS OF BUNDLE—

TAB	DOCUMENT, *&c*
1	Statement of Case
2	Copy of Inspector's decisions in orders relating to paths at Harrow School playing fields, Planning Inspectorate references FPS/M5450/4/1, 4/3, 6/1 and 6/2, decisions dated 20 April 2017
3	Letter (copy), from Transport and Health Study Group to CEO of Network Rail, 26 April 2017
4	Campaign to Protect Rural England's 1999 Rural Traffic Fear Survey
5	*Roads fit to walk on*: *Brief for the Countryside No 5*, The Ramblers' Association, 1978
6	Report commissioned by Department for the Environment, Transport and the Regions, 'Personal security issues in pedestrian journeys', 1999
Cases: law reports or copies of judgments referred to in Statement of Case	
7	*K C Holdings (Rhyl) Ltd v Secretary of State for Wales and Colwyn Borough Council* [1990] JPL 353
8	*Vasiliou v Secretary of State for Transport* [1991] 2 All ER 77
9	*Ramblers' Association v Kent County Council* (1990) 154 JP 716, [1990] COD 327
10	*Gravesham Borough Council v Wilson and Straight* [1983] JPL 607

ramblers
at the heart of walking

TRANSPORT AND WORKS ACT 1992

THE TRANSPORT AND WORKS (APPLICATIONS AND OBJECTIONS) (ENGLAND AND WALES) RULES 2006

THE PROPOSED NETWORK RAIL (ESSEX AND OTHERS LEVEL CROSSING REDUCTION) ORDER

Department for Transport reference: TWA/17/APP/05/OBJ/148
Date: 4 July 2017

STATEMENT OF CASE BY THE RAMBLERS' ASSOCIATION

1. Introduction

1.1 This Statement of Case is made on behalf of the Ramblers' Association ('the Ramblers') to the lately-proposed Network Rail (Essex and Others Level Crossing Reduction) Order. The Statement of Case is prepared by staff at Ramblers GB Office, with major input on individual proposals from volunteer local representatives in our Essex, and Hertfordshire and North Middlesex, Areas.

1.2 In this Statement of Case—

'the 1992 Act' means the Transport and Works Act 1992;
'NR' means Network Rail.
Where NR's documentation uses the symbol '|', e.g as in 'EX|203|13', we use a forward-slash, e.g as in 'EX/203/13'.

1.3 The order for which NR has applied proposes to close a number of level crossings. The Ramblers finds some of the proposals acceptable. Some are not acceptable, because the alternatives are unsuitable. By unsuitable we may mean one or more of the following—

- That they are too long, removing a sense of directness of purpose and taking users of a particular path too far out of their way, especially where the route is used more for everyday utilitarian transport rather than recreation.
- That in terms of views, gradient, surfacing or similar factors the alternative route is significantly less appealing to users.
- That the alternative route involves walking on a road, especially if it has no footway.

2. The Ramblers

2.1 The Ramblers is a registered charity and company limited by guarantee, founded as a voluntary body in 1935. Its objects are to promote the health, recreation and environmental benefits of walking, especially by protecting and extending the network of public paths and access in town and countryside, and safeguarding the countryside and open spaces so that walkers can enjoy their tranquility and beauty. We have about 105,000 members throughout England, Wales and Scotland. Our Essex Area has about 4500 members and our Hertfordshire and North Middlesex Area has about 3000 members.

2.2 Our goal of promoting walking extends to walking for the purposes of everyday transport, not just for recreational purposes, though often the two will overlap. Encouraging people to walk for short routine journeys, including walking to reach public transport links, benefits the environment by keeping cars off the roads, and benefits individuals and the nation by keeping people fitter. Direct off-road paths encourage more people to walk, providing the incentives of convenience and the delight of not walking alongside road traffic, with its attendant noise and fumes and potential danger.

2.3 For completeness we mention that our charitable work includes the promotion of walking for health. Since April 2012, through our partnership with Macmillan Cancer Support, we have been running the Walking for Health project, delivering strategic guidance for the England-wide health walks programme and providing schemes with such support and free resources as training, insurance, and national promotion. (The local schemes are run by a variety of organisations including councils, the NHS, charities and voluntary groups.)

2.4 In addition to supporting Walking for Health walks, we organise 45,000 led walks per year. 12,000 volunteers lead the walks; about 300,000 people take part in them. We have been organising these led walks since our formation in 1935.

2.5 For these things, and for the public in general, good walking infrastructure is important. Hence our ambition to ensure that everywhere there are paths which encourage people to walk, that the right infrastructure is in place, and that resources are provided so that everyone can enjoy the outdoors on foot.

The Ramblers and diversions of the rights of way network

2.6 It may assist if we add something about the Ramblers' policy in respect of diversions. The Ramblers is by no means opposed to all diversions of public rights of way. Since 1 March 1983 the Ramblers' Association has been an organisation prescribed to be notified of all changes, proposed and actual, to the public rights of way network under the main provisions.[1] The records we keep show that about 80% of diversion proposals are confirmed and brought into effect without objections (or with objections withdrawn, if any were made) from any party, either the Ramblers or anyone else. So let nobody think that the objections mentioned below are the unconsidered reactions of an organisation wishing to preserve the network from any sort of change.

2.7 We recognize that it is possible that a diversion can improve a route; and it is Ramblers' policy to accept a diversion in some circumstances even if it is less satisfactory than the original route provided the new alignment is only marginally less satisfactory.[2] An increase in its length is by no means *per se* an adverse factor in a diversion if the route's use is primarily recreational. It can be a positive expansion of the available network, provided the gradients, surfacing, and views are roughly the same or better. We acknowledge that there can be an element of subjectivity here: but then, the legislation most commonly used for the diversion of public rights of way allows for subjectivity, requiring an Inspector, in deciding the expedience of confirming a public path diversion order under section 119 of the Highways Act 1980, to have regard *inter alia* to the effect that a diversion would have 'on public enjoyment of the path or way as a whole'.[3] But with a path which is used less for recreation than for routine everyday transport, say as a local short-cut for residents to get to shops or a bus-stop or other amenities, significant extra length can result in them taking the car instead, or walking less frequently. And even on a route used purely for recreation, a general sense of directness can be one of the pleasurable perceptions of using a route, especially where it gives the user a sense of using a route which historically has been used by locals as a desire-line between one point and another; substitution by an artificial 'dog-leg' diversion can extinguish this perception.

2.8 Purely to illustrate this (we do not for one moment presume to suggest that one Inspector's decision is somehow binding on another Inspector) we quote briefly from a very recent decision (copy at divider 2) by an Inspector in such a matter. This was in connection with diversion orders under section

---

[1] I.e, all orders governed by Schedule 6 to the Highways Act 1980 (sections 26, 118, 118A, 118B, 119, 119A and 119B of the 1980 Act) and Schedule 14 to the Town and Country Planning Act 1990 (sections 257, 258 and 261 of the 1990 Act).

[2] This was set at the Ramblers' General Council in 1984, motion 1984/20: 'This Council affirms that it is the policy of the Ramblers to oppose a proposal to divert a public path under s.119 unless the alternative path either positively improves the route or offers an alignment which is only marginally less satisfactory to users.'

[3] Highways Act 1980 section 119(6)(a).

119 of the Highways Act 1980 made in respect of paths on the playing-fields of Harrow School.[4] In that matter, objections had included the undesirability of a zig-zag route replacing a direct one, and the loss of sense of walking an old-established route. The Inspector generally accepted both matters as relevant factors.

> [84] A number of objectors referred to the straightness of the route. Ms Lloyd [objecting] stressed the importance to her of walking in a direct line to her destination and Mr Catherall [objecting] said that he 'would not want to walk at 90 degrees to my destination.' I agree that on reaching Point B the natural desire is to continue in a straight line towards Point A, not to turn away towards Point C. The straightness of the route gives walkers a sense of purpose which is lost on a route which turns at angles to avoid modern, man-made features. [Emphasis added.]

2.9 The Inspector also expressed the view in her paragraph 83 that 'in my opinion the fact that the route leads in a straight line towards an obvious historic destination, with a clear view of that destination, adds considerably to the enjoyment of the route.' This was in broad agreement with objectors' contentions that the path was

> '. . . clearly an ancient route: it can be traced back to the early nineteenth century at least, when it connected Sudbury to Harrow-on-the-Hill in an almost straight line.... The diversion will result in a loss of historic continuity. Walkers appreciate that they are following an ancient route and the knowledge of the history adds to their enjoyment of the path'. Ms Lloyd stated that she had a strong feeling of historic continuum in walking paths used for generations and had a desire to preserve them for others. Councillor Anderson stated that FP57 was an important historic path linking Sudbury to the church and school which are historic sites and that these historic links are important to many residents. The Council describes the route as 'in existence historically over hundreds of years.'

2.10 We reiterate that we do not quote this as if we think it sets some sort of precedent, since it does nothing of the sort (it is not even the same provision); but we think these observations by users of paths and an Inspector are useful recent illustrations of our point: that in a recreational walk, though extra distance may not necessarily be a negative factor and in fact can be a positive one, general directness along natural desire-lines is to be preferred over unnatural 'dog-leg' diversions. Making people go significantly out of their way may make them abandon the idea of walking a particular route altogether.

---

[4] The Council of the London Borough of Harrow Harrow School Playing Fields (Footpath No 57) Diversion Order 2013, Planning Inspectorate reference FPS/M5450/4/1, and the Council of the London Borough of Harrow Harrow School Playing Fields (Footpath No 58) Diversion Order 2016, Planning Inspectorate reference FPS/M5450/4/3.

3. Health and economic benefits of walking, and of encouraging people to walk

3.1 Walking benefits walkers. There is increasingly strong evidence of the health-benefits of walking. For example: the fact that brisk walking improves circulation and the performance of the heart and lungs. Walking can lower blood-pressure;[5] it can reduce risk of stroke,[6] and of heart disease,[7] the UK's biggest killer. It can improve control of blood sugar in type-two diabetes;[8] it has an important role in cardiac rehabilitation.[9] And walking promotes mental health and well-being, and improves self-perception and self-esteem and mood; it has the potential to be as effective as anti-depressants or psychotherapy in treating depression.[10] Widespread take-up could massively lighten the economic burden caused by physical inactivity (in 2009 each Primary Care Trust spent an average of £5m on dealing with its consequences[11]).

3.2 There are economic benefits as well. We refer to the 6.14 billion pounds which walkers spend annually in the English countryside, the income in excess of 2 billion pounds which they generate, and the 245,000 full-time jobs which they support.[12]

3.3 So an increase in walking in the country can reduce the nation's health-bill and boost the rural economy.

3.4 There is thus a need for a path network which encourages walking: a network which connects people with their communities and their local amenities, with their history and with the wider natural environment.

3.5 The present proposed closures of level crossings look set to deliver a heavy hammer-blow to these aspirations. In places, closure will sever the network and provide unacceptable alternatives. The Ramblers urges that the Inspector bear in mind the potential effects of the closure of the level crossings to whose extinguishment or diversion we object below, especially where walking along dangerous or inconvenient ordinary roads is the alternative, or where an alternative off-road link is an unacceptably (and off-

---

[5] Department of Health, *At least five a week: evidence on the impact of physical activity and its relationship to health—a report from the Chief Medical Officer,* 2004.
[6] Wen and Wu, 'Stressing harms of physical inactivity to promote exercise', *The Lancet* 2012 380 192–193.
[7] Department of Health, *Start active, stay active: a report on physical activity from the four home countries' Chief Medical Officers,* 2011.
[8] Foresight, *Tackling obesities: future choices,* Government Office for Science.
[9] Department of Health, *Coronary heart disease, NHS framework—modern standards and service models,* 2000.
[10] E McAuley *et alii,* 'Physical activity, self-efficacy and self-esteem: longitudinal relationships in older adults', *Journals of Gerontology Series B* 60(5) 268–275.
[11] HM Government, *Be active, be healthy—a plan for getting the nation moving,* 2009.
[12] M Christie and J Matthews, *The economic and social value of walking in rural England,* report for the Ramblers' Association, 2003.

putting) long diversion. All of these are a disincentive to walking and militate against its benign effects.

Some observations in relation to this by the Transport and Health Study Group

3.6 In support of what we say about these potential adverse effects on severance of the network and the dangers of walking on roads and the deterrence these things can have on people's desire to walk, we would like to draw the Inspector's attention to some points made by Dr Stephen Watkins, Chair of the Transport and Health Study Group,[13] in a letter (dated 26 April 2017, and reproduced at divider 3, with appropriate permissions; we invite the Inspector to read it in full) to NR's Chief Executive on the subject of level crossing closures. It should be noted that this Group's remit includes the promotion of walking and cycling *and* the promotion of rail travel. Dr Watkins' points include:—

> [2] We disrupt such networks [i.e, links in the pedestrian network of a local community] at our peril. An American study has shown that the circuitous walking involved in loop and lollipop street designs are associated with a 6lb increase in mean population weight relative to permeable designs such as grid systems. Such an increase in mean population weight would equate to an additional death rate of 1 per 1000 per annum. From this we can predict as a rough rule of thumb that if 30 houses experience a significant extension of a few hundred yards in their route of access to local destinations there will be one extra death every 10 years in those houses....

3.7 The important point is that if by making some people walk further than they are used to walking or are prepared to walk, they will use the car instead, or make fewer journeys on foot, and then (roughly speaking), the death-rates through less physical activity will increase to one extra death per 10 years in 30 houses so affected; and, Dr Watkins continues,

> if a level crossing was experiencing one death every ten years you would regard it as very dangerous. You must understand that some of your proposed closures are just as dangerous. We would ask you normally not to close level crossings where this will impact on local pedestrian networks within settled communities.
>
> [3] ... There is growing evidence of the serious adverse health effects of community severance due to main roads. These effects are not experienced to the same extent in relation to railways because communities have grown around a particular pattern of crossings. Disrupting that pattern could make the railway every bit as damaging.
>
> [4] Leisure walking is also important for public health and we would express the hope that even where [the closure of] a crossing does not impact on local commuting/shopping trips you will still have regard to its impact on popular local leisure routes.
>
> [5] We do believe in many instances the risks involved in [using] level crossings is no greater than the risks taken regularly in daily life, including crossing roads. Where there is a greater degree of danger then we believe this can often be

[13] The Transport and Health Study Group 'is a network of professional and academics which provides the study of and research into the relationship between transport and the health of the population. It also manages the Transport Special Interest Group of the Faculty of Public Health.'

addressed by providing pelican style warning lights, CCTV observation, and telephone contact. On high speed high frequency lines the track operation will be a profitable enterprise and we believe that the building of footbridges can be considered a reasonable concomitant of the operation of such an enterprise.

3.8 The Ramblers associates itself with those points and respectfully asks the Inspector to take them into account.

4. Particular matters connected with the danger of walking on roads

4.1 In at least some instances (unless resolved by negotiation before the inquiry takes place), the alternative route users would need to take will involve them walking on a road without a footway.

4.2 Walking in a country lane (say to get from one field-path to another, or where there is a general scarcity of field-paths) could at one time have been a pleasurable activity. The hedgerows (and verges, if any) beside lanes sometimes have varieties of wild plants not seen in fields, where they are seen off by the plough, or agri-chemicals. A quiet country lane once evoked the horse-and-cart era. Nowadays the approach of a motor vehicle dispels any idyllic association with the hay-wain. Some motor-vehicles are too large for lanes which existed before the age of lorries and milk-tankers, but they still use them. And some cars, perhaps most, go at speeds which either endanger vulnerable road users or put them in fear of danger. We try to expand on this point below.

4.3 To our aims, the safety of pedestrians on roads is an overarching issue. 'Safety' encompasses three concerns. The first is that it is dangerous to walk on roads with no footway. The frequency of vehicles is unpredictable; so is the speed and care or recklessness of the drivers. Secondly, even if it could be guaranteed (which it cannot) that all the drivers on a particular stretch of road will go at a safe speed and treat vulnerable road users like pedestrians with care and respect, some pedestrians will not believe this will happen and so will abandon the idea of walking on that stretch. Thirdly, though pedestrians have a perfect right to walk[14] in the roadway, equal to that of motorists to drive in it, most motorists evidently do not expect to find pedestrians on roads and some react with surprise, astonishment or anger at finding their progress incommoded by them. The occurrence or prospect of

[14] Motorways apart, on any highway the basic right is to walk. On a bridleway there is a right of way on foot and also a right to ride or lead a horse, and now (created by section 30 of the Countryside Act 1968) there is a right to ride a bicycle; and there may or may not be a right to drive animals. On an ordinary road, once termed a 'cartway', there is a right to walk, ride a horse or bicycle, and drive a vehicle, mechanically propelled or otherwise. The common law position was usefully discussed by Lord Diplock in In *Suffolk County Council v Mason* [1979] AC 705, 709H–710A: 'The law of highways forms one of the most ancient parts of the common law. At common law highways are of three kinds according to the degree of restriction of the public rights of passage over them. A full highway or 'cartway' is one over which the public have rights of way (1) on foot, (2) riding on or accompanied by a beast of burden and (3) with vehicles and cattle. A 'bridleway' is a highway over which the rights of passage are cut down by the exclusion of the right of passage with vehicles and sometimes, though not invariably, the exclusion of the right of driftway, *i.e.*, driving cattle, while a footpath is one over which the only public right of passage is on foot.'

the occurrence is off-putting to pedestrians, whatever they know their rights to be. Some pedestrians feel awkward or embarrassed at making drivers slow down or stop; some feel threatened by the speeds or the demeanour of some of the motorists; and ultimately, whatever the legal position, the pragmatic position for pedestrians has to be to avoid situations where they may be in conflict with vehicle users. Anyhow, being passed by vehicles going at speed only inches away in a narrow lane is unpleasant or alarming, by any measure.

The Kettering tragedy

4.4 At the Ramblers we have not forgotten the evening of Thursday 20 May 1976. That evening, 28 members of the Kettering Rambling Club made their way along a quiet country road towards the village of Rushton, in Northamptonshire. Taking part in a led walk organised by the association, they were walking tight in to the verge and correctly on the right hand side of the road to face on-coming traffic, in accordance with the Highway Code.

4.5 Suddenly there came into view, over the brow of a hill, a Ford Cortina travelling at 55–70 mph. Perhaps its driver was forgetful of the Highway Code's Rule, 'Never drive so fast that you cannot stop well within the distance you can see to be clear.' At all events, while swerving to avoid an on-coming vehicle, it hit the walkers instead.

4.6 The car killed five of our members on that quiet road: George and Nance Hall, and Mary Dodsworth, and Muriel Small, and Reg Groome.

> As the first pair of Ramblers were some 20 yards from the brow of the hill, Susan [Askew, one of the walkers, who was walking with her husband and mother] saw it: 'The car appeared to be on the wrong side of the road . . . my immediate reaction was that it was going very fast, about 60 miles an hour.... He skidded down the road towards us.' Then she moved. She ran, and seconds later the car, a bronze Ford Cortina, clipped her jacket as it went past. It then mowed down the five people immediately behind her....
>
> Michael Askew shouted at Susan to stay where she was. 'I could see four bodies in the ditch and I recognized Susan's mother. I could see she was breathing but unconscious and that there was nothing I could do.' A fifth person across the road was already being covered with ramblers' brightly covered anoraks.
>
> Two Ramblers were dead by the time the ambulances came. Three died in Kettering General Hospital a few hours later.[15]

4.7 Despite findings that it was the driver who was at fault and that the Ramblers were following the Highway Code, following this tragedy 'A police statement described organized walks on public roads as "downright dangerous" and were to be deplored, particularly if they were in country lanes.'[16] The Ramblers tried to get Northamptonshire police to withdraw their statement. The police conceded that pedestrians had as much right as motorists to use a public highway; but beyond that they would not go. The coroner urged the jury to make a finding of accidental death and to make the

---

[15] *Brief for the Countryside No 5: Roads fit to walk on*, The Ramblers' Association, 1978, see divider 5.
[16] *The Daily Telegraph*, 22 August 1976.

recommendation that all ramblers, when walking on roads, should send someone ahead 'at blind corners' to warn motorists of the advancing party of walkers. Dutifully the jury did both things (without saying what protection there would be for the one who went ahead to give the warning, or for solitary walkers generally).

4.8 Overall, the attitude of the authorities was that though the motorist was in the wrong, to some extent the ramblers had only themselves to blame for being the ones who were walking in the lane in the first place.

Increase in speeds of vehicles

4.9 The road-holding capacity of cars has increased since that tragedy, and so have the speeds they travel at, in consequence. For a walker on any road now it is not uncommon to be passed by vehicles travelling at speeds in excess of 60 mph, worrying enough when on a footway; but thousands of miles of country roads have no footways, and pedestrians must walk in the carriageway with cars inches away.

4.10 Even if it should be shown that figures for pedestrians being hit by vehicles on rural roads have decreased in recent years, we believe that this is attributable more than anything to people being deterred from walking on them in the first place, for fear for their safety. It remains an off-puttingly frightening experience for a pedestrian to be routinely passed on a country road by a car inches away going at 60 mph, and this arrangement needs to be ended if people are to be encouraged to walk.

4.11 The Ramblers is aware that there is much 'suppressed demand' for walking on rural roads. Above we have referred to the road-holding properties of modern cars which allow high speeds even on winding lanes. Developments in technology such as Sat-Nav allow the increased use of country roads by drivers once unfamiliar with them. These changes have left potential walkers fearful for their safety.[17] The result is the suppression of a sustainable form of transport (as well as of recreational walking), and roads appear statistically safer than they are because people are afraid to walk on them. People are increasingly thinking that the only safe way to be on some rural roads is in a vehicle.

4.12 The Campaign to Protect Rural England's 1999 Rural Traffic Fear Survey[18] (see divider 4) showed that two-thirds of people feel threatened by motor traffic all or some of the time on rural roads. Small wonder CPRE coined the expression, 'traffic intimidation'—

---

[17] In its 2004 *State of the Countryside* report, the then Countryside Agency reported that average growth in vehicle movements was 2.4%, but on minor roads it was 4.7%. The Department for Transport reported in February 2008 that for 2006 the growth in vehicular use was as follows: on rural A roads, 1.8%; on rural minor roads, 2.5%; on urban A roads, 0.6%; on urban minor roads, 0.1%; on motorways, 2.2%; the average of all types being 1.4%. Minor roads are seeing the fastest rise in traffic volumes.

[18] CPRE, August 1999 at divider 4.

> 'In [country] lanes cars seem to assume that no one else uses the road ... and so drive as it if on an empty race track' (respondent from Surrey)
>
> 'It is dangerous to walk to neighbours or to the post box even in daylight' (respondent from Essex).

It concluded that

> As well as the obvious implications for road safety (most fatal car accidents occur on rural roads) speeding traffic affects everyone's quality of life. The opportunities for people to walk, cycle or ride in the countryside are curtailed while dependency on the car for short trips is increased. The young and the old are particularly vulnerable.

4.13 And Chapter 3 of the Department for Transport's *Personal security issues in pedestrian journeys*[19] points up these concerns. Observations by participants in the focus group speak for themselves—

> 'cars go so much faster along side roads and little roads these days, much faster than they used to ... there's a general disregard for speed compared to ten years ago' [woman in urban group]
>
> 'the countryside has changed. There is a lot more traffic and it travels very much faster ... one of the differences with the village now is that we get a lot of cross commuting ... people driving to and from Exeter to work' [man in rural group]
>
> 'what really puts me off walking during the day is the traffic and especially the large lorries ... we are getting much larger lorries coming through the village, some even with trailers...' [woman in rural group]
>
> 'the scale of farming has changed. In the past, produce like potatoes or milk was picked up in much smaller containers ... but now it's all in much larger containers and much larger lorries.... They have to go through the village which was never made for them ... there should be a length restriction really' [man in rural group].

4.14 The survey with parents at a rural school on their journey to school revealed the perception of added traffic dangers from inconsiderate motorists driving too fast along narrow country roads: 'the biggest problem for a child walking to school where there are narrow roads and no pavement or path is the lack of awareness by motorists. Most display a total disregard for pedestrians, crossing the road is very difficult. Car drivers tend to see other cars but they forget about pedestrians.'

Particular issues facing vulnerable road users

4.15 That last observation points up the fundamental problem about the dynamic between drivers and pedestrians. The fundamental problem is that it is not widely understood among drivers that pedestrians have a right of way on roads[20] and it is not subservient to any rights the motorists have. If you are on foot it is sensible to use the footway. Vehicles are forbidden to go on it, so

---

[19] Reports by Crime Concern and Social Research Associates, DETR, 1999 at divider 6.

[20] Except motorways, of course.

pedestrians are generally safer when walking along a road if they remain on the footway.

4.16 Nobody likes walking on roads or lanes nowadays, but there is often no alternative. For a walker, whether a recreational walker using a stretch of carriageway because there is no off-road route or a country-dweller in an outlying house walking into the nearest village to buy a loaf of bread, it can be a frightening experience to be passed by vehicles travelling at 60mph only inches away. The Ramblers have it on good evidence (see, for example, CPRE's 1999 Rural Traffic Fear Survey, referred to above) that people's right to walk on roads is being suppressed by this arrangement, along with their desire to walk at all.

4.17 But the issue is compounded by the fact that many drivers appear not to understand that people have the right to be on roads on foot as well as they have the right to be on them in a vehicle. It is frequently nowadays the experience of walkers, whether solitary or in groups large or small, and though walking correctly on the right-hand side of the road facing the vehicular traffic, to have horns sounded at them in angry fashion or to receive gesticulated or verbal disapproval or abuse.[21] It looks as if many motorists think that it is the duty of pedestrians to keep out of their way at all times, when in fact it is the duty of the driver to treat a pedestrian walking *along* the carriageway with no less consideration and courtesy and respect than as if it were another vehicle.

4.18 Here are a few small illustrations of the widespread misunderstanding in this matter on the part of drivers. On 9 May 2009 the publication of a Government consultation on road safety was reported in *The Times*; the paper had an online 'Have your say' site, to which was made the following contribution:

> If you [as a pedestrian] are hit on the road, what on earth were you doing there?,

which glaringly reflects the misunderstanding that pedestrians have no business on roads even though you have to walk on roads where there is no footway. So did the comment, in a similar web-article (*The Times*, 16 May 2008),

> What are pedestrians doing on the road to be hit by a car at any speed? Drivers hitting pedestrians on pavements, crossings, etc should be prosecuted to the limit

[21] It may be that motorists mistakenly conflate the concept of pedestrians walking along roads with the concept of pedestrians crossing them. A pedestrian who crosses the road by stepping into the path of a vehicle and causing its driver to brake may justifiably have incurred that driver's anger, because thanks to the 'kerb-drill' that was introduced back in 1942, pedestrians are supposed to look both ways before crossing and are in dereliction of their responsibility if they do not. In 1942 the government, concerned by the number of pedestrian casualties, children in particular, introduced this 'kerb-drill'. The message is that you should not cross the road until it is 'safe' to do so. 'Safe' is generally understood to mean when no vehicle is in sight, or is far enough away as not to need to slow down. The justice of putting the onus of avoiding accidents on to vulnerable road users (including small children on their way to school) instead of drivers is a matter for debate elsewhere; but the result is to make many drivers think that a pedestrian is at fault just by being in a road.

> of the law—agreed. Pedestrians being hit otherwise should be treated likewise, in the event of their survival.

4.19 Not even elements of the motor-industry appreciate that pedestrians have rights on roads. On 27 June 2003 *The Times,* in an article entitled 'Car makers have blind spot for pedestrians', reported that

> a Toyota spokesman said that poor road design was to blame for many pedestrian casualties, adding: 'Pedestrian protection is very important to us, but we also need to educate pedestrians not to be in the road in the first place.' [Underlining added.]

The Toyota spokesman did not explain how pedestrians are supposed to exercise their right to walk along the thousands of miles of rural roads with no footway. Neither did a subsequent correspondent, who wrote that:

> the Toyota spokesman seems to have worked it out. Remove anyone from the roads who isn't in a car. Simple really. [*The Times,* debate@thetimes.co.uk, 2 July 2003].

4.20 If a spokesman for the motor-trade and the apparently-qualified drivers articulate and intelligent enough to get themselves on to the *Times* letters page cannot understand the law relating to pedestrian use of roads or that non-motorised users have rights, what a saturation of misunderstanding there must be among thousands of motorists on this point. Small wonder that people who try to walk on roads report intolerance and abuse from motorists.

4.21 So, people are increasingly thinking that the only safe way to be on some rural roads is in a vehicle. We believe that this has led to fewer and fewer journeys in rural areas being taken on foot, more people considering it safer to drive for even short distances and for everyday errands and journeys than to walk. Any consequent reduction in casualty statistics may give the impression that the roads are somehow becoming safer, and that it is therefore acceptable to make people walk on them.

4.22 The Ramblers submits therefore that because of the real danger, the perceived danger, and the awkwardness walkers may feel at making obliging motorists slow down and stop (and at the head-shaking and other gestures and hooting or abuse from the less obliging ones), making people walk on roads with no footway can never be seen as an acceptable course of action. The ability of drivers to drive safely is not a 'given'; and you can never be sure that the one coming at you is safe and considerate.

5. Legal considerations

5.1 The order would be made under sections 1 and 5 of the TWA. Subsection (6) of section 5 provides that '[a]n order under section 1 or 3 ... shall not extinguish any public right of way over land unless the Secretary of State is satisfied—(a) that an alternative right of way has been or will be provided, or (b) that the provision of an alternative right of way is not required.'

5.2 We ask the Inspector, in assessing on behalf of the Secretary of State whether any alternative is required or whether any alternative to be provided is in fact adequate, to take into account what we say here about 'Legal considerations', and below under 'Government guidance'.

5.3 The statute does not appear to require the Secretary of State to decide on the adequacy of any alternative route, merely that where necessary one has been provided; and there appears to be little in the way of case law on this point. However, the Ramblers invites the Inspector to take into account two cases which deal with the closure of rights of way under section 209 of the Town and Country Planning Act 1971, the predecessor section to section 247 of the Town and Country Planning Act 1990. We submit that by analogy with these leading cases, the Secretary of State should take into account the general suitability and adequacy of any replacement path, and not make an order where the provision is unsuitable or inadequate. The planning legislation on the face of the statute in the cases we mention below empowers the Secretary of State to make an order purely on being satisfied that the stopping up or diversion is necessary to enable the development to be carried out in accordance with planning permission, without consideration of any effect on persons affected by the closures or diversions.

5.4 However, in *K C Holdings (Rhyl) Ltd v Secretary of State for Wales and Colwyn Borough Council* (1990)[22] it was held that the Secretary of State had discretion to consider the merits and demerits of the proposed closure of a footpath in relation to the particular facts that obtain. The judge (Sir Graham Eyre QC) rejected the argument that once the Secretary of State was satisfied that the development could be carried out only if the extinguishment was effected, the Secretary of State was obliged to make the order.

5.5 And in *Vasiliou v Secretary of State for Transport* (1990)[23] the Court of Appeal ruled that the Secretary of State had to take into account the effect that an order would have on the rights which would be extinguished. An important relevant factor was that the legislation contained no provision for compensating persons so affected. Similarly the 1992 Act has no provision for compensating the public for the loss of its rights.

5.6 There is no case-law directly applicable to the limitation in the 1992 Act's section 5(6) on the Secretary of State's powers, but we draw the Secretary of

[22] [1990] JPL 353, at divider 7.
[23] [1991] 2 All ER 77, at divider 8.

State's attention to some useful guidance in a couple of cases to do with this same principle. They apply to section 116 of the Highways Act 1980, and may not be binding on the Secretary of State in the present matter, and we make no extravagant claims as to their force, but we submit that by analogy the decision-makers in the present matter may find the cases of use.

5.7 The first is *Ramblers' Association v Kent County Council* (1990),[24] in which it was held that the magistrates, determining an application to extinguish a public right of way under section 116 of the Highways Act 1980, would need to bear in mind that the way had to be unnecessary for the public; the convenience of the landowner was not a relevant factor. Lord Justice Woolf (as he then was) said that where there was evidence of use, it would be difficult for the magistrates properly to come to the conclusion that a way was unnecessary unless the public were, or were going to be, provided with a reasonably suitable alternative way. Woolf LJ further held that when deciding whether an alternative way was reasonable, the magistrates had to be satisfied that the alternative way was suitable, or reasonably suitable, *for the purpose for which the public were using the existing way.* For the general guidance of magistrates in future cases, Woolf LJ made the following points—

> First of all I consider the magistrates, in deciding whether a highway is unnecessary, should bear in mind the question for whom the highway is unnecessary. It is to be unnecessary to the public. It is the public who have the right to travel up and down the way in question, and it is the public with whom the magistrates should be concerned because the right is vested in them....
>
> Then the justices might ask themselves ... the question for what purpose the way should be unnecessary.... So far as that is concerned, it should be unnecessary for the sort of purposes for which the justices would reasonably expect the public to use that particular way. Sometimes they will be using it primarily to get to a particular destination. Another reason for using a way of this sort can be for recreational purposes.
>
> In my view, where there is evidence of use of a way, *prima facie*, at any rate, it will be difficult for justices properly to come to the conclusion that a way is unnecessary unless the public are ... going to be provided with a reasonably suitable alternative way.... It must be suitable, or reasonably suitable, for the purpose for which the public were using the existing way.
>
> If it is a way which has similar characteristics as the existing way, then certainly the justices can find that the existing way is unnecessary, albeit that the justices must also bear in mind that the result of the loss of way could be to render the other ways which are available more crowded than they are at present. If a way is being used primarily by the public for recreational purposes, that is a consideration which the justices are perfectly entitled to take into account and, in my view, should take into account in deciding whether the way is unnecessary.

5.8 Mr Justice Pill (as he then was) added that it was not open to the magistrates to decide that a way was unnecessary because they held the view that it was in the public interest that the highway should be closed.

---

[24] (1990) 154 JP 716, [1990] COD 327 at divider 9.

5.9 The second is *Gravesham Borough Council v Wilson and Straight.*[25] This was also about diversions under section 116 of the Highways Act 1980, which empowers a magistrates' court to divert a highway 'so as to make it nearer or more commodious to the public'. In that case the appellants, Gravesham Borough Council, were contending that a more 'commodious' route could be provided if instead of the highway proceeding on its existing line, it was diverted so that it turned at right-angles for the section with which the case was about, went towards a river, ran along the river wall, and eventually turned again and rejoined its existing route. It would be safer because it would remove users' encountering dangerous vehicles on the current line, and the new route would be more attractive because of the riverside views it would provide. Mr Justice Woolf (as he then was) ruled that the justices were entitled to find that the proposed new route was not more commodious, despite the river views, since it was narrower in places and there would be deviation in level, and it was less direct.

6. Government guidance

6.1 In a publication called *A guide to TWA procedures* by the Transport and Works Act Unit at the Department for Transport, there appears this advice:—

> [On page 16] The following matters are unlikely to be approved in TWA orders on policy grounds, unless compelling reasons can be shown:
> ...
> proposals which could more properly be dealt with under other existing statutory procedures—for example the closure of an inland waterway or public right of way where no associated new works requiring a TWA order are proposed.
>
> [And on page 105] The power to extinguish a public right of way is however restricted by section 5(6). This provides that a section 1 or 3 order shall not extinguish a public right of way over land unless the Secretary of State is satisfied that an alternative right of way has been or will be provided, or that one is not required. If an alternative is to be provided, the Secretary of State would wish to be satisfied that it will be a convenient and suitable replacement for existing users.

6.2 There are no associated new works requiring a Transport and Works Act order in this programme, and we have seen no compelling reasons that any level crossing closures desired by NR could not be dealt with by orders made under sections 118A and 119A of the Highways Act 1980 which were specifically inserted into the Highways Act 1980 by the 1992 Act because the government at the time was sufficiently persuaded of the need for special powers to divert or close public paths crossing railways on the level.

6.3 The Ramblers contend that the proposals in the draft order should have been brought about by section 118A or 119A of the Highways Act 1980.

6.4 In any event, we ask the Inspector to take into account, in assessing the provision of alternative routes, the authorities that we have mentioned

---

[25] [1983] JPL 607 at divider 10.

under 'legal considerations' above. They are not in any sense 'binding' authorities. But we believe them to be of persuasive value.

7. General principles which the Ramblers say should apply to all the proposals to divert public rights of way

7.1 The Ramblers submits that all new public rights of way must be adopted by the highway authority for maintenance purposes, and that the highway authority is suitably recompensed by NR for additional costs incurred in, for example, grass cutting, maintenance of steps, repair of fences, or other maintenance costs, by way of commuted sum payments. Diversions involving underpasses or bridges in the proximity of watercourses are acceptable only where risk of flooding is very infrequent.

7.2 All new rights of way should be shown on the definitive map and statement. (It does not appear from the documentation that this will be so.)

7.3 In no case should an alternative route include stiles or other impediments to use by people with mobility problems.

7.4 Any new field-edge paths in urban or village environs should have permanent firm grass surfaces.

continues . . .

8. OBJECTIONS BY THE RAMBLERS TO SPECIFIC CLOSURES OR DIVERSIONS

8.1 Where below we have objected to a closure or diversion, we reserve the right to expand upon the objection or amplify it.

9. Footpath EX/203/13 parish of Roydon, Old Lane Crossing (E01)

9.1 The Ramblers has no objection to this provided that Wildes Crossing, the next crossing east, remains open as has been guaranteed by NR. Wildes is an appropriate alternative and probably less subject to flooding.

10. District of Harlow, proposals at Camps Crossing (E02)

10.1 The Ramblers objects to these proposals. The crossing gives clear views in both directions. It is also a crossing for farm vehicles. It should be retained.

10.2 The two alternative proposed diversions for footpath users, around the closed part of Harlow Footpath 75, one to the east and one to the west, are both approximately 2 kilometres in length.

10.3 The diversion to the west requires the establishment of a new path between Footpath 75 and Footpath 78. This will require permissions to be given and the creation of rights of way through three substantial field hedges.

10.4 The diversion to the left is along existing footpaths—Footpath 74 and Footpath 181—but adds approximately 1.5 kilometres to the walk. Camps Crossing, we understand, will remain a private crossing. We see no reason why the footpath at this particular crossing should not remain open for the public. The required infrastructure is already in place at this point.

10.5 The retention of E03 Sadlers Crossing approximately 0.8 kilometres to the east should not be a factor in the proposed closure of E02 Camps as the footpath at E02 is in the north-west direction leading to Mead Lock at Hunsdon Mill, and the footpath at E03 Sadlers is in the north-east direction leading to a point 1 kilometre from Parndon Lock at a point where it is proposed to close a footpath at E04.

11. District of Harlow, Footpaths at Parndon Mill Crossing (E04)

11.1 The Ramblers objects to the proposals. We note that the crossing appears to have been closed, seemingly without authority, for some time. This may have put people out of the habit of using it, and brought fewer objections in consequence. The (unauthorized) closure makes the job of assessing the current crossing difficult.

11.2 Parndon Mill is a popular local spot (it is an arts venue with galleries and studios in an attractive riverside setting), and traffic can be heavy at weekends. A safe route and a safe crossing is needed in the vicinity of Parndon Mill at the eastern end of Harlow Public Right of Way 73, so that

people's enjoyment of the Mill and the nearby open access land is maintained.

11.3 The alternative route proposed is an unacceptable means of reaching Parndon Mill, involving a lengthy detour and removing the sense of direct purpose from the walk. The diversion is a somewhat unnatural 'dog-leg'. First it goes along an unattractive stretch of busy road, the A1169, Elizabeth Way, with fast-moving vehicles, and no sense of tranquility. It then goes on to Parndon Mill Lane, which is narrow with no white line. The lane is industrial, and of industrial aspect, in part, so there is loss of amenity. Moreover, there is no footway on it, and seemingly no space for building one, and there are no walkable verges: so no refuges for pedestrians. Of especial concern, which we mention without prejudice to the generality of those points, is Parndon Mill Lane's own crossing of the railway, which constitutes a danger to road users, especially to pedestrians. It is a narrow road bridge (of singularly unattractive construction), with no provision for pedestrians, it being too narrow for footway or verge. Worse, it has a blind bend to the north, making an exceptionally high safety risk with this potential for vehicle–pedestrian conflict. The final stretch of Parndon Mill Lane, i.e, approaching the Mill, would be more acceptable if an off-road field-edge route could be provided for walkers, but this would not offset the dangers mentioned already.

11.4 The Ramblers believes it would be much safer to extend Footpath 73 to the south-east, initially around or through Ram Gorse, and then inside the northern edge of the sports field to Parndon Lane, assuming this is possible within the proposed housing development. This is the route walkers currently take since the crossing appears to have been obstructed, and a vehicle park built across the north-east part of Footpath 73. This would avoid virtually all associated highway dangers.

12. Footpath 022, parish of Thorley at Pattens Crossing (H05)

12.1 The Ramblers objects to this level crossing closure. The H05 Pattens level crossing is the main access to the Thorley Wash Nature Reserve from the south and west of Bishop's Stortford. There is a development proposed for 3000–4000 homes locally so the crossing is likely to become all the more important.

12.2 The extra distance of 1 kilometre is mostly in the Nature Reserve which is a designated flood plain. East Hertfordshire District Council's Strategic Flood Risk Assessment designates the land as Zone 3b and states this of it: 'This zone comprises land where water has to flow or be stored in times of flood (the functional floodplain)'.[26]

[26] Appendix B, 'Flood Zone Maps', to East Hertfordshire District Council's Strategic Flood Risk Assessment.

12.3 The proposed diversion will cross the railway line via a reduced height underpass. NR proposes that the height is to be increased by engineering means: but this will be by lowering the level of the underpass to below the natural surface level. In April 2017 (at the time of writing our letter of objection) the side of the underpass at its present level had water flowing in a side channel. It is difficult to see how the proposed underpass can be prevented from flooding, given that it will be below ground level.

12.4 And more generally, about 300 metres of the proposed route is at ground level. At the time of writing (early June 2017), even after a relatively dry winter and in a relatively dry spring, there are open drains and other watercourses flowing with water. In a normal winter, or after any heavy rain, this could all easily become flooded, waterlogged or miry. It is, after all, a designated floodplain; and floods could be more frequent in future years, given unpredictable climate change.

12.5 If (as would appear to be highly likely) flooding prevents use of the proposed lowered underpass on this alternative route, users will have to go an extra 2.3 kilometres to the alternative access to Thorley Wash Nature Reserve. This will be along a major road, to the nearest footbridge. The loss of amenity and extra distance on an unattractive road makes that unacceptable.

12.6 It is puzzling that the crossing at Trinity Lane (H01) is to remain, but Pattens to close. We are altogether unsure about the risk assessment here. Pattens has fewer trains, and fewer pedestrians appear to use it, and no incidents 2011–2015 are recorded, yet Pattens is designated 'high risk' and is the one proposed for closure. We are pleased that a pedestrian bridge was recently installed at Trinity Lane and wish to see this alternative to closure considered more often.

13. Footpath 007, parish of Thorley at Gilston Crossing (H06)

13.1 The Ramblers has no objection to these proposals.

14. Footpath 060, parish of Bishop's Stortford at Johnson's Crossing (H08)

14.1 The Ramblers has no objection to these proposals

15. Elsenham, Fullers End Crossing (E05)

15.1 The Ramblers objects to the proposals at this crossing. The existing crossing is well used with 57 pedestrians recorded on a weekday, and 36 at a weekend. This is a route between the two parts of Fullers End, in proximity to houses each side. There is street lighting and the crossing can be used safely 24 hours a day.

15.2 It is also possible for wheelchairs, prams, electric mobility vehicles and bicycles to use this as it is level and of a short distance.

15.3 The existing crossing has flashing red and green lights. If these were incorporated with gate-locking devices, the safety issue would be overcome and the general public would not lose this very important facility.

15.4 NR is proposing a route through an industrial area, under a tunnel and out to join an existing footpath. They state the additional distance is 250 metres. But the industrial area's existing road is used by lorries, cars, and loading vehicles. It is not well maintained and subject to mud and rubbish created by the industrial operations. There is no footway. There is no adequate lighting. This would not be safe for the wheelchairs, prams or electric mobility vehicles which can use the current crossing safely.

15.5 At the end of the industrial area the ground drops down to a field which provides access to the underpass proposed to be used to pass under the railway tracks. It is not clear as to how the difference in levels will be solved to enable wheelchairs, prams and people who walk with difficulty to use the new route.

15.6 We recognise that the underpass is dry and is not subject to flooding; but there is no lighting, and its remoteness creates an unsafe environment for users (or at any rate, a perception of danger, which is just as bad a deterrent). This would be particularly the case at night. The new arrangement is likely to deter people from walking.

15.7 The documentation does not make it clear that the proposed hard surfaced footpath from the underpass involves a considerable change in level, rising some 5 metres, up to the road on the other side of the existing crossing. This would make it difficult for wheelchairs, prams and people with walking difficulties to use. There is a stile on the existing footpath installed at the road junction which would be an additional hazard.

15.8 In summary, the existing crossing is accessible to all users 24 hours a day. It enables the residents of both parts of Fullers End to function safely as a unified community. The proposal creates an unsafe and difficult to access—unusable to some—path which could be used only during daylight hours. Closing this path would effectively cut a community in two. This proposal is unacceptable.

16. Parish of Newport: Elephant Crossing (E09)

16.1 The Ramblers objects to the proposal for this crossing. The existing crossing from Newport High Street passing over a stream joins with a delightful, and (before the crossing was temporarily closed) much used, footpath to Debden. NR's proposal is to create a new footpath crossing two fields to join the Debden Road; one would then walk down the road over a single-vehicle hump-back bridge to access the High Street and there would be a further walk back down to the existing path from the crossing.

16.2 The proposed path across fields to meet Debden Road does not run alongside a field edge and so is liable to be less easy to use than one that does. The junction with the Debden Road is positioned to miss the house called The Chestnuts and to use an existing gateway. It takes no account of the sight-lines of the road which bends after 40 metres, of the hedges, or of the lack of verge. This is a dangerous proposal, and not one which any organisation concerned with promoting pedestrian safety could support.

16.3 It is proposed that the walker would then continue down the Debden Road, which has no footways, to join the High Street. This requires the crossing of a hump back bridge, with no footways, no room for two vehicles, and poor sight lines over the bridge. The walker then goes along another road without a footway.

16.4 It is unacceptable that NR should be proposing such a potentially dangerous and ill-considered alternative. It is not a rational means of resolving the alleged safety issues involving crossing the railway.

16.5 In summary, the existing crossing is a route to the High Street used over a very long period of time by walkers and local residents, which may have been in existence since before the railway. There have been no reported incidents on the crossing. The proposal puts walkers at risk through their walking down a busy road, without footways, over a single-vehicle hump-back bridge, also without footways to gain access to the road. The proposal takes no account of safety and shows little respect for users, and is completely unacceptable.

17. Footpath EX/41/7, parish of Newport, at Dixies Crossing (E10)

17.1 The Ramblers objects to this closure. The existing crossing is extensively used by walkers and local residents to join other paths on the eastern side of the railway. The alternative, the busy main road through Newport, bears no comparison to the peace and quiet on the other side of the track. The quality of the walk will be massively compromised by the proposal.

17.2 The proposal would force walkers out on to the footways of a busy road, and reroute them by an additional 1.2 kilometres to re-join the other side of the crossing. This is unreasonable.

17.3 It is also unnecessary. The sight-lines at Dixies Crossing are considerable: one can see over 300 metres to the south, and over 200 metres to the north. It is difficult to understand NR's rating of Dixies as an All Level Crossing Risk Model of C6. We say that because the crossing at Fullers End (E05) just down the line has the same rating but very poor sight lines.

17.4 The distance across the track at Dixies is 75 metres, with considerable space on both sides of the track.

17.5 The NR-proposed alternative route uses footways along a busy road. It is also noisy and cannot in any way compare to the existing path, which is of strongly rural character west of the railway. The alternative route's footways are narrow, requiring walkers to walk in single file for about 20 minutes. This is in marked contrast to the existing, well used local amenity of this footpath. The long-way-round is a total of over 1.2 kilometres additional length.

17.6 In summary: the existing crossing is an amenity benefitting both local and other walkers. The crossing is by no means the most unsafe of all the present proposals, and with no incidences or 'near-misses', it is very difficult to see how this closure can be justified. This proposal is unacceptable.

18. Proposals in the parishes of Marks Tey, Copford, Stanway and Eight Ash Green

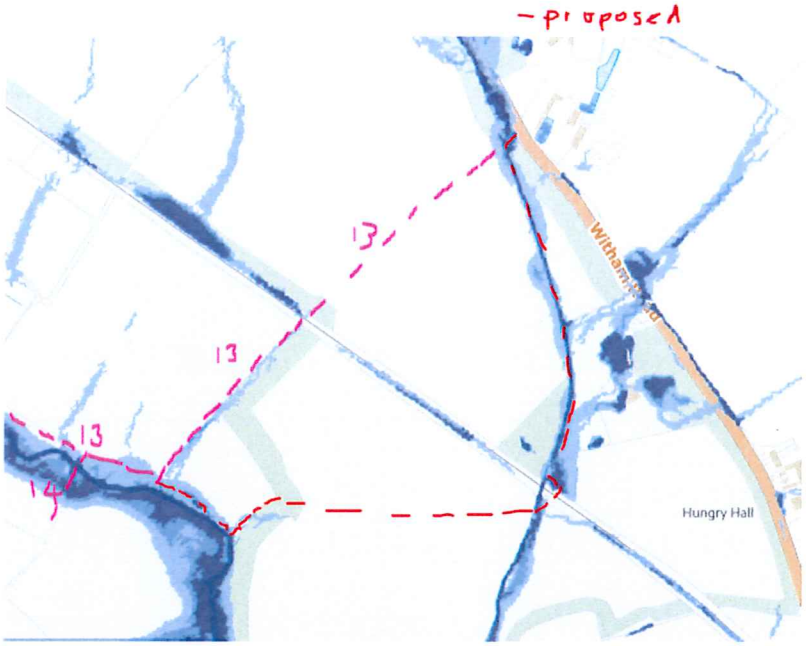
18.1 To the proposals in the parishes of in the parishes of Marks Tey, Copford, Stanway and Eight Ash Green, the Ramblers has no objections.

19. Proposals in the parishes of White Notley and Cressing (E37) (formerly known as the Essex Way, now the John Ray Walk)

19.1 The Ramblers objects strongly to this proposal. The Braintree Line is a single-track branch line. There are only two timetabled trains per hour, one up and one down the line—so a timetabled train movement every half an hour. It is not a freight line. The theoretical line speed is 50 mph.

19.2 The existing railway crossing has good sightlines and trains can be heard approaching. NR's data shows no accidents, incidents or near misses. Despite this NR assess the crossing as high risk at C8. It is not clear why the private user crossing about 350 metres south along the line has a slightly lower risk rating of C5. On the NE side of the railway line in particular, White Notley footpath 13 (120–13), is on higher ground with no flood risk and with extensive views.

19.3 The proposed route is via a private underpass which is at a high risk of flooding—see the Environment Agency surface water flood risk map below. On the north-east side of the railway line (P184A–P189–P188 sheet 28) the route is in the floodplain of a ditch-cum-watercourse as shown by the dark blue shading. The final section of the proposed diversion route (P185–P179A) would run closely along the north side of the River Brain in a high surface water and river flood zone area.



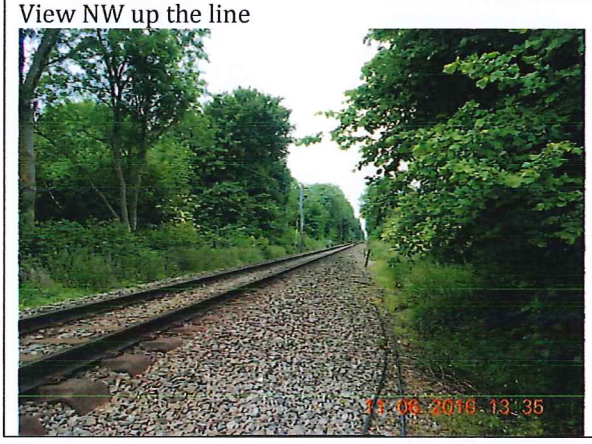
Environment Agency surface water flood risk map Dark blue = high risk

20. Proposals in the parishes of White Notley and Cressing (E36)

20.1 The Ramblers wishes to register a conditional objection to this proposal. The Braintree Line is a single-track branch line. There are only two timetabled trains per hour, one up and one down the line—a timetabled train movement every half an hour. It is not a freight line. The theoretical line speed is 50 mph.

20.2 The existing railway crossing poses no difficulties for pedestrians and has good sightlines. Trains can be heard approaching.

View NW up the line



View SE down the line

20.3 From a point-to-point walking route, NR's proposals are not objected to.

20.4 However, the possibility of a circular walk is removed: from the junction of Cressing 11 and 28 (74–11 and 74–28 = P184) to the north-east of the

crossing—over the crossing—south-west along White Notley 8 (120–8) to the junction with White Notley 21 (120–21 = P179) and then along the John Ray Walk and Essex Way to the underbridge Cressing 10 (120–10)—and so back to the starting junction.

20.5 If a path were to be created along the field edge on the north-east side of the railway line between the crossing and the underbridge, the possibility of a circular walk for local people would be retained even with the closure of the crossing. The land is lower than the railway embankment with an arable field on the north-east side so it would not be an enclosed path.

21. Parish of Cressing (E35, Cranes No. 1)

21.1 The Ramblers objects to this proposal unless the underpass is improved. The Braintree Line is a single-track branch line. There are only two timetabled trains per hour, one up and one down the line—so a timetabled train movement every half an hour. It is not a freight line. The theoretical line speed is 50 mph.

21.2 The existing railway crossing does not present a problem to walkers. There are sufficiently good sightlines, and trains can be heard approaching.

21.3 The land surrounding this crossing is described by NR as predominantly arable whereas in fact it largely comprises a golf course. The underpass that NR is proposing to use is used by golf buggies to travel from the tees on the west side of the railway line to the tees on the east side of the railway line. There would therefore be pedestrian and golf buggy conflict with no room to pass.

21.4 At a stated width of 1.1 metre wide and a minimum height of 1.75 metres, the underpass does not meet the minimum guidelines of width or height for a public footpath of 2 metres width plus 0.5 metres for each 'bounded side' and a minimum height of 2.2 metres. The Designs Manual for Roads and Bridges guidelines give minimum dimension for pedestrian only subways of 2.3 metres wide and 2.3 metres high.[27] The recommendation for a subway shared with cyclists is a minimum width of 4.0 metres—and a bicycle is narrower than a golf buggy.

21.5 The underpass also obviously floods—see the photograph below taken in June 2016 showing duck boards and water logging. The duck boards further reduce the height available.

21.6 On the east side of the railway line, there is quite a steep bank to be ascended in order to reach the Cressing footpath 14 (74–14). No provision has been made by NR for a ramp, or steps, up this slope.

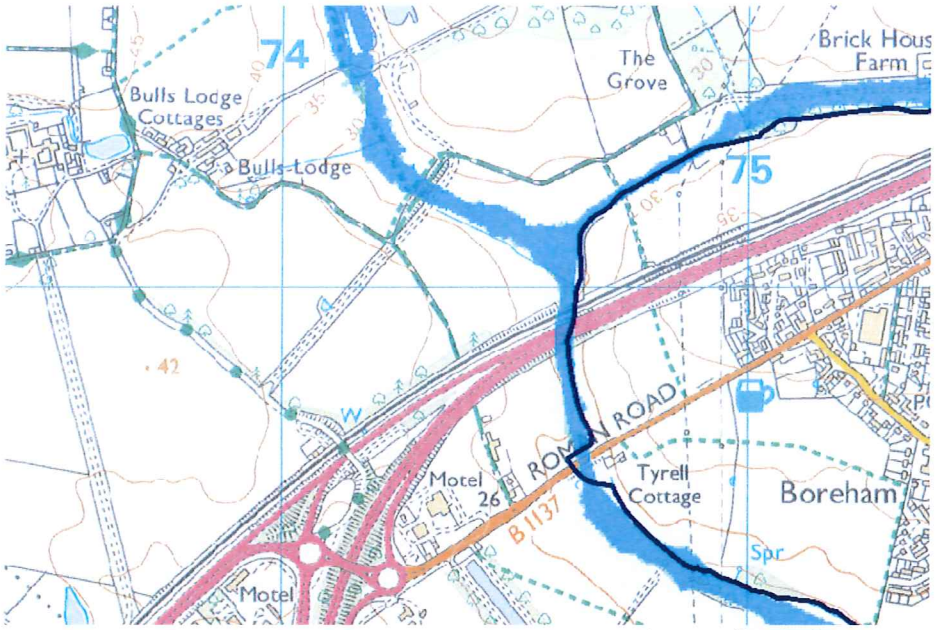
---

[27] www.standardsforhighways.co.uk/ha/standards/dmrb/vol6/section3/td3693.pdf

22. Parishes of Boreham and Noakes (E17 and E18)

22.1 NR's proposed bridleway loop north of the railway line is not an alternative as it is wholly on one side of the railway line. It does not seek to maintain the currently truncated north–south connection across the railway line and the A12. There is already an east–west bridleway—213–49 and 213–48—between Boreham 23 and Boreham 24, so another bridleway is not of particular benefit. The proposed bridleway is also partly in the flood plain of the watercourse, the Boreham Brook.

continues . . .



Environment Agency flood plain map

22.2 In fact, a substantial NR overbridge and series of arches already spans the Boreham Brook area (see picture below)

Picture taken from the north looking under the railway line towards the A12

22.3 Although the onward connection south is currently obstructed by the A12, Highways England is engaged in the planning for the A12 widening and improvement programme between the A12 Boreham junction and Marks Tey to the north-east. The work will start in 2019/2020 and is expected to run until 2025/6. One of Highways England's A12 scheme objectives is to provide a safe non-motorised user route between communities and seeks to address severance.[28]

[28] A12 NMU workshop 8 November 2016.

22.4 Although the NR bridge or arches at Boreham Brook are in a flood area, they do provide a non-at-grade crossing way of crossing the railway line between the Boreham and Noakes at-grade crossings. The use of this existing NR bridge and arches should be taken forward together with the provision of a nearby A12 crossing as part of the A12 widening scheme. We have seen no evidence that such a scheme has been considered to date.

22.5 Beaulieu Park is a major housing and business and new station development to the east of Chelmsford. The proposed May 2016 Beaulieu Park movement network plans to retain the current public rights of way and envisages north–south links across the railway line and the A12 to the B1137 (old A12) and Boreham. The movement plans envisage a new footpath coming to the NR–Boreham Brook area—see the map snip below.

Beaulieu Park—proposed movement network (May 2016)
(yellow and orange dashes = proposed cycleways; pink dots = footpaths; red stars = primary destinations)

22.6 NR's proposed bridleway loop north of the railway line conflicts with the published Beaulieu Park Movement strategy. Countryside Zest, the Beaulieu Park developers, objected to a September 2016 proposal for a northern bridleway loop.

22.7 With the definite delivery of an A12 widening and improvement programme, and the Beaulieu Park development, there is a real opportunity to provide non-motorised user off-road link(s) across the railway line and the A12 from

the new Beaulieu station and business park area to Boreham. This would also provide an off-road route south from the new housing to the countryside and pubs and restaurants in Boreham. It would also provide non-motorised user links from new housing developments in north-west Boreham to the new station and the associated business parks and employment opportunities

22.8 The Ramblers strongly objects to NR's closure proposal as being premature and unnecessary in view of the forthcoming developments in the area of the E17 Boreham and E18 Noakes crossings in the next 5 years and in view of the existing railway bridge or arches in the Boreham Brook area.

23. Footpath 12, Parish of Wakes Colne at Thornfield Wood Crossing (E51)

23.1 The Ramblers objects to this crossing closure. The crossing is on the Marks Tey–Sudbury branch line, which is promoted as a tourist attraction as the 'Gainsborough line' after the painter who lived in Sudbury. The line is a quiet, single track line with two timetabled passenger train movements per hour, one up and one down the line. The sight lines are good, and the trains can be heard approaching from miles away. There have been no reports of accidents or incidents.

23.2 The diversion is of nearly a kilometre, whilst other diversions of 450 metres (in Tendring) have, since the pre-application consultation, been abandoned as being too long.

23.3 The natural east-to-west flow of the network will be broken by this and the closures at E52, below, and walkers will be required to do more road walking on narrow roads which have no footways. A particular danger is the blind summit of a bridge over the former railway to Halstead when one approaches Wakes Colne footpath 10 from the south.

24. Footpaths 21 parish of Mount Bures and Footpath 8 parish of Wakes Colne, Golden Square Crossing (E52)

24.1 The Ramblers objects to this crossing closure. Like the above one, the crossing is on the Marks Tey–Sudbury branch line, which is promoted as a tourist attraction as the 'Gainsborough line' after the Sudbury-dwelling painter. The line is a quiet, single track line with two timetabled passenger trains per hour, one up and one down the line. The sight lines are good, and the trains can be heard approaching from miles away. There have been no reports of accidents or incidents.

24.2 The diversion here is nearly two kilometres, whilst other diversions of 450 metres (in Tendring) have, since pre-application consultation, been abandoned for being too long. The natural east-to-west flow of the network will be broken by these and the closures at E51, above, and walkers will be required to do more road walking on narrow roads which have no footways.

A particular danger is the blind summit of a bridge over the former railway to Halstead when one approaches Wakes Colne FP10 from the south.

25. Bures FP 30 (E54)

25.1 The Ramblers objects to this closure. NR records show there have been no incidents of misuse, near misses or accidents at this level crossing over the 6-year period 2011–2015. The crossing is on the Marks Tey–Sudbury branch line, which as mentioned elsewhere is promoted as a tourist attraction as the 'Gainsborough line' after the painter who lived in Sudbury. The line is single track with two timetabled passenger train movements per hour, one up and one down the line. The maximum line speed is given as 50 mph but this crossing is not far from Bures station so trains will be slowing down to stop at the station or will be starting up after having stopped.

25.2 The entire west–east route of public footpath 30 (70–30) provides a convenient direct route between the west side of Bures (Bures Hamlet) to the school, church and recreation ground and open space on the east side of Bures (Bures St Mary), avoiding walking beside busy narrow roads. This footpath would be truncated at the western end.

25.3 The proposed route is entirely on public roads and so is available to be used now if people wish. Being alongside roads it is noisier, and less enjoyable, with a poorer air quality and so less healthy due to the proximity of vehicle exhausts. A short stretch on Colne Road has no footway, only a grass verge.

25.4 Station Hill is a busy narrow road and the section under the existing railway–road bridge has a 'pedestrian warning' road sign footway provision is either minimal or non-existent.

25.5 The entry for this path in document NR12, the Design Guide, states, under 'Proposed Work'—

> A new section of asphalt footway (type P7 noted on the plan) will be provided east of the bridge and a crossing point added to allow users to cross Station Hill.

It is unclear from this whether the footway would be on the south side of Station Hill, or on the north side. The latter would require pedestrians to cross Station Hill twice. We add that road crossing points are not generally permitted near road junctions, of which there are two on the east side of Station Hill: Water Lane, and The Paddocks. A minimum footway width of two metres would need to be provided as per Essex County Council's Essex Design Guide.

26. Footpath 27 parish of Ardleigh (E56)

26.1 The Ramblers objects to this proposal.

26.2 This crossing has been physically closed for some years: not, it is thought, always in accordance with the powers in the Road Traffic Regulation Act 1984 for temporary closure of footpaths and bridleways. The closure has caused much complaint.

26.3 Depending on which alternative you take, the diversion adds 620 metres or 760 metres to a user's walk.

27. Footpath EX/184/19 parish of Wrabness (E48)

27.1 The Ramblers objects to this closure. The resulting diversion adds 730 metres to the route. Users are put at greater risk than if using the level crossing, the diversion sending them down a narrow road with bends. The nearby woodland-walk experience is removed.

28. Footpath EX/165/8 parish of Great Bentley at Great Bentley station, (E45)

28.1 The Ramblers objects to this closure. The diversion adds to the length of walking which will be through a yet-to-be-built business park, which will be part of a development only lately approved, following a planning appeal, Tendring District Council having rejected the application. Several years' building what will not be an especially attractive walking environment will not make this an appealing alternative for walkers.

29. Proposals at Paget Crossing, parish of Wivenhoe (E41)

29.1 The Ramblers objects to this closure. The route is not recorded on the definitive map and statement[29] as public right of way but is a recognized pedestrian link between two sections of the same road.

29.2 We object to the closure because it removes a short level crossing link enabling people in the town of Wivenhoe to visit their neighbours, walk their dogs and access the village facilities, which include the river frontage, pubs, church, shops and a school.

29.3 The alternatives are either longer or steeper.

30. Wivenhoe Park Crossing, parish of Wivenhoe (E57)

30.1 The Ramblers objects to the proposal. Paragraph 27(2)(c) of the draft Order provides for the extinguishment of private rights over the Wivenhoe Park

[29] The legal record of public rights of way, but which is 'without prejudice' to the existence of other unrecorded public rights.

Crossing, an accommodation crossing for farm vehicles on Footpath 236 Colchester. The farm vehicles will consequently need to access the fields to the west of the railway at their north-western end, via about 150 metres of the Sustrans cycleway river path—Footpaths 129 and 130, Colchester.

30.2 We believe that the mix of farm vehicles, cyclists and walkers (and the occasional Environment Agency vehicle, since we think they have access to Salary Brook Sluice by this section of the path) is simply too dangerous in this narrow track. There is no provision for safety zones or for passing places.

30.3 Moreover, there will be surface transference that will present a hazard to users: mud from fields to the cycleway, and gravel from the cycleway to the University Quays paved area and the roads.

31. Footpath EX/162/16, parishes of Elmstead and Alresford, Sandpit (E42)

31.1 The Ramblers objects to this proposal. The diversion, in our view, is more dangerous than using the level crossing.

31.2 The alternative route proposed by NR is about 740 metres long, and involves using a busy road and a bridge with no footway. This increased interaction between vehicles and pedestrians will at best cause inconvenience to drivers (and annoyance to some of them) having to stop for, or manœuvre round, walkers, and stress, fear or embarrassment on the part of pedestrians having to cause drivers to take that kind of action. Worse, it will increase the likelihood of accidents. It is likely to deter pedestrian use completely.

31.3 And the diversion end-point, P305, is about 250 metres from the resumption of the footpath network with Footpath 157 (at point P296) on the Wivenhoe Road. This is a significant break in the public rights of way network's connectivity.

32. Footpath EX/157/4 parish of Alresford at High Elm (E43)

32.1 The Ramblers objects to this proposal. The diversion adds 230 metres to the route. Some diversions can genuinely improve a walk, if in being made longer the walk is also made more attractive. But here, though we recognise that a pedestrian refuge is to be provided, pedestrians will need to cross a busy road with fast-moving traffic and no crossing provision. Moreover, users will need to walk alongside the busy road, with its noise and fumes, instead of, at present, a woodland path much loved by users.

32.2 We doubt that statistics of recorded use during NR's survey have captured a representative true level of use, or properly reflect the path's value to those who regularly use it.

33. Footpath EX/165/12 parish of Great Bentley (E46)

33.1 The Ramblers objects to this closure. The alternative route adds a full 1.4 kilometres to a user's journey, which for a path subject to 'routine' use is not acceptable. The alternative goes through the yet-to-be-built 'business park', so users will have the noise and other inconveniences of construction work, possibly for several years, followed by a walk through what will not be an especially attractive walking environment.

33.2 The effect will also be to prevent walkers having the option of varying their route by walking along the large and very attractive village green.

34. London Borough of Havering: proposals at Manor Farm Crossing (HA03)

34.1 The Ramblers objects to this proposal, unless an off-carriageway footway–cycleway is provided to cross the railway alongside Ockendon Road bridge in addition to the proposed 2 metre wide field margin footpaths. The approach to the bridge from both directions is particularly dangerous. Without that facility we cannot see that NR's proposal will improve pedestrian safety. It has the opposite effect.

34.2 Local roads lack footways: it is dangerous to walk on the busy Ockendon Road between Bridge Cottages and Pea Lane. There would have to be (and we have seen no evidence that one is proposed) a footway along Ockendon Road, including at the railway bridge. The approach to the bridge from either direction is particularly dangerous.

34.3 The lack of verges or footways down the winding, narrow Pea Lane—which has no white lines—puts walkers at risk. Making people walk on this type of road increases the likelihood of accidents involving vehicles. Visibility for people crossing the railway is actually much better than that on Pea Lane.

34.4 It is true that Footpath 251 is already fragmented because of the M25. If the level crossing has to be closed, this could be an opportunity of finding some way of reconnecting this section of Footpath 251 with the public right of way network.

35. London Borough of Havering: proposals at Eves Crossing (HA04)

35.1 The Ramblers objects to the proposal. Again, it would result in more road walking on roads without footways or even verges, including the need to cross the Ockendon Road bridge which has no footpath or pedestrian refuge. This would increase the likelihood of accidents and cause stress to walkers. There is a loss of amenity since a south-west–north-east link is lost and walkers are forced to make a 2 kilometre diversion, likely to take at least 40 minutes.

35.2 The NR12 design diagram show 2 metres wide off-road footpaths being created for the diversions; however, there is no off-road proposal for a footway or cycleway at the busy Ockendon Road railway bridge.

35.3 There are no instances of incident or misuse at this crossing. The crossing should be retained.

36. Footpath EX/272/178, district of Brentwood, Whipps Farmers Crossing (E28)

36.1 The Ramblers objects to this closure. The present footpath navigates across quiet open countryside and crosses the railway line in a north–south direction. The proposed closure of the level crossing at Whipps Farmers, with a diversion westwards on to Warley Street, crossing the railway line at Puddle Dock level crossing, is unacceptable.

36.2 The effect of closure would be to stop pedestrians from moving north to south or vice versa unless they use a circular route of about 3 kilometres. This would take about an hour to walk, and would involve crossing the dangerous Warley Street and walking alongside the busy B187 St Mary's Lane. Both roads have heavy fast moving vehicular traffic and lack footways.

36.3 Walkers are unlikely to use this route but would be tempted to 'short-cut' by using the humpback bridge on Warley Street. As recorded by NR there is no footway over this narrow bridge, visibility is poor, and there is a high volume of fast moving traffic—accidents have occurred here.

36.4 NR records show there have been no incidents of misuse, 'near-misses' or accidents at Whipps Farm level crossing (as in many locations) over a six-year period. Using the All Level Crossing Risk Model, NR state this crossing has a high-risk score of B6. In our view, since there are good sight lines, and there have been no incidents, the crossing should be retained. The diversion proposes using the Puddle Dock level crossing which is nearby (about 600 metres away) on the same line. This surprisingly has a lower risk score of C8.

36.5 We believe that no evaluation has been undertaken by NR of the risks associated with diverting the footpath across Warley Street, yet they have previously acknowledged that this road has high volume, fast moving traffic.

36.6 The Ramblers believes the risks to pedestrians crossing this road are likely to be substantially greater than those using the level crossing. The volume of road traffic far exceeds the frequency of trains, and the visibility on Warley Street is poor. We think this proposed diversion for pedestrian use is unsuitable.

36.7 In conclusion, the proposed diversion would have a destructive effect on the present public right of way network. It is totally different in nature from the present countryside footpath; it is substantially less convenient; it exposes walkers to excessive traffic noise and pollution; and it increases the

likelihood of accidents involving pedestrians and vehicles. Hence our objection.

37. Footpath EX/313/39 parish of West Horndon, Brown and Tawse Crossing (E29)

37.1 The Ramblers objects to this closure. The present path crosses the Brown and Tawse level crossing in a north–south direction and, except for the St Mary's Lane crossing, involves no road walking. The closure of the crossing would stop pedestrians from moving north to south or vice versa unless they follow the proposed diversion—a circular westward walk of about 750 metres, taking about an extra 10–15 minutes (P387 to P388A, P388, P389, P390, P392 to P393). This route would require the public to walk along Childerditch Lane over a narrow humpback railway bridge with poor visibility and no footway. Pedestrians are exposed to an unnecessary risk of accidents with traffic.

37.2 NR records show there have been no incidents of misuse, 'near-misses' or accidents at the over a six-year period at the Brown and Tawse level crossing. There are good sight lines and there have been no incidents. It is in our view as safe as Puddle Dock and Brickfields level crossings on the same line which are to remain open. On that basis, the Brown and Tawse crossing should remain open.

37.3 We believe that no evaluation has been undertaken by NR of the risks associated with diverting users along Childerditch Lane. It is clear the narrow humpback railway bridge is a hazard for pedestrians and vehicles: visibility is poor with blind spots, and there is no footway.

37.4 In conclusion, the proposed diversion is totally different in nature from the present footpath; it is substantially less convenient to the public, it exposes walkers to unnecessary traffic, and it increases the likelihood of accidents involving pedestrians and vehicles, and causes embarrassment and unease to users as drivers have to slow and sometimes stop, and in some cases a reciprocal annoyance or worse on the part of some motorists. Hence our objection to this proposed crossing closure and diversion.

38. District of Basildon: proposals at Motorbike Crossing (E33)

38.1 The Ramblers objects to this crossing closure and diversion.

38.2 The level crossing provides walkers and Basildon residents north of the A13, with a quick, quiet and safe access to an extensive conservation area which includes Pitsea, Vange and Fobbing Marshes, and an RSPB reserve. As recorded by NR, the crossing is used by pedestrians on a regular and frequent basis, showing its popularity and value. The crossing is protected by whistle boards and crosses the Grays to Pitsea railway track about 500 metres to the west of Pitsea Station; trains go slower here to stop at, and depart from, the station.

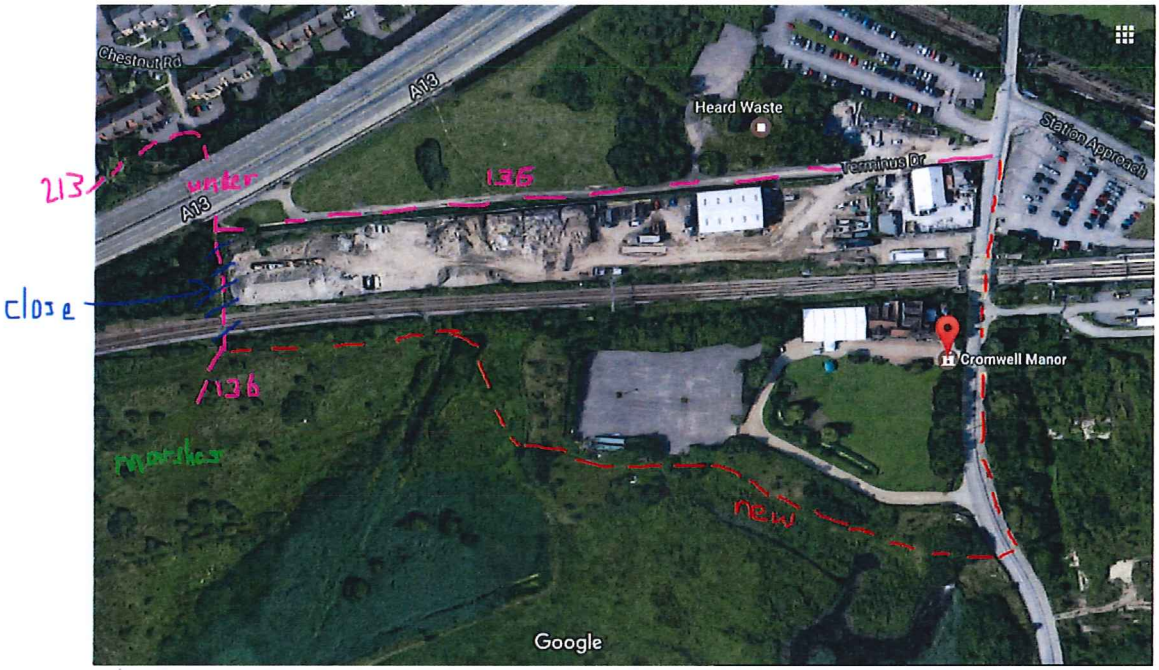
38.3 NR propose closing the crossing and routing walkers along a diversion of about 1 kilometre. This would take about 25 minutes. Where a walk is purely recreational, extra distance can in fact be a bonus, if the terrain is attractive: but this would involve using the existing Basildon footpath 136, walking past an ugly industrial park, then crossing and walking alongside the busy and dangerous Pitsea Hall Lane, using the Pitsea Hall Road vehicular level crossing just outside Pitsea Station. NR's 'key risk drivers' for the Pitsea Hall Road vehicular crossing includes 'large numbers of HGVs'. The footways along Pitsea Hall Lane are narrow and stretches of them are designated as a joint footway and cycleway.

38.4 The character, nature and length of this diversion are totally different from the present path. It will be a strong disincentive to people trying to access the Marshes and reserve. There is a clear loss of amenity.

38.5 Moreover no thought appears to have been given to people with mobility issues, or to the safety of people crossing Pitsea Hall Lane.

38.6 The proposed new return route south of the railway line—parcels 01, 03, 17,18, 19 and 22—passes across land owned by Cromwell Manor (previously called Pitsea Hall), a private wedding venue that also stages open-air cinema shows in the summer (with paid-for ticketed admission). Parcels 18–17–19 form part of, or pass along, the south side of the venue car park. Parcel 22, which is the south-eastern end of the proposed new route, runs in the same north-west–south-east line as the venue access road just to the north (parcel 21).

38.7 If the footpath creation on Cromwell Manor land fails to occur (i.e, so that there is no new path), then the pedestrian access to the Marshes will have been removed: this will be a major loss of amenity for visitors and people living in Basildon and Pitsea.



39. T01–131 (Thurrock Unitary Authority)

39.1 Ramblers objects to the closing of this level crossing. This crossing has had no accidents in the 5-year period up to 2015. This, and the maximum line speed being limited to 50 mph, implies that safety is not an issue.

39.2 Footpath 145 which goes over the level crossing is used daily by a few pedestrians.

39.3 The diversion proposed by NR is over 700 metres and involves roadside walking along the A1306 Arterial Road Purfleet which has no defined footway. The A1306 links to the nearby A13 and carries a mix of light and heavy vehicles. The proposal that pedestrians use existing verges presents a safety risk, particularly if for any reason the verges were not usable (e.g, in circumstances where they were not being maintained properly).

40. T04 Jeffries (Thurrock Unitary Authority) (Footpath 32)

40.1 Ramblers objects to the closure of this level crossing. No accidents were recorded here in the 5-year period up to 2015 so safety appears not to be an issue. The popular and well used Footpath 32 crosses the level crossing in a north-west–south-east direction and provides walkers and residents of Stanford Le Hope quick and easy access to the open countryside via the nearby A13 underpass.

40.2 NR proposes closing this crossing and creating a north–south circular diversion which runs south on a new path parallel and close to the rail line, up via steps on an embankment on to the noisy and busy A1014 intersection with the A13, over the railway bridge and down steps on to a new field edge path which runs parallel and close to the A13 before accessing the A13

underpass. This diversion is 1.2 kilometres long and would take 25 minutes to walk. This would be extremely difficult, or impossible, for people with mobility issues. It is a long, noisy, difficult diversion which will inhibit walkers and restrict access to the open countryside. This diversion is totally different from the present route and would result in a loss of a local amenity.

41. T05 Howells Farm

41.1 The Ramblers objects to the closure of this level crossing. In the 5 years up to 2015 there were no accidents recorded at this level crossing; again, safety appears not to be an issue. T05 Howells Farm is crossed in a north–south direction using the quiet FP23 which runs parallel to the High Road and terminates on the B1420.

41.2 NR is proposing two diversions—one to the east, and one to the west. The diversion to the east involves a road side walk along High Road, over Fobbing level crossing, then on to a busy roundabout which provides access to the A13 before proceeding along the B1420; it is a vehicle dominated route with attendant noise and pollution. It is about 3 kilometres long, and would take about an hour to walk. The diversion is totally unsuited to pedestrians and is unlikely to be used, since it is completely different in nature to the present route. The crossing closure will result in a loss of a local amenity.

41.3 The diversion to the west along a new field edge path (width not specified) runs close to and parallel to the rail track, then up a stepped incline on to the Southend Road then onwards to the B1420. This diversion is about 1.4 kilometres and would take 25 minutes to walk. It could prove problematic to people with mobility issues. Again, there is a loss of local amenity for people who wish to access or exit the B1420.

42. E30 Ferry (PROW EX/Benf/22)

42.1 The Ramblers conditionally objects to this proposal. This level crossing provides pedestrians with quick and easy access between Benfleet Downs and residential properties on the north side of the line and Canvey Island and South Essex Marsh Nature Reserve on the south side.

42.2 The crossing is protected by whistle boards. No NR accident, incident or misuse data for 2011–2015 was published in the consultation, as the crossing has been physically closed for some years, but not, it is thought, always in accordance with the powers in the Road Traffic Regulation Act 1984 for the temporary closure of footpaths and bridleways. This potentially unauthorized closure makes assessment of the present crossing difficult.

42.3 There are (or appear to be) clear lines of sight in both directions and although the line speed is rated at 75mph trains are slowing as they enter or leave Benfleet Station, which is about 300 metres away.

42.4 The crossing, however, is close to crossing E31 Brickyard, and provided that Brickyard crossing remains open, the Ramblers will raise no objection to the closing of E30 Ferry.

43. E31 Brickyard Farm (PROW EX/Benf/12)

43.1 The Ramblers objects to this closure. This level crossing provides pedestrians with quick and easy access between Benfleet Downs and residential properties on the north side of the line and Canvey Island and South Essex Marsh Nature Reserve on the South Side.

43.2 The crossing is protected by whistle boards and as recorded by NR was used by large numbers of people, and there were no accidents recorded in the 5 years up to 2015. There are clear lines of sight in both directions and although the line speed is rated at 75mph trains are slowing as they enter or leave Benfleet Station, which is about 380 metres away.

43.3 NR have proposed a diversion of about 760 metres which goes parallel to the line, through a car park and an underpass at the station and involves a road walk of about 300 metres along the busy Ferry Road. The diversion is totally different in nature to the existing route and would result in a loss of amenity.

44. E38 Battlesbridge

44.1 The Burnham branch line is a single track branch line with only 2–3 train movements per hour.

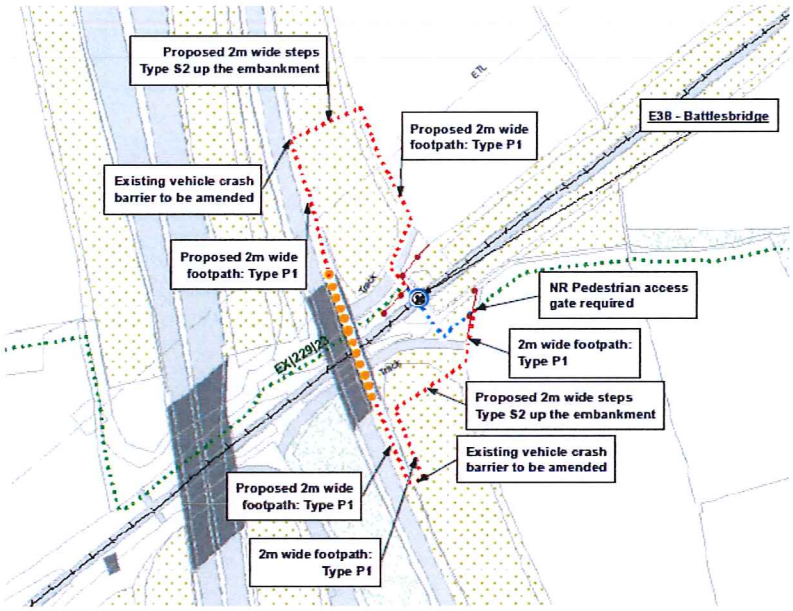
44.2 The crossing is close to Battlesbridge station so trains will be slowing down or just moving off and so they will be slower than the 50mph line speed. NR's data states that there have been no accidents, no near misses and no misuse of this crossing between 2011–2015 and no 'key risk drivers' are noted. The sight lines at this crossing are good.

Sight lines looking west

Sight lines looking east

44.3 NR propose that users will climb up a considerable number of wooden steps on to the busy A1245 road bridge deck above the railway line and then back down a set of wooden steps again.

44.4 The proposal drawing in the Design Guide shows that the proposed diversion route is a factor of about 10 times longer than the current short walk across the single-track railway—and this does not take into account the height difference which must be negotiated.



44.5 It is not clear who would be responsible for maintaining the wooden steps—NR or Essex County Council. Ramps, not steps, are required for inclusivity.

44.6 NR propose cutting a gap in the crash barrier along the A1245. There is no mention of moving the crash barrier or providing a second crash barrier. NR's proposal appears to mean that pedestrians would walk alongside the busy A1245 without any protection from the traffic. The speed limit on the A1245 is 60mph.

A1245 and (below) the bridge deck, with person shown to illustrate its height

44.7 The Ramblers objects to the closure of crossing E38 Battlesbridge since the alternative is inconvenient, less safe, and much less enjoyable for users because of the considerable climb up and down and the proximity to, and noise and pollution from, fast moving traffic on the A1245 bridge deck.

45. E19 and E20 Potters

45.1 The Ramblers objects to the proposal to close crossing E19 Potters in Rivenhall. The sight lines at Potters crossing are good. NR's own data states that there has been only one accident during 2011–2015 and no incidents or near misses. Safety measures like warning lights, or interlocking gates, or both, should be installed in preference to closure.

45.2 The proposed connection around the south side of Hoo Hall would be a welcome addition to the PROW network.

45.3 However, Rivenhall public footpath 48 (105–48) which would be the replacement north-north-east–south-south-west route is in the flood plain and gets very boggy—see the flood map below. By comparison footpath 43, which would be extinguished, is on higher ground. Therefore, the alternative route proposed is not acceptable and the proposal is objected to.

45.4 If diversion of the footpaths had been sought under section 119A of the Highways Act 1980,[30] then an acceptable solution could potentially have been arrived at during discussions between all parties—path users, the landowner, Essex County Council and NR. However, the TWAO process

[30] I.e, under the provision especially provided by Parliament for the purpose.

appears to have no facility to arrive at a mutually agreed solution—the only options being to agree or to object.

Environment Agency flood map. Dark blue = high risk

46. E20 Snivellers, Kelvedon, EX/92/34

46.1 The Ramblers objects to the proposal to close crossing E20 Snivellers in Kelvedon. Snivellers crossing is a strategic link in the local rights of way network. It forms part of two of Kelvedon Parish Council's published circular walks. NR have proposed various bridleway loops north of the railway but none provide any connectivity to the south of the railway line. The alternative proposed railway crossing of Hamilton's Bridge on Cranes Lane is a narrow road bridge with no footway or verge. This is already a public highway which is available for use now and so does not compensate for the loss of Sniveller's Lane crossing.

46.2 NR's own data states that there have been no accidents, incidents or near misses at this crossing between 2011–2015. Warning lights, or interlocking gates, or both, could be the solution here.

46.3 Sniveller's Lane is a historic connection with Great Braxted Mill to the south of the A12. Closing the crossing removes the north–south connection and by leaving a dead-end on the south side of the railway line, it degrades the connectivity of the public right of way network.

46.4 The A12 is in the Highways England 2015–2020 programme for widening to three lanes and improvement to expressway standards. One of Highways England's A12 scheme objectives is to provide a safe non-motorised user route between communities and seeks to address severance.[31]

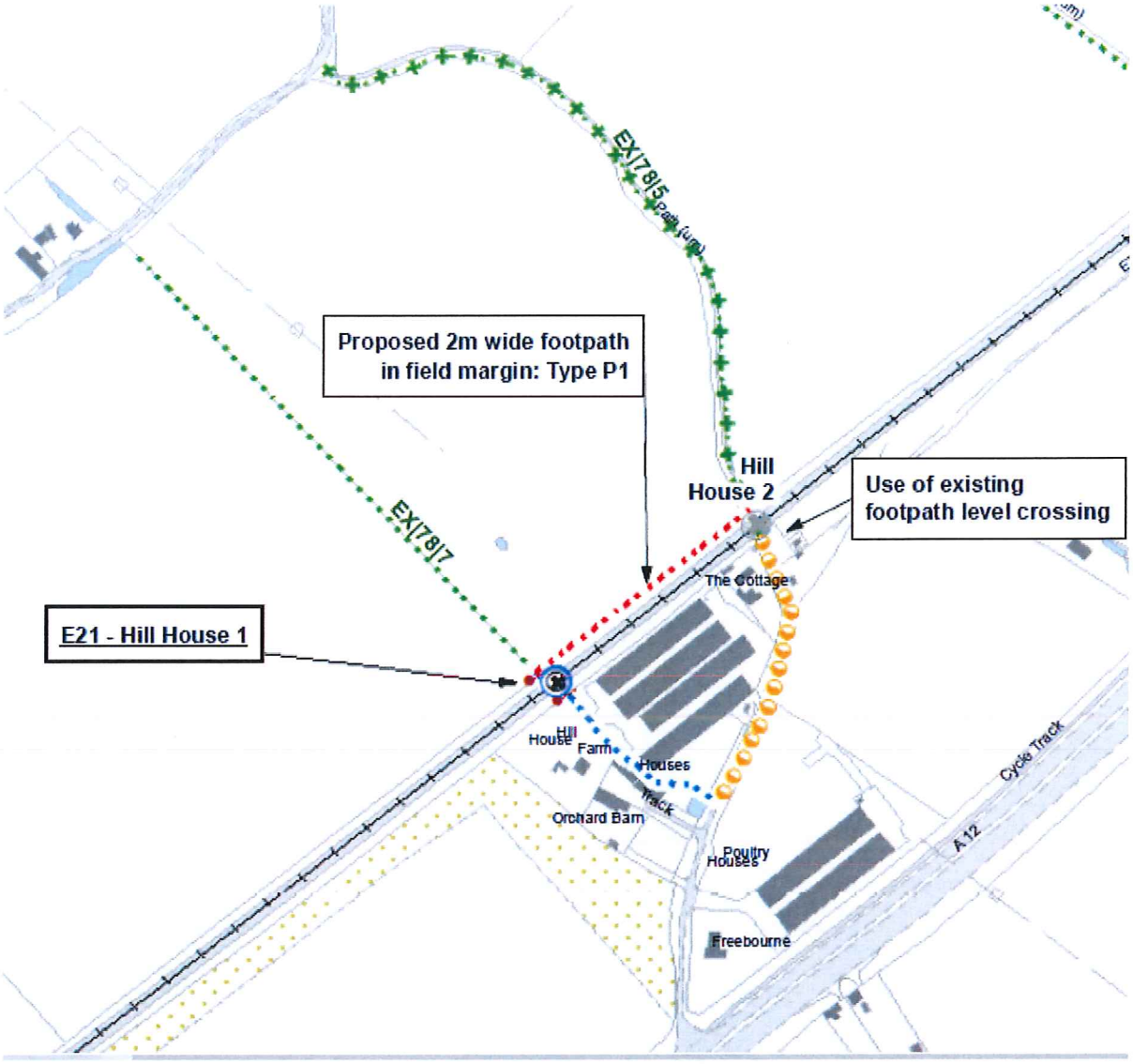
46.5 Whatever happens, a local road will be provided along this stretch of the A12 as there are properties exiting on to the existing A12, and the Rivenhall junction (un-numbered) is severely sub-standard and dangerous. So Sniveller's Lane, a bridleway to the north and still a public road with vehicular rights to the south, will become useful once again as it will connect into a local bus route. To close Sniveller's Lane railway crossing at a time when the restoration of north–south connectivity of the public rights of way network is in sight would be perverse.

47. E21 Hillhouse1, Feering EX/78/7

47.1 This is a conditional objection. Provided that the 2-metre-wide connecting path along the northern side of the railway line (P206/606A–P210) is delivered as a public right of way and the public railway crossing at Hill House 2 remains open, then there is no objection to the closure of crossing E21 Hill House 1 and the SE part of Feering footpath 7 (78–7).

continues ...

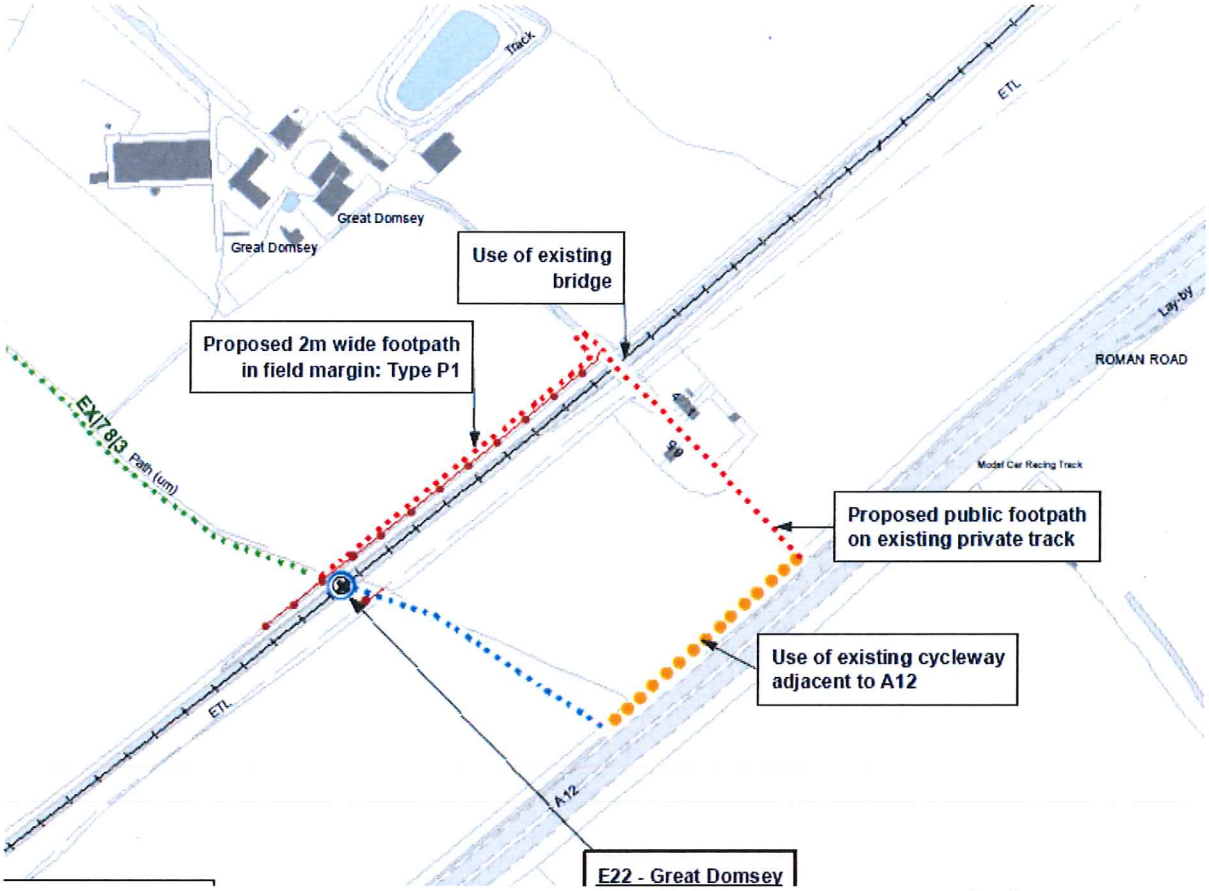
[31] A12 NMU workshop, 8 November 2016.



NR12: E21 Design Freeze proposals plan

48. E22 Great Domsey, Feering CO5 9ES

48.1 Provided that the 2-metre-wide connecting path along the northern side of the railway line (P213–P217) and then the route along Domsey Chase to the A12, including the railway bridge (P217–P218), is delivered as a public right of way, then there is no objection to the closure of crossing E22 Great Domsey.



NR12: E22 Design Freeze proposals plan

49. Footpath 18 (EX/285/18) parish of Hawkswell at Barbara Close Crossing (E26)

49.1 The Ramblers object to this proposal.

49.2 The existing crossing is on a straight section of trackway with clear lines of sight in both directions.

49.3 The ALCRM C6 classification here appears based on a line speed of 80mph. This seems to us not to reflect the reality that trains are travelling much slower: London-bound trains will be in the process of accelerating from Rochford station; Southend-bound trains will already be decelerating at the point at which they pass the crossing.

49.4 As acknowledged in NR's assessments, pedestrians frequently use this crossing, some of them daily. Yet there were no incidents of misuse, no 'near-misses' and no accidents at this crossing during the last 6 years. NR have proposed extinguishing about 100 metres of Footpath FP 285/18 and closing the level crossing (Points P441, P442, P443). Pedestrians must then take a 15-minute diversion of about 800 metres, of which 500 metres is road walking.

49.5 Moreover, the route which will have to be taken instead uses a railway underpass at Ironwell Lane. This is frequently flooded (as the photograph in NR's public consultation document shows).

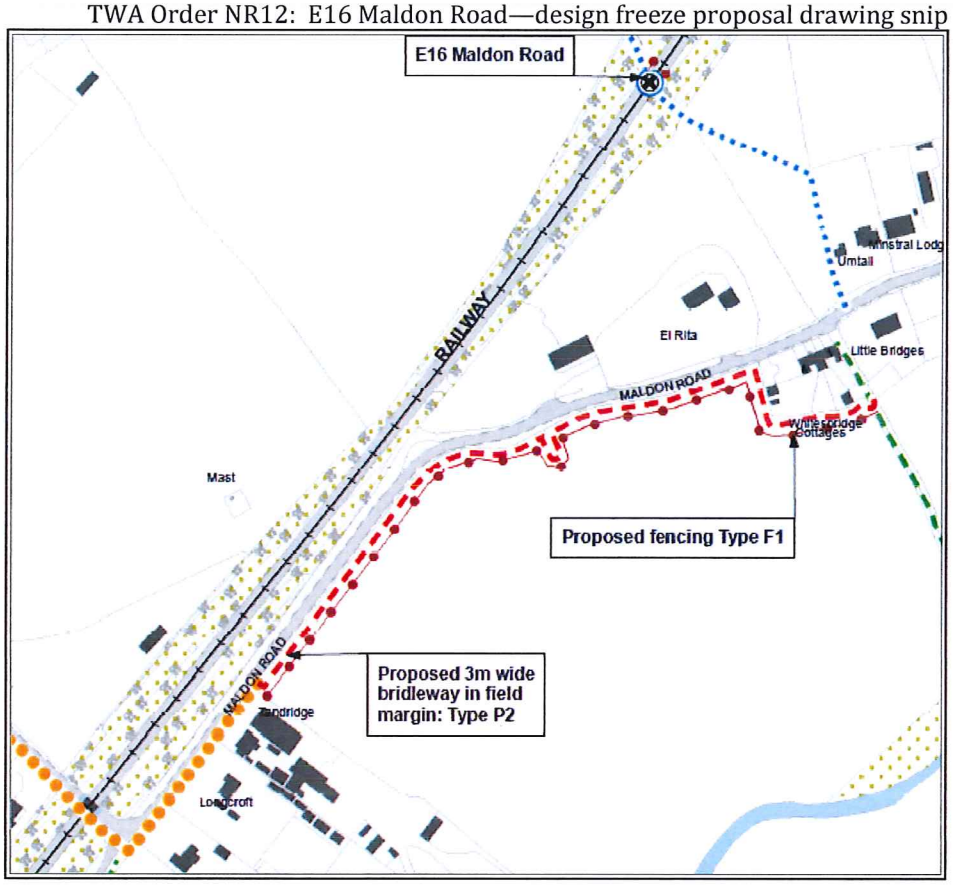
COMMENTS CONCERNING OTHER PROPOSALS

50. Margaretting crossings E16 Maldon Road and E15 Parsonage Lane

50.1 E16 Maldon Road crossing and public right of way Margaretting 21: it is a great pleasure to see that an off-road bridleway connection on the south-east side of Maldon Road between bridleway 22 (226–22) and the footway connection to the Maldon Road underbridge is now included in this order under the 1992 Act (as per the NR freeze drawing, P155–P156 on sheet 23). Provided that this 3-metre-wide off-road bridleway link is delivered, there is no objection to the closure of crossing E16 Maldon Road and the public right of way Margaretting 21 (226–21).

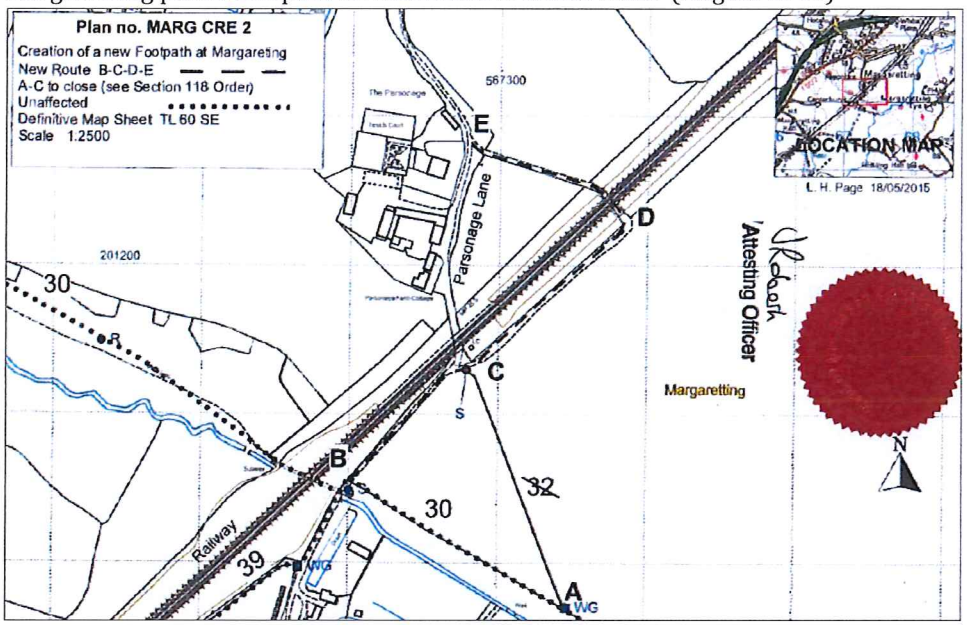
50.2 Maldon Road and public footpaths Margaretting 20 and 29 on the north side of the Maldon Road bridge connect northwards to the B1002, the old A12.

TWA Order NR12: E16 Maldon Road—design freeze proposal drawing snip



50.3 E15 Parsonage Lane and public footpath Margaretting 32: a public footpath, Margaretting 32, was created in August 2015. It uses an existing underpass to the north-east of crossing E15 Parsonage Lane. This being so, there is no objection to the extinguishment of the public footpath across this crossing. It is noted that private vehicular access over the level crossing will remain.

Margaretting public footpath 32 confirmed creation Order (August 2015)



51. Closing

51.1 It may be that before any inquiry is held, it will be possible by negotiation to resolve at least some of the issues mentioned above.

51.2 Aside from that possibility, we ask the Inspector to take the above considerations into account in deciding whether to recommend the making of the orders in their present form.

The Planning Inspectorate

Order Decisions

Inquiry held on 17, 18, 19 January, 28 February and 1and 2 March 2017
Site visit made on 13 March 2017

by Alison Lea MA (Cantab) Solicitor

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 20 April 2017

Order Ref: FPS/M5450/4/1

- This Order is made under Section 119 of the Highways Act 1980 and is known as the Harrow School Playing Fields (Footpath No 57) Diversion Order 2013.
- The Order is dated 3 July 2013 and proposes to divert the public right of way shown on the Order plan and described in the Order Schedule.
- There were 12 objections outstanding at the commencement of the inquiry.

Summary of Decision: The Order is not confirmed

Order Ref: FPS/M5450/4/3

- This Order is made under Section 119 of the Highways Act 1980 and is known as the Harrow School Playing Fields (Footpath No 58) Diversion Order 2016.
- The Order is dated 7 April 2016 and proposes to divert the public right of way shown on the Order plan and described in the Order Schedule.
- There were 12 objections outstanding at the commencement of the inquiry.

Summary of Decision: The Order is not confirmed

Order Ref: FPS/M5450/6/1

- This Order is made under Section 26 of the Highways Act 1980 and is known as the Harrow School Playing Fields Public Path Creation Order (No 1) 2013.
- The Order is dated 3 July 2013 and proposes to create a public right of way as shown on the Order plan and described in the Order Schedule.
- There were objections outstanding at the commencement of the inquiry.

Summary of Decision: The Order is not confirmed

Order Ref: FPS/M5450/6/2

- This Order is made under Section 26 of the Highways Act 1980 and is known as the Harrow School Playing Fields Public Path Creation Order (No 2) 2013.
- The Order is dated 3 July 2013 and proposes to create a public right of way as shown on the Order plan and described in the Order Schedule.
- There were objections outstanding at the commencement of the inquiry.

Summary of Decision: The Order is not confirmed

Procedural and Preliminary Matters

1. Order Ref. FPS/M5450/4/3 dated 7 April 2016 replaces Order Ref. FPS/M5450/4/2 dated 3 July 2013. When the latter was submitted to the Secretary of State for confirmation it became apparent that there were errors

in the plan to the Order. It was therefore remade and accordingly it is Order Ref. FPS/M5450/4/3 dated 7 April 2016 which is before me. However there are no material differences between the Orders.

2. There were 12 objections to the diversion orders dated 3 July 2013 and it is not disputed that those made in relation to Order Ref. FPS/M5450/4/2 should be treated as made in respect of Order Ref. FPS/M5450/4/3. Oral evidence was given at the inquiry by 6 of those objectors[1]. In addition I heard evidence against the Orders from 2 local residents who had not previously submitted formal objections and also from Gareth Thomas, Member of Parliament for Harrow, and from Councillor Sue Anderson.

3. It is unclear how many of the objections also relate to the creation orders. At the inquiry many of the objectors stated that they were "neutral" in relation to the creation orders.

4. I carried out a preliminary site visit on 18 January 2017 accompanied by a representative from each of the Council, Harrow School (the School) and the objectors. I carried out a further accompanied site visit on 13 March 2017 accompanied by a representative from the Council and from the School and by a number of objectors.

5. FP57 runs along a northwest/southeast alignment between the southern end of Football Lane and Pebworth Road. Tennis courts and astroturf pitches have been constructed pursuant to a planning permission granted in 2003 and the route passes through the tennis courts and between the 2 astroturf pitches. The Order if confirmed would divert the footpath along a short stretch of FP59 and then around the eastern edge of the tennis courts and astroturf pitches.

6. FP 58 runs along an east/west alignment between the southern end of Football Lane and Watford Road following the shortest route between the 2 points. The Order if confirmed would divert it along part of FP59 to Point H where it would make a right angle turn to follow an existing track running northwest/southeast. It would then make another right angle turn to run adjacent to the stream close to the boundary with Harrow School Farm up to a stile on Watford Road.

7. The creation orders would add a footpath between the sports pitches and the stream which would link with the diverted routes of FP57 and FP58 and would create a triangular network of footpaths near the stream.

8. It is common ground that the 4 Orders should be considered as a package and that the 2 creation orders are not capable of confirmation unless both the diversion orders are confirmed. This is because they would not connect with a public highway. Accordingly I shall consider the diversion orders first. As some of the issues are common to both Orders I shall consider them together where appropriate.

Background

9. There is a long history to this matter. Despite this history, I agree with the Council that the fundamental issue in the determination of whether or not to confirm the Orders is whether or not the statutory criteria have been met. Nevertheless, given the extent to which both the School and the objectors refer

[1] Ms Ashbrook gave evidence on behalf of both the Ramblers' and the Open Spaces Society

to, and indeed rely on, various aspects of the history to the making of these Orders, I set it out in some detail.

10. Planning permission was granted in 2003 for development which included "12 replacement tennis courts" and "2 all-weather pitches[2] and fencing". The application was made in January 2001. Neither the School nor the Council has been able to supply copies of the application or plans but it is accepted that the development was constructed in accordance with the permission.

11. The tennis courts and astroturf pitch compound were constructed over the definitive line of FP57, which has been obstructed by the tennis courts since that date. The astroturf pitches are located either side of the definitive line of FP 57, which runs along a paved area between the pitches. The line was blocked for many years due to the locking of gates at either end and the placing of heavy machinery against one of the gates. Following complaints the machinery was removed and the gates unlocked. Members of the public are now able to walk the definitive line between the pitches.

12. Both the planning permission and the report to committee are silent as to the existence of FP57 and the fact that the development would obstruct the definitive line. Following the grant of permission on 28 April 2003 no action to extinguish or divert FP57 was taken.

13. A Permissive Footpath Agreement was entered into by the School and the Council on 23 May 2003. The correspondence leading to it was explored in considerable detail at the inquiry.

14. The first piece of correspondence is a letter dated 27 September 2000 from the Council to the School which refers to the Council's support for an initiative by the London Walking Forum to create an orbital waymarked path around London, the "Capital Ring". It refers to a section of the Capital Ring utilising "the public right of way across Harrow School's playing fields, from the end of Football Lane to Watford Road" and states that "obviously conflict occurs when walkers wish to use the path and matches are being played. The route around the pitches is not clearly defined, and can lead to walkers wandering over the School's land to try to find their exit point".

15. The letter goes on to state that "the Capital Ring route is designed to be easy to follow without the aid of a map" and that "Mr Bob Dunn, of the London Walking Forum Executive/Ramblers' Association, has kindly prepared a schedule for the signage that will be necessary for this section of the Capital Ring. I believe he has already spoken to you, and canvassed his suggestion that an alternative route around the pitches could be waymarked, subject to the School's permission".

16. The letter then invites comments on "whether the School would be prepared to enter into a legal agreement creating a "permissive route" along the line suggested by Mr Dunn, whist retaining the public right of way across the pitches, as at present" and states that the "advantages of such an arrangement, apart from directing walkers away from conflict with players and helping to contain unintentional trespass over the School's fields, is that it allows an element of flexibility in the arrangements, and the opportunity to review them if circumstances change. The alternative of extinguishing the

[2] Referred to throughout the inquiry as the astroturf pitches

present right of way, and replacing it with the other route, would be a lengthy and costly process, involving a public inquiry, and almost certain opposition. It would also be very difficult to reverse if circumstances change".

17. In a response dated 5 January 2001 the School drew attention to the planning application it had recently submitted for sports facilities and referred to a second footpath which presented similar difficulties as it "crosses rugby pitches". The Council responded on 10 January 2001 that it would "sound out Mr Dunn....on the acceptability of a permissive route alternative to the more southerly right of way you highlight in your letter".

18. The next correspondence is dated 2 May 2001. In this letter the School's Estates Bursar, Mr Gray, states that the School "has no objection in principle to the alternative route proposed, but I have been advised by our Solicitors that the School's interests may be better protected if the existing right of way were to be diverted by way of an Administrative Order under Section 119 of the Highway Act 1980.....Under the circumstance, the School would expect the cost to be borne by the Council". He goes on to state "whilst planning permission is yet to be received in respect of the New Sports Facilities in this area, I would like to adopt a similar approach for the alternative Route B, but clearly confirmation of the Order cannot proceed until the development is under way. In this case, the School would expect to meet the costs"."

19. The Council's response is contained in a letter dated 10 May 2002. In relation to the more southerly path (FP57) it states that "it would need to be diverted as a consequence of the planning permission recently granted subject to a S106 agreement, for sports facilities". With regard to the northerly footpath (FP58) it states "I am somewhat disappointed at your response. The original proposal was an attempt to alleviate the conflict between walkers, who currently have a right of way across the School's pitches, and players. As the walk is publicised as part of the "Capital Ring" it is likely that the number of walkers using this path will increase, and consequently so will incidences of walker/player conflict. The School will therefore benefit considerably if a solution to this problem can be found."

20. It goes on to state that "The original proposal was to create a permissive path around the pitches, whilst retaining the public right of way in its present route. The benefits of this are two-fold. Firstly it would entail very little cost to the School since a straightforward legal agreement would be set up between the School and the Council. Secondly this arrangement would allow the School to change the layout of the pitches very easily in the future. The permissive path could easily be altered to skirt the new position of the pitches whilst the public right of way remains in its original position. Conversely, if a permanent diversion of the existing right of way is sought under Section 119 of the Highways Act 1980...then neither of these benefits will accrue.....The process can be lengthy and expensive. In addition if a change in pitch layout were to be required in the future then the whole process would have to be repeated".

21. There is then a file note prepared by the Estates Bursar of a meeting with the Council and the Ramblers' Association. It records that it was agreed that "both rights of way across Sports East to be retained with signed alternative "permissive routes". The note refers to 2 proposed permissive routes; one between Football Lane and Watford Road and the second around the tennis courts and astros, both of which were "accepted by all as sensible". The note

also states "Ramblers' Association would probably not be happy to see ancient rights of way permanently diverted therefore "permissive route" approach may find favour and "a notice confirming that the rights of way remain available but alternative safer and more attractive routes have been marked for walkers' convenience was suggested".

22. The note also records that "as the route across the tennis and astros related to development proposals, Bob Dunn would confer with colleagues at Ramblers' Association and "I made it clear throughout that we were hoping to be able to get Ramblers' Association support for the alternative route proposed".

23. A further file note dated 2 July 2002 states that Bob Dunn had called Mr Gray to inform him that he, Mr Dunn, had discussed an alternative permissive route across the line of the new tennis courts and astro pitches with other senior members of the Ramblers' Association and that as the route is described as "undefined" the Ramblers Association had no problem with the suggested permissive route. The note then states that the Council would draw up a legal agreement for the Capital Ring and find out what steps need to be taken with regard to the second permissive route.

24. The next correspondence encloses an agreement for execution by the School. Mr Gray responded on 1 April 2003 stating that "unfortunately the plan of the site shows the route of the existing path No 1(A-B)[3] as a straight line across the playing fields, whereas the Schedule to the Definitive Rights of Way Map, describes the route as "undefined". Clearly I do not want to suggest that the footpath is anything other than undefined and the line between A and B should therefore be removed".

25. The Permissive Footpath Agreement was entered into on 23 May 2003 and shows 2 new permissive paths. The first is similar to that now proposed as the diversion of FP58 and has marker posts for the Capital Ring Route shown along it. The second follows that route until the Capital Ring Route turns towards Watford Road, at approximate Point E on the current Order plan and is then similar to the creation order route from E-D-C on the Order Plan, and C-B on the diverted route of FP57. The definitive line of neither FP57 nor FP58 is shown but there is a note that those paths are undefined between A and B and A and C in the Schedule to the Definitive Map[4]. In the agreement the School grants the public "permission to walk along the permissive footpaths as alternative routes to the existing footpaths" and can close or alter the permissive footpaths by giving not less than 6 months' notice.

26. A letter dated 16 December 2003 from the Council to Mr Gray refers to "complaints that the Council has received from members of the public" as a result of FP57 being "blocked to enable the pitches to be fenced". The letter states that "the permissive footpaths were created as alternative routes to the existing footpaths and that gives members of the public the choice, to use the existing path or the permissive path. There is nothing on the Agreement file to suggest that the Council authorises the erection of the fence and no authorisation has been given....I must remind you of the public right of way over the existing footpath and request unfettered access to all members of the public".

[3] A-G on the Order Plan
[4] A-G and A-B on the Order plan

27. Mr Gray responded on 2 January 2004 stating that "At one time it was believed that there may be a defined right of way between the entrance and exit points of the public footpath across our playing fields....it was assumed that those wishing to use the original line of footpath could walk through the gates to the walkway between the two astroturf pitches. The gates would, of course, have to be unlocked for this purpose. However, prior to the Permissive Footpath Agreement being drawn up it was established that the right of way, whilst having a defined entry and exit point did not have a defined route across the playing fields.....it was agreed that as the route for both public footpaths is "undefined", neither the construction of our enclosed sports facilities nor the alternative Permissive Footpath routes would be problematical".

28. The next correspondence relating specifically to FP57 or FP58 is a letter dated 30 December 2009 from the Council to the School referring to correspondence received from the Ramblers' Association concerning the obstruction of FP57. This appears to be the correspondence which eventually led to the making of the various orders which are now before me.

29. The definitive statement refers to both FP57 and FP58 as following an "undefined route" whereas the definitive map shows both in straight lines as shown on the Order plans. Although the School accepts that following a legal judgement in 2005 it is not now disputed that the line on the map prevails, I note that the law on this matter was less clear at the time the Permissive Footpath Agreement was drawn up.

The Diversion Orders

The Main Issues

30. Section 119(6) of the 1980 Act requires that, before confirming the Orders, I must first be satisfied in relation to each that

    (a) it is expedient in the interests of the owner, lessee or occupier of land crossed by the path or of the public that the path be diverted;

    (b) the new termination of the path is substantially as convenient to the public;

    (c) the new route to be provided will not be substantially less convenient to the public; and

    (d) it is expedient to confirm the Order having regard to the effect of the diversion on public enjoyment of the way as a whole, and any other relevant matters.

31. The points of termination of the footpaths would not be altered and therefore I shall not consider this test further. I also note that the diversion orders would not affect any other land served by the existing footpaths and would not affect any other land over which the diverted routes would pass as they would remain on the School's estate.

32. The 1980 Act also requires that I should have regard to any material provisions of the Rights of Way Improvement Plan (ROWIP) prepared by the local highway authority.

Reasons

Whether it is expedient in the interests of the owner, lessee or occupier of land crossed by the path or of the public that the path be diverted

33. Both of the Orders are made in the interests of the owner of the land, namely Harrow School.

Footpath 57

34. Part of FP57 is obstructed by the fencing surrounding the tennis courts. In order to enable the public to use the definitive route, the minimum which would need to be done is for gaps to be made in the fencing to enable the public to walk across, or at the very least close to, the playing area of 6 of the courts[5]. The School submits that the reality of the situation is that those 6 courts, which are high quality and well used by both the School and by the Harrow Lawn Tennis Club, would be lost.

35. I accept the points made by some of the objectors that the courts are not in constant use and that it may be possible to reconfigure them in a way so as to minimise loss or indeed to provide courts elsewhere. Nevertheless any of these solutions is likely to involve expense and/or inconvenience to the School and I accept that it is in the interests of the School that FP57 be diverted to avoid the tennis courts.

36. The part of FP57 which passes between the astroturf pitches is paved and separated from the pitches by fencing. Following construction of the pitches, the gates at either end of the paved area were locked and members of the public were therefore prevented from walking the definitive line. I understand that following complaints the gates were unlocked in early 2012 and, following discussions between the School and the Council, were removed in 2015.

37. The paved area between the pitches is used by pupils and staff to access the pitches and as a spectating area for sports events, both by pupils and parents. The School states that there are issues of child safety and that diverting the route away from this area would reduce the risk to child pupils. I acknowledge the School's concerns about safeguarding and safety and appreciate that these are matters which must be taken seriously.

38. However, it has not been suggested that there have ever been any incidents relating to the safety of either a pupil or member of staff. Gareth Thomas MP pointed out that the School operates in an environment of its facilities being used by members of the public and that there are many points of public access to the playing fields. Nevertheless, he was not aware of any conflicts with members of the public having occurred. I also note that pupils live in boarding houses within Harrow-on-the-Hill, walk along the High Street on a daily basis and use Football Lane to access various School facilities, all of which will bring them into contact with members of the public. It is difficult to see why it would be more likely for incidents to occur on FP57, or indeed FP58, than elsewhere.

39. There is some debate about the number of spectators likely to be present in the paved area between the pitches, with the number seen varying from witness to witness. Mr Arundell, who I accept is most likely to have detailed knowledge, referred to 50 -100 spectators, rising to around 200, or perhaps

[5] There is some disagreement as to the exact line of FP57 where it crosses the courts

even 300, during house competitions on Sunday afternoons during term times. Mr Eaglesham, whilst stating that "site observations...have confirmed that this area can become congested with pupils during sporting events or activities and would make passage through this area by the public more difficult at these times", had seen about 40-50 spectators within the paved area, often congregated in groups. Ms Lloyd referred to "perhaps 30 – not hundreds". Councillor Anderson said that when she walks through on a Saturday morning there may be 15-20 spectators but she accepted that there may be more spectators on other occasions.

40. There are no reports of any conflict between users of FP57 and spectators. The only evidence any one provided of an "incident" was Mr Eaglesham's reference to an occasion when he had witnessed a dog on a lead becoming excited. Councillor Anderson stated that she is a Harrow "Walks for Health" leader and that since it has been possible to walk the definitive line between the pitches, there have, in her experience, been no real conflicts resulting from the use of FP57. She stated that it was "quite nice" to walk between the astroturf pitches when matches were being played.

41. The paved area between the astroturf pitches is 7 metres wide and runs for the full length of the pitches, plus run off areas. It seems to me that even on the occasions when there are considerable numbers of spectators there would be sufficient room for members of the public to pass with ease. If it is the case that access becomes restricted because of spectators or pupils congregating in key areas, such as around the entrances to the pitches, or, as suggested by the School, kit left in the paved area causes an obstruction, I agree with the objectors that there are various ways in which this could be managed by the School.

42. It was also suggested that the sports being played on the astroturf pitches could result in a user of FP 57 being struck by a football or hockey ball. However, there is fencing the full length of the pitches and there are no reported incidents of anyone in the paved area being hit by a ball. I accept that, should a ball come over the fencing, a footpath user may be at greater risk of being hit than a spectator, as the latter would be more likely to be focussed on the game being played. However it cannot be assumed that spectators would always be closely following games on both pitches.

43. The School reports that since the gates to the paved area between the astroturf pitches were permanently unlocked there has been a problem with illegal use of the astroturf.[6] However this appears to have been mainly due to the gates to the pitches themselves having been left open[7], there being nothing other than anecdotal reports of people climbing over, which reports date from a time when the fencing was lower. Although Mr Arundell referred to the problem of staff having to constantly lock and unlock gates and the potential deficiencies of using combination locks, the locking of the gates to the pitches is a matter which is within the School's control.

44. Reference is also made to mud being brought on to the paved area, which it is submitted can cause a hazard to pupils and can be carried on footwear onto the astroturf pitches. I accept that it is likely that any mud would originate

[6] Stated by Mr Arundell in his evidence in chief to be 2-5 times per month on the tennis courts or Astros
[7] Mr Arundell stated that the gates are opened first thing in the morning and are then supposed to be locked by staff at 2200 hours

from the Pebworth Road end of the route and that it may be brought in on the footwear of users of FP57. However, I note that boys playing Harrow football would also return from this direction and, although I am informed that they are instructed not to walk through the paved area in boots, photographic evidence has been produced of boot studs in the mud. Furthermore, there is no evidence of mud in quantities likely to cause a hazard, no recorded incidents of any pupils slipping in mud, and no evidence of any special cleaning of the pitches which has been required due to mud.

45. It seems to me that none of the problems to which the School refers in relation to the part of the footpath which passes between the astroturf pitches are significant. Nevertheless they are clearly of some concern to the School and there is no doubt that the School considers it to be in its interests to divert FP57 away from the astroturf pitches.

Footpath 58

46. FP58 crosses a number of marked out sports pitches. Many of the objectors state that the footpath was in existence for a long time before the pitches were marked out and the evidence before me suggests that the pitches were marked out in their current configuration or similar around the time of the planning permission for the tennis courts. Nevertheless the School states that there have been pitches on this land for many years prior to that time. I note the long tradition of sporting excellence at the School, the importance of the pitches to the School and the fact that pitches are also used by outside organisations such as rugby squads. I also note Mr Arundell's evidence that it would not be possible to reconfigure the pitches to avoid the definitive line without a loss in the number of pitches. Although Mr Eley has suggested ways in which the pitches might be able to be reconfigured, it is clearly the School's preference that, at least for the time being, the pitches remain in their current locations.

47. It is clear that use of FP58 when sport is being played on one of the pitches crossed by it would interrupt the sporting use and the School refers to the conflict which occurs. I accept that the word "conflict" does not necessarily mean physical conflict, whether actual or potential and can also mean a conflict of legal rights. I note the reference in the Council's letter of 27 September 2000, when a permissive route for the Capital Ring route was first raised, to "conflict occurs when walkers wish to use the path and matches are being played".

48. In practice it seems that any conflict is limited, both due to the fact that it is often the case that the pitches are not in use[8] and, on the occasions when they are, all the evidence before me is that users divert around the pitch. For example Gareth Thomas MP described how he had used FP58 since he joined a running club at the age of around 15 and that in all the years he had been running he could only recall one occasion when a pitch he wished to cross was in use. On that occasion he ran around the edge of the pitch and spectators. Ms Lloyd said that on the couple of occasions when she had used the path and sport was being played she walked round the top of the pitch. Others stated that avoiding a match on such occasions was similar to diverting from the line of a footpath across a field to avoid cows or a farmer ploughing.

[8] Mr Catherall calculated a usage of about 6.5% of daylight hours based upon the charts put in evidence by the School.

49. The School also states that use of FP58 leads to a problem of dog faeces on the pitches. It is clear from the evidence and from my own observations that the School's playing fields are a popular location for dog walking and that not all dogs are walked on leads. I also accept that not all dog owners are responsible and that it is not unlikely that there will be occasions when dog faeces is not removed. This is, of course, particularly undesirable in areas where sports are played.

50. However, although it might be supposed that the number of incidents on the pitches might decrease if there was no public footpath directly crossing the pitches, the surveys provided by the School[9] do not demonstrate a more severe problem in the location of FP58, or indeed of FP57, than elsewhere. On the evidence available to me I find it difficult to conclude that the diversions proposed would lead to a marked reduction in the problem experienced by the School. Indeed I note the lack of bins available and consider that there are measures which the School could take to reduce the problem.

51. Similarly I question whether the diversions proposed would make a material difference to the extent of trespass experienced by the School. I appreciate that many members of the public do not adhere to the rights of way and that trespass, both intentional and unintentional, is common. However the incident logs show that trespass occurs in numerous locations throughout the playing fields and is not confined to the locality of public rights of way. Although I accept that it may be easier to control trespass if the rights of way are on clear and defined paths on the ground, there seems no doubt that over the years there has been an absence of signage. Ms Lloyd stated that all signs were removed during the 2003 works and that signage has only recently improved. Mr Arundell accepted that it remains the case that waymarking could be improved. A number of objectors stated that they had had occasion to advise walkers who were unfamiliar with the area where they could go. The provision of appropriate signage may well go some way to reducing the extent of unintentional trespass.

Conclusions

52. I consider that many of the benefits of the diversions put forward by the School are over-stated. However, it is clearly in the interests of the School not to lose or to have the expense and inconvenience of reconfiguring or relocating tennis courts. Furthermore, although the definitive line of FP58 and the sports pitches can coexist, I accept that the School would prefer, even when no sport is being played, that walkers did not cross the pitches. In these circumstances I accept that it is in the interests of the School to divert the footpath away from the sports pitches rather than to reconfigure and maybe lose sports pitches.

53. Some of the objectors submit that the diversion orders are not in the interests of the School as the diverted routes would be longer than the definitive routes and the School would lose future flexibility. I note that at the time the Permissive Footpath Agreement was entered into, the ability to move the permissive route to accommodate changes in pitches was promoted by the Council[10]. The School accepts that its requirements may change in the future. However, the evidence before me is that the "sports pitches have been

[9] Count on us, Transportation Data Collection and Tracsis, Traffic and Data Services. Tab 7, School's Statement of Case
[10] Paras 16 and 20 above

arranged and marked out so as to maximise the use of all the available ground and space available"[11] and there is no evidence that future flexibility is a current priority.

54. I conclude therefore that it is expedient in the interests of the owner of the land crossed by the paths that FP57 and FP58 be diverted. I note that the School also submits that it is expedient in the interests of the public that the paths be diverted. The Orders were not made on that basis and as I have concluded that it is in expedient in the interests of the School that they be diverted I do not need to consider that matter further.

Whether the new routes to be provided would be substantially less convenient to the public

Footpath 57

55. In considering convenience the School submits that, as members of the public cannot presently follow the line of FP57 and must divert around the side of the tennis courts, the correct comparison is between the new route and that currently taken with the obstruction in place. This is on the basis of its submission that the tennis court netting is not a temporary circumstance. The reason for this, it says, is that the netting was erected pursuant to a lawful planning permission which was granted less than a month before the Permissive Footpath Agreement was executed and in its submission does not form a wilful obstruction. The School states that, given the Council's support for the School's position, there is no prospect of any proceedings to remove the obstructions and therefore the existing route of FP57 should be assessed as if it is obstructed.

56. The Council submits that the tennis court netting is a temporary obstruction and, if the diversion order is not confirmed, it would require the obstruction to be removed. Circular 1/09 refers to temporary circumstances as "including any buildings or other structures preventing or diminishing the use of the way". The grant of planning permission does not authorise the obstruction of a right of way and in my view it would be incorrect to assess whether or not the new way is substantially less convenient on the basis that walkers are unable to follow the definitive line at present. Whether or not that obstruction is "wilful" has little relevance to this question.

57. The School states that if the obstruction has to be removed it would cut two holes of the appropriate width in the netting so that users of FP57 could cross the courts. On this basis I consider that the proper comparison is between the diverted route and the unobstructed definitive line passing through the tennis courts via gaps in the fencing.

58. The diversion order would result in an increase in the length of FP57 by about 107 metres, which the Council submits would result in an additional walking time of approximately 1 minute and 47 seconds. The evidence indicates a mix of recreational and non-recreational use, although I accept that the majority appears to be the former. I agree with the School and the Council that recreational walking is likely to be less time critical although I note the evidence of Mr Catherall with regard to the time pressures on his morning dog walk.

[11] Ralph Arundell proof para 26

59. FP57 commences at Pebworth Road and finishes at Point A and non-recreational walkers in particular are therefore unlikely to use FP57 in isolation. Ms Lloyd described a 20 minute walk from her house on Pebworth Road to Harrow-on-the-Hill. Although an additional, maybe 2 minutes, on this journey may be less convenient, it is difficult to conclude that it would be *substantially* less convenient.

60. Some of the objectors have also referred to the nature of the surface of the 2 routes. I note that the diverted route where it passes between the tennis courts and the astroturf compounds crosses slightly rough ground and a manhole cover. I also note that alongside the astroturf pitches, in order to avoid the lighting columns, the path would have to be located on the top part of a slope. Objectors also state that the ground between Points B and C is often wet and muddy.

61. The School has recently constructed a boardwalk over part of this area, which I accept is of insufficient width for a public footpath. However, the School has confirmed that whatever is required to be done to bring the diverted route "into fit condition for use by the public" will be carried out at the School's expense in agreement with the Council, and that any surfacing required will be sympathetic to the character of the area.

62. In any event the definitive line of FP57 also crosses a muddy area at Point B and has a slippery bank between the car park and the tennis courts. Although I accept that the bank was constructed as part of the tennis court development, it is not an obstruction which can be disregarded and there is no suggestion that the School would be prepared to remove it.

Footpath 58

63. The route of FP58 would be increased by 160 metres with, the Council submits, an additional walking time of approximately 2 minute and 40 seconds. Again I accept that the majority of use is likely to be recreational and generally not time critical. I also accept that, in particular for non-recreational use, it is unlikely to be walked in isolation. Mr Parker gave evidence that he uses it to walk to the pub in Harrow-on-the-Hill and Mr Eley referred to use of it as part of a considerably longer walk. Again, although some walkers may find the extra distance less convenient, in the context of their overall walk it cannot be said to be *substantially* less convenient.

64. As with FP 57 the School has undertaken to the Council that it proposes to make up the diverted routes where they are not on existing paths to a condition suitable for pedestrian use, taking into account the character of the area. Although some users may prefer to walk across the grass pitches, the fact that part of the diverted route is along existing track cannot be said to make it substantially less convenient.

Conclusions

65. Although both FP57 and FP58 would increase in length as a result of the diversions I do not consider that the additional length of either of them would result in the new routes being substantially less convenient to the public. There are no other factors which would lead me to that conclusion.

66. I also note that the creation order routes would add new definitive routes, making some, albeit perhaps not common, journeys, for example from Pebworth Road to the Northwick Park Hospital, slightly shorter.

Whether it is expedient to confirm the Orders having regard to the effect of the diversion on public enjoyment of the way as a whole, and any other relevant matters

Footpath 57 – effect on public enjoyment

67. As previously stated I agree with the Council that the obstruction presented by the tennis court fencing is a temporary circumstance. However, the minimum which would need to be done in order to allow the public to use the definitive route would be to make appropriate gaps in the fencing. That is what the School says that it would do and I shall therefore consider the effect on public enjoyment on that basis.

68. The School also states that it would erect 2 metre high fencing either side of the definitive route as it crosses the tennis courts. The unaffected courts would remain in tennis use and the narrow strip of land to the west of FP57 would, it is suggested, be used for other purposes, for example to carry out cricket, or other sports practice. The School submits that this "fallback position" should be taken into account in any consideration of the effect on public enjoyment. The Council agrees with this submission.

69. It seems to me that there is a wide range of action which the School could take in the event that the diversion order is not confirmed. The School made it very clear that the loss of any tennis courts would be unacceptable as 12 are required both for School use and for the Harrow Lawn Tennis Club. Some of the objectors stated that they did not wish to see the School lose the tennis courts and both Mr Eley and Mr Catherall proposed ways in which the courts may be able to be reconfigured. Although it may well be the case that such reconfiguration might not represent the optimum layout for courts, it is difficult to accept that, given the position of FP57, the School would lose 6 tennis courts, fence either side of the public footpath and introduce an alternative sporting use to the narrow strip of land to the west, rather than explore alternative solutions.

70. In addition Mr Eley proposed an alternative diversion along the paved area to the west of the tennis courts and only a short distance from the definitive line of FP57 (the Eley Route), thereby leaving the tennis courts unaffected. I agree with the School that there is no guarantee that there would be no objections to any such proposal. I also note that Mr Arundell states that the School had considered possible alternative routes, including the Eley Route[12] and possible re-configurations but that none of these was in its view practical or feasible. However no detail of the routes or re-configurations considered has been provided to me and similarly neither has any detail of the School's proposals for the narrow strip of land to the west of FP57 in the event that the Order is not confirmed. I also note the comment of Mr Catherall that the fencing the School suggests would be constructed around FP57 would be seen as "somewhat unfriendly or even hostile" and would harm the School's reputation and relationship with the public.

[12] Mr Arundell stated that this route was not acceptable to the School primarily because members of the public would be passing between the tennis courts and the athletics pitch and there may be issues of mud.

71. It seems to me that the fallback position presented to me is far from inevitable and that it is not the correct basis on which to carry out a comparison of the enjoyment of the existing and diverted routes. However, as the School has presented it to me as the consequence of not confirming the Order I shall consider whether implementation of the fallback position would alter my overall conclusion on public enjoyment of the route as a whole.

72. Objectors refer to a number of views which can be enjoyed from both FP57 and FP58. These include the eastern slope of the hill from the Boyer Webb Pavilion up the historic ridge to the skyline which includes a number of listed buildings such as the Grade 2* Vaughan Library and Chapel and the Grade 1 St Mary's Church. Reference is also made to Harrow Park which is the only Grade II listed park in the Borough and was set out by Capability Brown around 1768. The view from FP57 is described by objectors as "panoramic" and "exceptional", with references to "the fine view of Harrow-on-the-Hill and the magnificent spire of St Mary's Church" and "cherished views of the Grade II Listed park and of the historic ridge".

73. At my site visit I walked the definitive route and proposed diverted route in both directions and carefully considered the views throughout. Leading away from Harrow-on-the-Hill, from Point A, the definitive route crosses a car parking area and then down a quite steep and slippery grass bank towards the tennis courts. It then passes through the tennis courts. The views ahead, particularly once the bottom of the bank is reached, are unexceptional consisting mainly of the fencing and the hard playing surface of the tennis courts. To the right views of the wider area, including of Harrow Park, are impeded by the route being in a dip as a result of works which took place when the tennis courts were constructed.

74. Between the tennis courts and the astroturf pitches is an area of open grassland from where good views towards Harrow Park are available. Ahead is the fencing of the astroturf pitches and the route then enters this area and passes between the pitches along a wide paved area punctuated by lighting columns. Views are available to the right, across one of the pitches, to Harrow Park. The route then leaves the astroturf pitches to cross a muddy area to Point B with views ahead into fields. FP 57 then leads across the fields in an almost straight line towards Pebworth Road. On this part of the route, which is unaffected by the diversion order, there are views of the Wembley Arch and various tall buildings in the City.

75. Walking in the opposite direction, one arrives at Point B from Pebworth Road and continues in an almost straight line, through the muddy area towards the fencing of the astroturf pitches and the lighting columns between the pitches. On emerging from the muddy area there is suddenly a clear view of Harrow-on-the-Hill and its many listed buildings. Point A is visible in a straight line ahead. The route passes between the pitches but the height of the fencing is such that the views of Harrow-on-the-Hill are not restricted and in the area between the astroturf pitches and the tennis courts the view is unimpeded. Once the tennis courts are entered there is still a view of the buildings over or through the fencing but at this point the view is, in any event, less panoramic due to the proximity of the hill and its buildings.

76. The diverted route heads away from Point A along FP59 for a short distance and then turns alongside the tennis court fencing, to the east of the courts. At

the time of my site visit views were available through the court fencing, although in places the view is impeded by the awning over the seating area between the courts. I also understand that at times the fencing is covered by a fine mesh which impedes the view through. In the absence of the mesh it was possible to see Harrow Park beyond the courts, albeit through the court fencing.

77. At the end of the courts the route passes over the open grassed area, over slightly rough ground and a manhole cover. Prior to reaching the astroturf pitches there are unimpeded views to the right towards Harrow Park. The route then passes alongside the eastern boundary of the astroturf pitches and due to the presence of lighting columns would be located about 1.5m away from the fencing at the edge of a sloped area. Views of Harrow Park are restricted by high fencing and the view ahead is pleasant but unexceptional. At the end of the courts, at Point C, the route crosses at an angle to join Point B.

78. Walking from Point B to Point A, the diverted route turns away from the natural desire line to head towards Point C and then turns alongside the astroturf fencing. At this point the height of the fencing is about 3.5m and views of Harrow Park are restricted by this and other sporting paraphernalia. A view of the listed buildings of Harrow-on-the-Hill is available at an angle but again is restricted by the fencing. In the area between the astroturf pitches and the tennis courts the views are unimpeded. When the tennis courts are reached, any view is through the courts, which I accept will sometimes be further impeded by fine mesh.

79. In accept that, in particular when walking from Point B towards Point A, the panoramic view of the listed buildings on Harrow-on-the-Hill available from FP57 adds considerably to the enjoyment of the route. The views from FP57 where it passes through the astroturf pitches are to a large extent unspoiled by the presence of the pitch and fencing whereas the higher fencing adjacent to the diverted route significantly detracts from the enjoyment of the view. When the tennis courts are reached, the views from the definitive route are considerably more restricted and, in my opinion, little better than those available from the diverted route. This would not however be the case on occasions when the fine mesh is in place.

80. In the event that the School implemented its fallback position, walking between 2 metre high fencing would detract further from the enjoyment of views on this part of FP57. However the longer distance views available between Point B and the tennis courts would be unaffected. Although it is only from that part of the definitive route, and when walking in that direction, that clear views of Harrow-on-the-Hill are available ahead, I agree with the objectors that those views are exceptional. To divert away from that view, around the high fencing of the astroturf pitches, and to see the view through that fencing would have a significant impact on public enjoyment of the route as a whole.

81. The School states that no-one has claimed that the route is ancient and that the only information available is that it has been a public footpath since the date of the first definitive map. The details of how FP57 came to be on the first definitive map have not been made available to me but I note that the route is shown on the Ordnance Survey map c1868. Although this does not necessarily mean that it was considered to be public at that time it does mean that it existed on the ground as a route.

82. Ms Ashbrook states that FP57 "is clearly an ancient route: it can be traced back to the early nineteenth century at least, when it connected Sudbury to Harrow-on-the-Hill in an almost straight line..... the diversion will result in a loss of historic continuity. Walkers appreciate that they are following an ancient route and the knowledge of the history adds to their enjoyment of the path". Ms Lloyd stated that she had a strong feeling of historic continuum in walking paths used for generations and had a desire to preserve them for others. Councillor Anderson stated that FP57 was an important historic path linking Sudbury to the church and school which are historic sites and that these historic links are important to many residents. The Council describes the route as "in existence historically over hundreds of years"

83. I acknowledge the School's submission that it is almost always the case that public footpaths proposed to be diverted are historic and that in this case there is no evidence of historic association with a particular person or event. Nevertheless, in my opinion the fact that the route leads in a straight line towards an obvious historic destination, with a clear view of that destination, adds considerably to the enjoyment of the route.

84. A number of objectors referred to the straightness of the route. Ms Lloyd stressed the importance to her of walking in a direct line to her destination and Mr Catherall said that he "would not want to walk at 90 degrees to my destination". I agree that on reaching Point B the natural desire is to continue in a straight line towards Point A, not to turn away towards Point C. The straightness of the route gives walkers a sense of purpose which is lost on a route which turns at angles to avoid modern, man-made features.

85. For all of these reasons I conclude that the proposed diversion of FP57 would have a significant adverse effect on public enjoyment of the way as a whole.

Footpath 58 – effect on public enjoyment

86. FP58 runs from the A404 Watford Road at Point G in a direct east-west line to Point A, heading almost directly to the church spire. The panoramic view of the hill and its many historic buildings is in front of the walker throughout, described by Mr Thomas MP as "spectacular" and a vista that he didn't want to have to "enjoy from the side" and by Mr Parker as "wonderful". The views in the opposite direction are less exceptional although there are glimpses of various landmarks such as Wembley Stadium and tall buildings in the City.

87. The diversion would introduce a zig-zag with 2 right angle bends. The part of the route from A to H is already available to the public as FP59 and the route then turns to follow an existing service road and then turns again at Point E. When walking from Point G, through Point E and H towards A, at no time is the panoramic view of the buildings on Harrow-on-the-Hill directly ahead. I consider that this results in a significant loss of enjoyment.

88. Ms Ashbrook states that a walker's sense of direction and purpose is lost and Mrs Roake suggests that "it is natural to set one's eye on a destination and walk straight towards it". I agree that the route seems purposeless when compared with the direct line of the definitive route.

89. Mr Eley states that St Mary's Church was consecrated in 1094 and that although little of the original structure remains it has been in continuous use as a place of Christian worship since that time. He submits that FP58 was the way

to and from church and that the "proposed new route would destroy that visual connection with the area's most prominent landmark, a connection that has subsisted for over 900 years". In his view "this ancient right of way has heritage value that should not be casually overlooked. The straightness is characteristic of a "Coffin Road" – a rarity in England. Thus the straightness is part of the heritage".

90. Ms Ashbrook also submits that FP58 is "clearly part of an ancient route", shown on the Ordnance Survey map c1868, continuing on to Fryent Park and connecting 2 hill tops. She submits that the diversion will result in a loss of historic continuity. Mr Eaglesham said that it was used as a historic route to the church and has historical significance.

91. As with FP57 I conclude that the fact that the route leads in a straight line towards an obvious historic destination, with a clear view of that destination, adds considerably to the enjoyment of the route.

92. For all of these reasons I conclude that the proposed diversion of FP58 would have a significant adverse effect on public enjoyment of the way as a whole.

93. It is suggested by some objectors that the part of the route along the service road would be less enjoyable due to it being shared with traffic. Currently the track is used primarily by farm vehicles and ground staff and I accept that its use is far from intensive. Reference has been made to a current planning application made by the School for a new sports development which promotes the use of this route by construction traffic. Although I accept that intensive use of the route by vehicular traffic, and in particular construction traffic, would further reduce the enjoyment of the route, permission has not as yet been granted and this is not therefore a matter to which I can attach significant weight.

Conclusion on public enjoyment

94. I note the submission that the overall package of proposals should be taken into account. However, there are no views from the creation order routes which would compensate for the loss of views from the definitive line of either FP57 or FP58. Furthermore, as Mr Catherall points out, the diverted route of FP58 between H and E (and indeed continuing as part of one of the creation orders to Point D) would be parallel to much of the diverted route of FP57 and without a great distance between, thereby reducing variety.

95. The Council also submits that the diverted routes together with the creation order routes, close to trees and along the stream would be of greater biodiversity interest and that that this would add to public enjoyment. I note that some of the objectors consider that recent works undertaken by the School in various locations harm rather than enhance biodiversity. In any event I consider that any increase in enjoyment as a result, for example, of walking closer to the stream, is far outweighed by the negative impacts I have identified.

96. I conclude that even when considered as a package rather than as individual routes the adverse effect on public enjoyment of the routes as a whole is significant.

Any other relevant matters

97. A number of the objectors state that the School has illegally obstructed the route of FP57 and that this "wilful obstruction" should be taken into account. Reference is made to the judgement in Ramblers' Association v Secretary of State for the Environment, Food and Rural Affairs and another[13]. I accept that the fact that certain factors are specified by statute does not narrow down the scope of expediency and that I should take into account all considerations that are material.

98. The School maintains that its actions are "the very opposite of wilful obstruction" and refers to the "School's conduct in discussing, consulting on and agreeing matters, executing the permissive footpath agreement and implementing the lawful 2003 planning permission (the application as to which was consulted upon, in parallel, between 2001 and 2003)". The Council states that the obstructions were not wilful so as to amount to a criminal offence.

99. There is no doubt that the 2003 planning permission did not, and could not, authorise the obstruction of a public right of way. Indeed, although I note the School's submission that the consultation on the school's planning application and subsequent grant of planning permission took place in parallel with the discussions involving the Ramblers' Association and others as to alternative routes, the extent to which the definitive line of FP57was taken into account in the grant of planning permission is unclear. The documentation which has been made available with regard to the planning permission is limited and that provided is silent with regard to the existence of a public right of way which would be obstructed by the development.

100. No-one from the Council, the School or the Ramblers' Association who was involved at the time of the grant of the Planning Permission or the execution of the Permissive Footpath Agreement or the process leading up to either gave evidence at the inquiry. However it is clear from the documentation provided that although the Planning Permission and the Permissive Footpath Agreement have similar dates, it is the consideration of an alternative route to FP 58 for inclusion in the Capital Ring route which started the process which resulted in the Permissive Footpath Agreement.[14] Initially it had nothing to do with the School's planning application or FP57.

101. It is also clear that the Permissive Footpath Agreement did not, and could not, extinguish or divert the definitive rights of way. The Council made this clear both prior to entering into the Permissive Footpath Agreement [15] and thereafter.[16] It is difficult to accept that the School did not understand the position, particularly given the letter from the School to the Council which states that the School's solicitors had advised that its interests may be better protected by diverting the right of way by an order made under s119 of the Highways act 1980[17]. The school bursar's note also records that the "Ramblers' Association would probably not be happy to see ancient rights of way permanently diverted"[18].

[13] [2012]EWHC 3333 (Admin)
[14] Letter dated 27 September 2000 from the Council to the School, referred to at paras 14-16 above
[15] Letter dated 10 May 2002 from the Council to the School, referred to at para 19 above
[16] Letter dated 16 December 2003 from the Council to the School, referred to at para 26 above
[17] Letter dated 2 May 2001 from the School to the Council, referred to at para 18
[18] Details of note at para 21 above

102. It appears however that the fact that the definitive statement describes the routes of both FP57 and FP58 as "undefined" has led to some confusion. The School appears to have attached considerable importance to this and I note that it is referred to in a file note of a conversation with the Ramblers' as the reason why the Ramblers' found the permissive route around the tennis courts and astroturf pitches acceptable.[19] I also note the School's insistence that the definitive route of neither FP57 nor FP58 be shown in the Permissive Footpath Agreement.[20] It is also cited by the School in its response to the Council when the Council wrote to the School following complaints about FP57 being blocked.[21]

103. It seems to me that the position is not clear cut. However, insofar as the School appears to attach some weight to its view that the Ramblers' had agreed to the diverted routes and have now gone back on this position, this is simply not apparent from the documentation provided to me. It is clear to me that both the Council and the Ramblers' Association were discussing permissive routes in addition to the definitive routes. There was no suggestion that the definitive routes be formally diverted and no consideration of whether the statutory tests for diversion would be met. To the contrary, Mr Gray records in one of his notes that the "Ramblers' Association would probably not be happy to see ancient rights of way permanently diverted".

104. Both the School and the Council refer to the fact that the Council is the democratically elected body which made the Orders following due process and after having taken into account all the objections and representations made. They also point out that the Council fully supports confirmation of the Orders. Nevertheless there were objections to the Orders and accordingly they are now before me, on behalf of the Secretary of State, to determine whether they should be confirmed or not. This situation is in no way unusual.

105. The School also states that there are only a "handful of objectors", that they don't represent others and that they are not experts. I accept that none of the objectors states that they appear formally on behalf of others. However, I note that as well as a number of local people, 2 ward councillors and the Member of Parliament for Harrow gave evidence at the inquiry. Councillor Perrin stated that following an article in his local Residents' Association magazine he had received written responses in support of his objections. I accept that, given the time and energy involved in preparing for and appearing at an inquiry, many people are content to allow others, who they consider may have more expertise than them, to pursue the matter. I do not find the level of objection in this case to be unusually small or to be a matter which should weigh against the objectors.

106. The School submits that the creation orders will, if confirmed, lead to the creation of additional statutory footpaths and circular routes which do not exist at present. I accept that the creation orders can only be confirmed if the diversion orders are confirmed and therefore that these additional routes will only become available as part of an overall package. Nevertheless I have concluded that the overall package results in a significant adverse effect on public enjoyment and this therefore limits the weight to be attached to the creation of these routes.

[19] Details of note at para 23 above
[20] Letter dated 1 April 2003 from the School to the Council, referred to at para 24
[21] Letter dated 2 January 2004 from the School to the Council, referred to at para 27

107. Confirmation of the diverted route of FP58 would result in this section of the Capital Ring route being made definitive rather than permissive. The evidence is that it is a well-used recreational route and I accept that, as a permissive route, the long term future of this part of the route is not guaranteed. I also note that the Capital Ring route is a key walking route supported in the ROWIP. However, although the current agreement relating to the permissive route terminates on 31 March 2019 unless it is renewed, the School has confirmed that it has no present intention to withdraw the route. I note the School's evidence that it could do so if circumstances changed, for example if there was a need for drainage works. However, in such circumstances the definitive line of FP58 could be used. Although I accept that making the line of the current Capital Ring route definitive has some benefits, it is not a matter to which I attach significant weight.

108. It is suggested that confirmation of the diversion order in respect of FP57 will enable members of the public to use a route that many of them use already. Indeed at my site visit I saw people walking the diverted route. However, it is clear that the part of the definitive route of FP57 through the astroturf pitches was obstructed for many years and that the part through the tennis courts remains unavailable. There is also evidence that walkers have been challenged when trying to use the definitive line or diverting around the obstructions[22] and that due to a lack of signage the definitive route has been unclear[23]. I also accept that more recently the construction of boardwalks on the diverted routes will have encouraged walkers to use those routes. In these circumstances it is difficult to conclude that walkers seen on the diverted route are using it in preference to the definitive route.

109. The School states that a decision not to confirm the diversion of FP57 would mean that 6 of the tennis courts could no longer be used. The School is contractually obliged to provide the Harrow Lawn Tennis Club with the use of 12 courts and it therefore suggested that this loss would be likely to result in the end of the use of the tennis courts by that club, which has about 250 members of the public as members. It is submitted that this would be against the public interest and also the policy of Sport England to encourage the maximisation of participation in sport as well as sharing private facilities with others.

110. I agree that it would be unfortunate to lose 6 tennis courts and, as previously stated, some of the objectors have made it clear that that is not what they would wish to see happen. Also, as previously stated, objectors have suggested ways in which the courts could be reconfigured or FP57 diverted, for example, along the Eley Route. Councillor Anderson stated that in principle tennis courts should not be lost and she suggested a diversion "just to the side...following the natural line". Mr Catherall said that the Eley Route was a sensible idea, although the embankment to the car park was steep and the land levels should be reinstated.

111. Ms Ashbrook said that if the Eley Route had been discussed the Ramblers' and Open Spaces Society may have agreed not to object as a compromise. Indeed I note the correspondence between Graham Wright of the Ramblers' Association and David Eaglesham in December 2011 in which Mr Wright clearly proposes the Eley Route as a long term solution "given that the courts have

[22] Mr Eley states that he was accosted by maintenance staff on 13 December 2011 and accused of trespassing
[23]Mrs Roake and Ms Lloyd refer to waymarks having been removed by the School.

already been built"[24]. Mr Eaglesham's response[25] states on behalf of the Council that "our preferred way of resolving this matter would be for the footpath between the football pitches to remain unobstructed (no gates) and for the minor diversion around the tennis court to be progressed through the necessary legal process so that it is formalised and recorded on the definitive map". Although there is no plan attached to the e-mail it is clear that the route referred to is the Eley Route or something very similar. Ms Lloyd stated that the Eley Route was originally the Council's preferred route but "the School simply would not agree to it".

112. No alternative route is before me and it is not for me to assess whether the Eley Route, or any other route, passes the statutory tests. Nevertheless it is clear that the School could propose a different diversion of FP57 or could look at ways in which the courts could be reconfigured to avoid the loss of so many, or indeed any, courts. I do not accept that it is an inevitable, or even likely, consequence of not confirming this Order that 6 tennis courts will be lost without replacement. This therefore reduces the weight which I attach to the potential loss.

113. Similarly not confirming FP58 does not inevitably mean that any pitches will be lost. It would be for the School to decide whether or not to reconfigure the pitches to avoid the definitive line of FP58. Although the School states that the reconfigurations suggested by objectors at the inquiry are not feasible or practical, I am not satisfied that some reconfiguration could not be carried out if the School considered avoiding the line of FP58 to be paramount.

114. Although the broad objectives of the Council's ROWIP are relevant in considering any changes to the rights of way network, and I note the support of the Capital Ring route in the ROWIP, there are no other aspects of the ROWIP which have been brought to my attention which I consider to be of particular relevance to this case.

Whether it is expedient to confirm the Orders

115. In relation to FP57 there is a clear benefit to the School in diverting the footpath away from the tennis courts which obstruct the definitive line. Although a number of objectors state that the obstruction is "wilful" and that this should be taken into account in considering expediency, from the documentation provided to me the situation does not appear clear-cut. Furthermore, although I do not accept that not confirming the Order will necessarily result in the loss of 6 tennis courts, I acknowledge that not confirming the Order will have significant consequences for the School. The benefits to the School in diverting the route of FP57 from between the astroturf pitches are less obvious. In my opinion the problems which the School state it experiences due to the definitive line of FP57 passing between the pitches are either over-stated or could easily be better managed by the School.

116. The impact of the diversion on public enjoyment of the route as a whole would be considerable. Although I have concluded that it is only in one direction and only on part of the route that the adverse impact on views would be significant, I give considerable weight to the enjoyment of those views,

[24] E-mail from Graham Wright to David Eaglesham dated16/12/2011, Tab 13, page 100 to Ms Lloyd's Statement of case
[25] E-mail from David Eaglesham to Graham Wright dated 20 Jan 2012, Tab 13, Page 99 to Ms Lloyd's statement of case

which, I agree with objectors, are exceptional. I also accept that the fact that the definitive line is straight, leading to and with views ahead of, a historic destination adds to public enjoyment of the route, whereas, in contrast the diverted route leads away from the obvious desire line to skirt man-made features.

117. None of the other matters raised add significant weight either way and accordingly I conclude that, having regard to the effect of the diversion on public enjoyment of the way as a whole and any other relevant matters, it is not expedient to confirm the order in respect of FP57.

118. Although I have concluded that it would be in the interests of the School to divert FP58, it seems to me that the conflict referred to is limited. I also query the extent to which the problems referred to by the School, such as trespass and dog faeces on pitches, would be resolved or diminished by the proposed diversion and consider that the School could take other measures to reduce the problems.

119. The impact on the public's enjoyment would however be significant and I attach considerable weight to the "spectacular" views currently enjoyed. The straightness of the route and the sense of purpose and history the route provide add to the public enjoyment. The diverted route would provide none of these benefits and would lead to a considerable reduction in public enjoyment.

120. None of the other matters raised add significant weight either way and accordingly I conclude that, having regard to the effect of the diversion on public enjoyment of the way as a whole and any other relevant matters, it is not expedient to confirm the order in respect of FP58.

Conclusion

121. Having regard to these and all other matters raised at the inquiry and in written submissions I conclude that it is not expedient to confirm the diversion orders in respect of either FP57 or FP58. Accordingly the creation orders cannot be confirmed.

Formal Decision Order Ref: FPS/M5450/4/1

122. I do not confirm the Order.

Formal Decision Order Ref: FPS/M5450/4/3

123. I do not confirm the Order.

Formal Decision Order Ref: FPS/M5450/6/1

124. I do not confirm the Order.

Formal Decision Order Ref: FPS/M5450/6/2

125. I do not confirm the Order.

Alison Lea

Inspector

APPEARANCES

FOR THE ORDER MAKING AUTHORITY:

Ms R Stockley, Kings Chambers, Manchester

She called
Mr D Eaglesham — London Borough of Harrow

FOR THE SCHOOL:

Mr J Steel QC, 39 Essex Chambers, London
Mr S Whale, Landmark Chambers, London

They called
Mr R Arundell — Operations Bursar, Harrow School

OBJECTORS:

Ms G Lloyd, local resident
Mr C Eley, local resident
Mr P Catherall, local resident
Ms M Roake, local resident
Mr J Parker, local resident
Councillor K Perrin, Brent
Councillor S Anderson, Harrow
Mr G Thomas, Member of Parliament for Harrow
Ms K Ashbrook, Open Spaces Society and Ramblers' Association Buckinghamshire, Milton Keynes and West Middlesex Area

DOCUMENTS

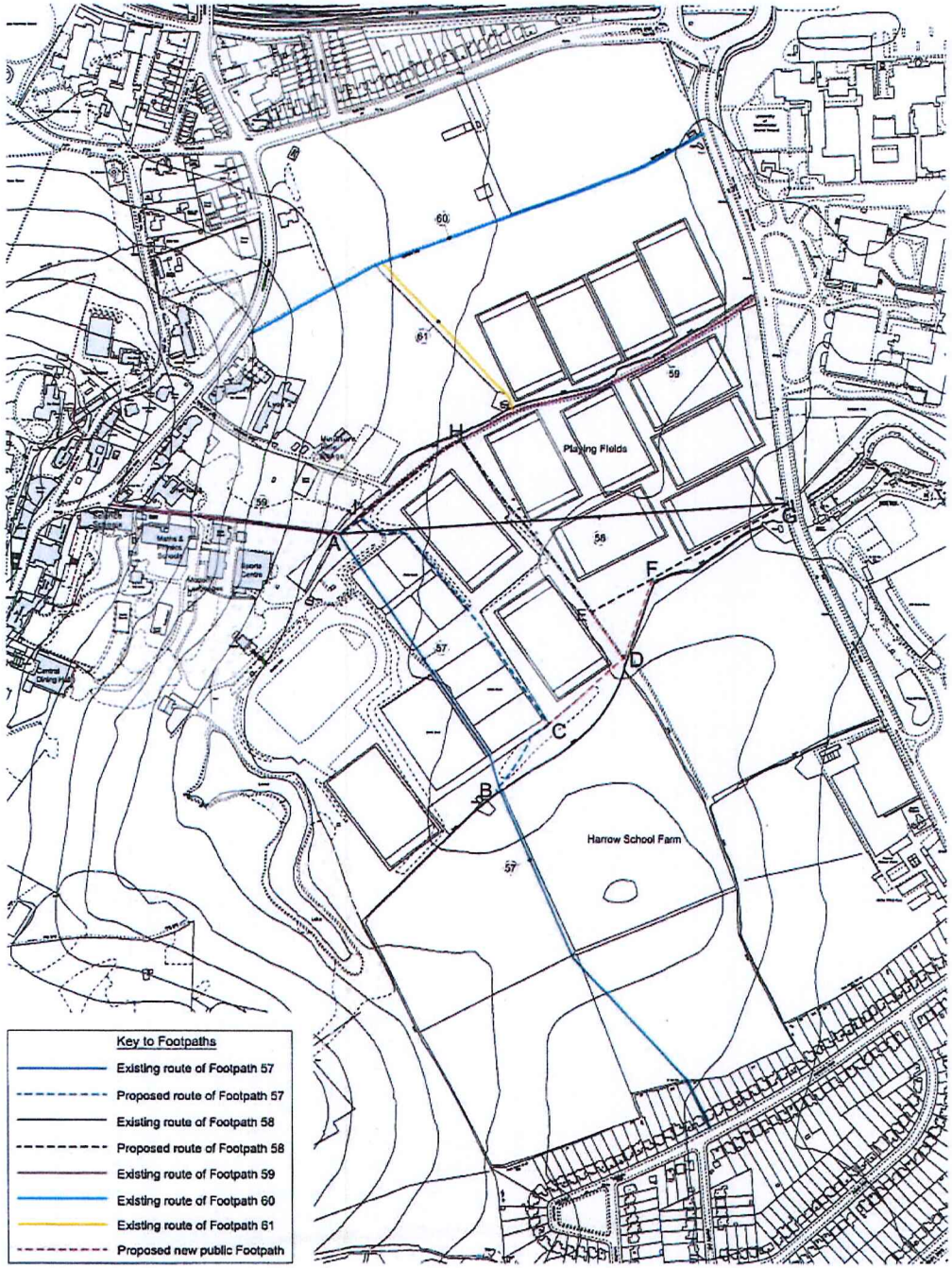
1. Report to Planning Committee, 12 February 2002
2. Table of distances to various destinations via existing and diverted routes
3. Revisions to table of distances
4. Estimate of construction site vehicle movements and indicative plans o possible temporary footpath diversions
5. Ducker Field Drainage Improvements – Flood Risk Assessment, July 2015
6. Planning for Sport, Aims and Objectives, Sport England
7. Dimensions of Tennis Courts, Government of Western Australia
8. FA Guide to Pitch Dimensions
9. Documentation relating to farming of area by Perrin family in 1916
10. Notice in London Gazette, 13 December 1955 recording registration of land at Sudbury Court Road to Perrin family
11. Documentation relating to clay pigeon shooting
12. Extract from Rights of Way by John Riddall and John Trevelyan
13. Extract from Public Rights of Way and Access to Land by Angela Sydenham
14. Extracts from General Permitted Development Order 2015
15. Judgement in Hertfordshire County Council v Secretary of State for the Department of Environment Food and Rural Affairs [2006] EWCA Civ 1718

PLANS

A Plan showing layout of pitches on playing fields
B Plan annotated by Mr Eley, 26 January 2017
C OS map published 1868
D Suggested alternative pitch and tennis court layouts

PHOTOGRAPHS

1 Bundle of photographs of walkers
2 Bundle of old photographs of the area
3 Bundle of photographs of area near to Point B



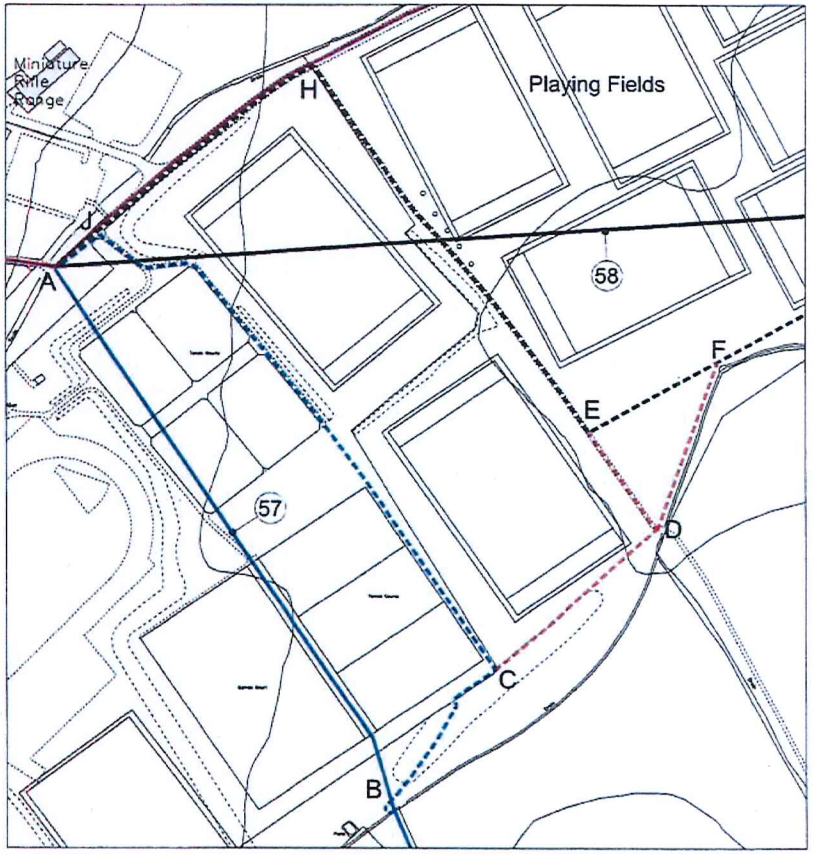
Key to Footpaths

- Existing route of Footpath 57
- Proposed route of Footpath 57
- Existing route of Footpath 58
- Proposed route of Footpath 58
- Existing route of Footpath 59
- Existing route of Footpath 60
- Existing route of Footpath 61
- Proposed new public Footpath

0 100 200 300 400 500m

1/2500 @ A1

MAP NOT TO ORIGINAL SCALE



1/1250 @ A1

0 50 100m

Note: Base details and features to be checked for accuracy

N

Harrow School Sports East
Proposed diversion of no.s 57 & 58 Public Footpaths and creation of new public footpath

14th August 2015

Transport & Health
THSG
Study Group

26th April 2017

Mr M Carne
Chief Executive
Network Rail
1 Eversholt Street
London
NW1 2DN

Dear Mr Carne

LEVEL CROSSING CLOSURES

A number of our members have expressed concern at information about Network Rail's approach to level crossing closures they have received from the Spring 2017 issue of "Walk", the magazine of the Ramblers' Association.

I have not checked the information, so please forgive me if it is misleading, but I would normally regard the Ramblers' Association as a reliable source of information.

The Transport and Health Study Group is the main international scientific society for transport and health, the publisher of the definitive scientific reference work on the subject the e book "Health on the Move 2" and the sponsor of the Journal of Transport & Health which won the 2015 American Scientific Publishers' Association award for the best new journal in the social sciences.

The promotion of walking and cycling, the promotion of rail transport (because of its safety), the prevention of transport injuries and the avoidance of community severance are amongst the areas within our remit. We have on a number of previous occasions both in relation to rail safety and also in relation to cycle safety drawn attention to the need for safety measures to be proportionate and to take into account their impact on health-beneficial activity.

The concerns that have been expressed about level crossing closures are these:-

1. We are told that on a number of occasions the alternative route for walkers would include a stretch of walking along a busy main road. If this is the case then, unless the level crossing is especially dangerous for some reason, the alternative route will be less safe than the level crossing. This will therefore make the overall safety of

Board Members:

Co-Chair (Policy): Dr Steve Watkins
Transport & Health Study Group
48 Middle Hillgate
STOCKPORT, SK1 3DL
Tel 0161.474.2450
Email: thsgchair@gmail.com

Co-Chair (Science): Adrian Davis
Editor: Dr Jenny Mindell
Secretary: Liz Davies
Vice Chair (Policy): Nick Cavill UK
VChair (Policy): Karyn Warsow NAmer
VChair (Policy): Randy Rzewnicki Eur
VChair (Science):Charles Musselwhite
VChair International: Karyn Warsow
Treasurer: Val Ahern
Webmaster: Salim Vohra
Company Secretary:Martin Rathfelder

UK Executive Committee
Mr. Christopher Hadfield
Dr Adrian Davis
Dr Margaret Douglas
Dr Selena Gray
Dr Seraphim Alvanides
Mr. Geoffrey Barnes
Cllr Dr Helena McKeown
Mr. Malcolm Wardlaw
Prof Roger Mackett
Mr. Vincent Walsh
Mr. Duncan Vernon
Mr. Dominic Harrison
Anna Collins

Parliamentary Advisers:
Debbie Abrahams MP
Andrew Gwynne MP
Dr John Pugh MP
Sir Peter Bottomley MP
Jeremy Lefroy MP

Advisers
Prof. Linda Jones
Dr. Eleanor Roaf
Mr. Nick Lloyd, RoSPA
Mr. Andy Cope, Sustrans
Amy Aeron-Thomas, Roadpeace

European Committee

Kevin Kelleher	(Ireland)
Bjorn Abelsson	(Sweden)
Adrian Davis	(UK)
Beverley Gallier	(France)
Catherine Perez	(Spain)
Christopher Hadfield	(UK)
Elise Van Kempen	(Netherlands)
Jenny Mindell	(UK)
Karen Vincenti	(Malta)
Luse Noring	(Denmark)
Randy Rzewnicki	(Belgium)
Rosana Peiro	(Spain)
Seraphim Alvanides	(Greece)
Dominic Harrison	(UK)
Stephen Watkins	(UK)

The Transport & Health Study Group is a network of professionals and academics which promotes the study of and research into the relationship between transport and the health of the population. It also manages the Transport Special Interest Group of the Faculty of Public Health.

the transport system more dangerous. We would ask you normally not to close level crossings where doing so is likely to lead to more danger on the alternative routes.

2. We are told that on a number of occasions the crossings are used as part of the pedestrian network of a local community. We disrupt such networks at our peril. An American study has shown that the circuitous walking routes involved in loop and lollipop street designs are associated with a 6lb increase in mean population weight relative to permeable designs such as grid systems. Such an increase in mean population weight would equate to an additional death rate of 1 per 1,000 per annum. From this we can predict, as a rough rule of thumb that if 30 houses experience a significant extension of a few hundred yards, in their route of access to local destinations, there will be one extra death every 10 years in those houses. This is only a rough rule of thumb because a full impact assessment would need to take account of demographic factors, occupancy and the likely actual impact on walking patterns. The rule of thumb is however sufficient to demonstrate how undesirable the disruption of pedestrian networks is. In particular it shows that what may seem quite small impacts on walking networks can in fact have observable population effects from which actual deaths can be predicted. If a level crossing was experiencing one death every ten years you would regard it as very dangerous. You must understand that some of your closures may be just as dangerous. We would ask you normally not to close level crossings where this will impact on local pedestrian networks within settled communities.

3. In this connection we would also point out that there is growing evidence of the serious adverse health effects of community severance due to main roads. These effects are not experienced to the same extent in relation to railways because communities have grown around a particular pattern of crossings. Disrupting that pattern could make the railway every bit as damaging. There is a toolkit developed by a DfT funded project which might be of help in this connection.

4. Leisure walking is also important for public health and we would express the hope that even where a crossing does not impact on local commuting/ shopping trips you will still have regard to its impact on popular local leisure walks.

5. We are told that in some cases Network Rail has closed crossings without any formal process, either because the crossing was permissive or because the crossing, although probably a right of way, was not shown on the definitive map. We are told that in some instances this has been because the crossing itself is not shown on the definitive map even though the path to it from each direction is on the map. From the comments made above you will appreciate that there are important balancing factors to take into account in a crossing closure and we would ask you to ensure that no crossing is ever closed without those factors being taken into account and the weighing of them against the safety benefits being exposed to public scrutiny, opportunities for objection, and independent determination.

We do believe that in many instances the risks involved in level crossings is no greater than the risks taken regularly in daily life, including crossing roads. Where there is a greater degree of danger then we believe this can often be addressed by providing pelican style warning lights, CCTV observation and telephone contact. On high speed high frequency lines the track operation will be a profitable enterprise and we believe that the building of footbridges can be considered a reasonable concomitant of the operation of such an enterprise.

Yours sincerely

E. Davies
THSG Secretary
pp (Dr) STEPHEN J. WATKINS
Chair, Transport and Health Study Group

cc: The Ramblers' Association
cc: Rail regulator
cc: Chris Grayling, Secretary of State for Transport

Rural Traffic Fear Survey

Speeding traffic is a problem on many country lanes and in villages. Walkers, cyclists and horse riders feel intimidated by traffic. CPRE believes urgent action is required to ensure people can walk, cycle and ride in safety.

'We want people to be able to travel safely and without fear for their personal security. Pedestrians and cyclists should not be intimidated by traffic'

Transport White Paper
A New Deal For Transport: Better for Everyone 1998

'You take your life in your hands if you walk, cycle or ride on any road around here'

Rural Resident

CPRE

Your countryside -- your voice

Country Lanes and Traffic

Our network of country lanes[1] is an important resource. They are an intricate part of the English landscape - weaving through dales, winding their way along valleys and running across farmland. Some are of historical significance as old drovers routes or links between medieval towns. Country lanes provide transport links for rural communities and ready-made routes for walkers, cyclists and horse riders. Their verges can act as wildlife corridors and for the fifth of the population who live in rural areas they are as much a part of the countryside as the fields and hedgerows. England's towns and villages remain important homesteads for many people and the hub of rural life. Over five million people live in settlements of less than 3,000.

Over the past decade traffic has grown three times faster in rural than urban areas and is forecast to grow still further. An important element of the Government's Transport White Paper was the encouragement of walking and cycling as alternatives to the car. It also sought to reduce the impact of traffic on our daily lives. CPRE welcomes this new emphasis but asks whether the current speed limit for the majority of the road network - 60mph - is compatible with this aim? To what extent is traffic intimidation a problem in the English countryside?

The Rural Traffic Fear Survey - a survey of users of country lanes

To assess the extent of the problem CPRE undertook a survey of users of country lanes. CPRE volunteers questioned 1,022 people face to face during the spring and summer of 1999. Drawing on professional advice, the survey was compiled and undertaken by 21 groups in towns and villages across the country. Given the widespread nature of traffic problems, we are confident that the results are reflective of a broader trend facing the whole country.

People were asked whether they walk, cycle or ride horses in the countryside. Their experiences on country lanes were sought as well as an indication of whether they used them more or less frequently than ten years ago. They were then asked for their views on speed limits and the idea that on some designated country lanes vulnerable groups should be given priority over motorists.

1,022 people were asked their views on country lanes

95% of people questioned walk, cycle or ride horses in the countryside

91% were also motorists

[1] CPRE defines country lanes as C and unclassified roads in rural areas.

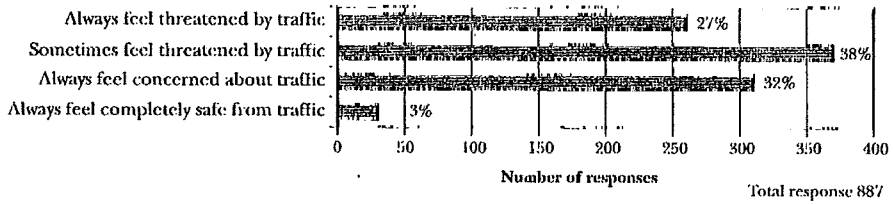
Key Findings

The Current Situation

Country lanes are extensively used with a majority (66%) of those questioned saying they used them 'sometimes'. In comparison 14% of people said they used them only 'rarely'. Most people walked, cycled or rode horses for pleasure, although **28% of trips were for commuting or shopping purposes.**

When asked for their experiences, the results indicate significant levels of traffic intimidation. Despite the absence of congestion on many country lanes, only 3% always feel safe from traffic. Critically, **65% of those questioned said they felt threatened either all or some of the time.**

With regard to your personal safety or that of your family how would you describe your feelings when walking, cycling or riding on country lanes?



Over 380 country lanes were identified by people as having problems of traffic intimidation. These stem from the volume of traffic, speeding traffic on narrow and winding lanes, recent road 'improvements' to improve sight lines which lead to faster moving vehicles, the impact of HGVs, and the physical damage of verges among other things.

What is the effect of traffic intimidation?

The results illustrate that the quality of life in too many villages is plagued by speeding traffic, while those who venture onto country lanes feel intimidated. The 'chocolate box' image of the countryside, described in poetry, and much photographed hides these everyday problems.

'Speeding traffic blights the lives of those living in villages and creates a perception that roads are no longer safe for vulnerable users'

House of Commons Environment, Transport and the Regions Select Committee (1999) Ninth Report: Integrated Transport White Paper

Although the car will remain the main form of transport in rural areas, it is important that people have the opportunity to walk and cycle in safety. Furthermore, the results from our survey indicate that traffic intimidation is as much a problem for people who are motorists as those who do not have access to a car.

While drivers may feel that they can manage the speed they are travelling, it may create an intimidating environment for other more vulnerable road users. As a consequence, fewer people choose to walk or cycle, leading to a vicious cycle of declining use of country lanes other than by car.

'In lanes cars seem to assume that no one else uses the road, that there won't be any traffic and so drive as if on an empty race track'

Respondent from Surrey

For horse riders the speed of vehicles can radically change the feeling of being in the country. On steep banked lanes, there is sometimes little chance of escape.

'When riding on narrow country lanes I feel drivers go too fast when they can't see what is ahead. I am always frightened they will run into the back of us'

Respondent from West Yorkshire

As well as the obvious implications for road safety (most fatal car accidents occur on rural roads) speeding traffic affects people's quality of life. The opportunities for people to walk, cycle or ride in the countryside are curtailed while their dependency on the car for short trips is increased. The young and the old are particularly vulnerable.

'The fear of fast traffic stops me from pursuing activities which I would enjoy'

Respondent from Cornwall

'It is dangerous to walk to neighbours or to the post box even in daylight'

Respondent from Essex

The growth in traffic, coupled with its speed, also threatens the character, tranquillity and distinctiveness of the countryside. England has lost an area of rural tranquillity almost the size of Wales since the 1960s, largely due to traffic growth.

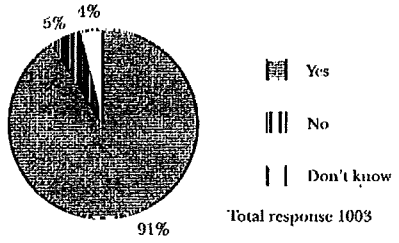
Tackling Traffic Intimidation

CPRE believes the current approach to controlling the speed of vehicles needs improving if people are to have a genuine choice and life is to improve for rural communities. Two areas which might help tackle traffic intimidation are lower speed limits and giving pedestrians and riders priority over the car. There was strong support for this, including from the 91% of the respondents who use cars.

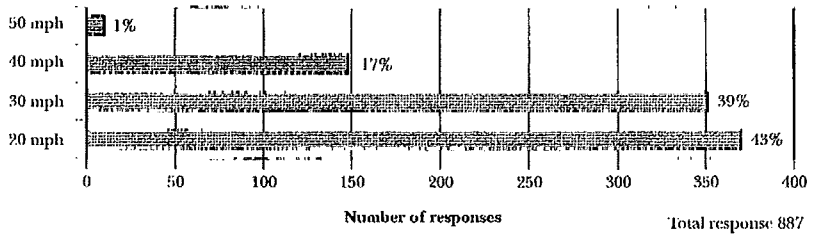
Speed Limits

Clear support exists for lowering speed limits. **91% of people felt the speed limit on country lanes - currently 60mph - should be reduced.** The majority felt a significant reduction was needed. 99% of respondents supported a speed limit of 40mph or less, and the most popular limit was 20mph.

Do you think the speed limit on country lanes should be reduced?



Of those who felt the limit should be lowered, what was the preferred speed limit?



Priority

One idea which has been successfully implemented in Jersey and which is the subject of pilot projects here in the UK is to increase the priority which is given to walkers, cyclists and horse riders on designated lanes. Similar proposals for urban areas, called Home Zones, are already taking off. In country areas they are known as 'quiet lanes'. The concept of quiet lanes attracted considerable support, with **72% believing that vulnerable users should be given priority on selected country lanes.**

Should walkers, cyclists and horse riders have right of way over motorists on selected designated country lanes?

Response	Number	%
Yes	706	72
No	114	11
Don't know	165	17
TOTAL	985	100

Call for Action

The Rural Traffic Fear Survey has highlighted the scale of the problem. We look forward to the Government's integrated transport policy tackling the intimidation felt by rural residents, walkers, cyclists and horse riders. At present the Government is undertaking a national speed policy review. This provides an excellent opportunity to update speed policy so that it reflects today's priorities. These include improving community safety, encouraging health enhancing activities like walking and cycling and raising the quality of life for rural people and visitors to the countryside. The Government's promised Rural White Paper should also address speeding traffic and the threat it poses to countryside character and the quality of rural life.

CPRE believes urgent action is needed to protect our country lanes and villages. Over 160 MP's have already backed such action. Specifically, CPRE recommends:

National Government

- a reduction in the national speed limit for the most minor rural roads (C and unclassified roads) from the current 60mph to 40mph;
- a limit of 20mph through all villages;
- new powers for local authorities to designate 'quiet lanes' where walkers, cyclists and horse riders have legal priority over motorists;
- improved arrangements for enforcement of speed limits in rural areas, including retaining fines from speeding for investment in speed cameras, applying new technology (such as driver activated warning signs) to tackle the problem, and sustained public education campaigns on speeding;
- revised central Government guidance to local authorities on managing speed in rural areas which places local communities and vulnerable groups first. This should highlight the importance of managing speed in relation to the wider agenda of improving rural quality of life and tackling intimidation as much as records of past accidents;
- the development of a new indicator for traffic intimidation to guide future transport policy;

Local Authorities

- the production by local authorities of Countryside Traffic Strategies as part of new Local Transport Plans for all rural areas which include potential areas identified for quiet lanes;
- local authorities work with their communities to include a measure for traffic intimidation in rural areas as part of their performance indicators for the Local Transport Plan; and
- the establishment, with the local Police, of comprehensive plans for improving the enforcement of speed limits in rural areas, through sensitive traffic calming, public campaigns and improved policing.

Further information on these recommendations is available from CPRE's Transport Team.

Speed limits have not changed since the 1970s. Thankfully, transport policy has progressed and it is time these welcome changes were backed by practical measures which deliver safer country lanes and villages for everybody.

CPRE is a national charity which helps people to protect their local countryside where there is threat, to enhance it where there is opportunity, and to keep it beautiful, productive and enjoyable for everyone. Formed in 1926, we work for a beautiful and living countryside on behalf of present and future generations, and for the more sustainable use of land and other resources in town and country. Our Patron is HM The Queen.

With 8 regional groups, 43 county branches and 200 local groups backed by an influential national office in Westminster, CPRE is a powerful combination of effective local action and strong national campaigning, using established procedures and processes. CPRE seeks to provide well researched, intelligent and practical solutions to problems which affect the English countryside. We have 48,000 supporters, with membership open to all. Our President is Prunella Scales.

CPRE

Your countryside
Your voice

Council for the Protection of Rural England (CPRE)
25 Buckingham Palace Road
London SW1W 0PP

Tel: 0171 976 6433
Fax: 0171-976 6373

CPRE is a registered charity no: 233179

August 1999

ISBN: 1 902786 11 4

The Ramblers' Association

Brief for the countryside No. 5

856

RA

Roads fit to walk on

(Brief for the countryside No.5)

1978

Roads fit to walk on

This booklet is dedicated to the memory of Mary Dodsworth, George Hall, Nance Hall, Reg Groome and Muriel Small.

Cover design by David Sharp

Roads fit to walk on

6,570 people were killed in road accidents in Great Britain in 1976: an average of eighteen deaths in every day in the calendar. Figures of this magnitude make it impossible to encompass within one's imagination the carnage, the distress, the sheer physical and emotional pain of it all. Insofar as we can think about it at all, we instinctively concentrate our attention on the statistics, the trends, the hypothetical costs. It was a fair reflection of such a reaction for the Department of Transport's Press Release announcing these figures (1) to begin: 'The estimated cost of all road accidents in 1976 was £972 million according to a new edition of Road Accidents in Great Britain, published today'. No mention of the 'cost' in human terms of these accidents to the relatives and friends of those killed and injured; no partial comment to the effect that society continues to accept these figures every year as if there were something inevitable and perhaps not even particularly disturbing about them. And as if to reassure us that there are plenty of other trends and statistics to divert our attention away from contemplation of the appalling significance of six and a half thousand deaths per annum, the press release continued: 'The new edition presents final statistics for 1976 and has *over 50 tables* to illustrate trends and patterns in road accidents'. (Our italics).

The Kettering Accident

It is only when we become personally involved that the true horror of a fatal road accident is realised – if we are a witness to the accident, or if we know someone involved. Or if we can see that such an accident might just as easily have happened to us. If, for example, we take part in walks organised by a local rambling club and then read in the paper one morning that five ramblers have been killed by a speeding motorist while they were strolling along a country lane during a summer evening's walk.

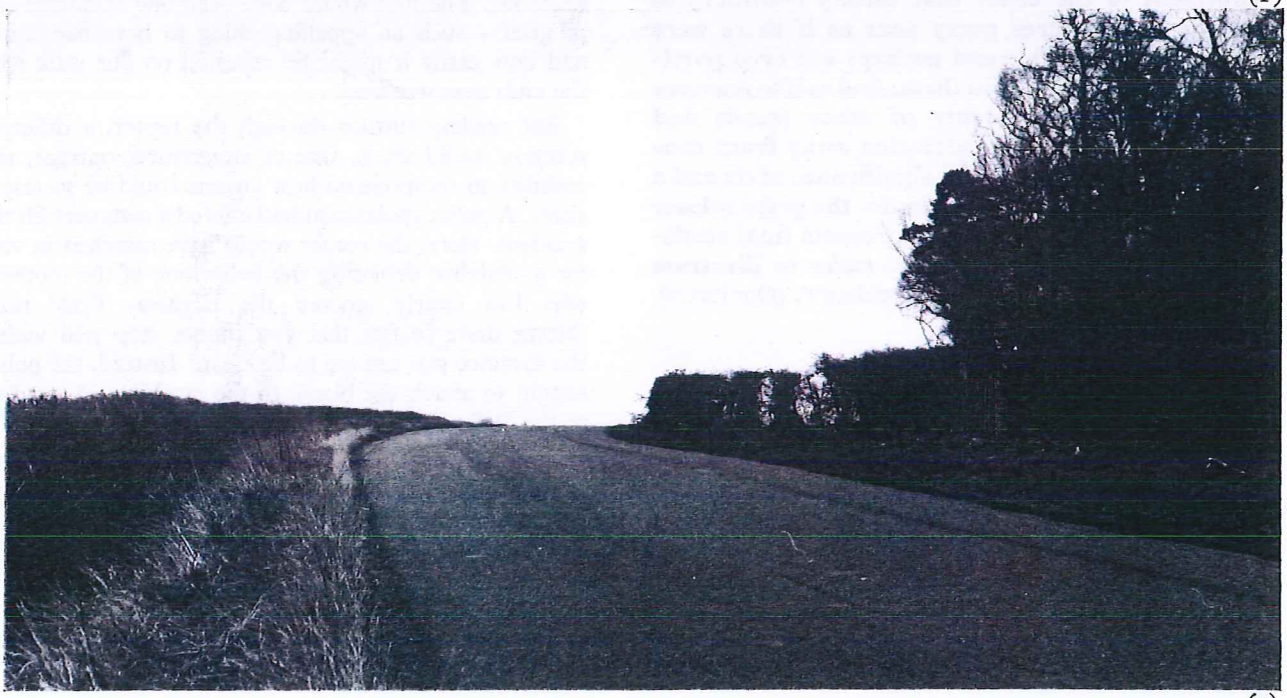
That is in fact just what happened at 8.40 p.m. on Thursday 20th May 1976 as twenty-eight members of the Kettering Rambling Club made their way along a country road towards the village of Rushton in Northamptonshire. A Ford Cortina, driven at a speed estimated as being between 55 and 70 mph, suddenly appeared over the brow of a hill, swerved to avoid an oncoming vehicle, and crashed into the line of ramblers. Five of them were killed; the driver of the car survived.

Any rambler who read the reports of the accident in the papers the next day would have had two intense reactions. The first would have been one of horror and of grief – such an appalling thing to have happened, and how easily it might be repeated on our walk with the club next weekend. . .

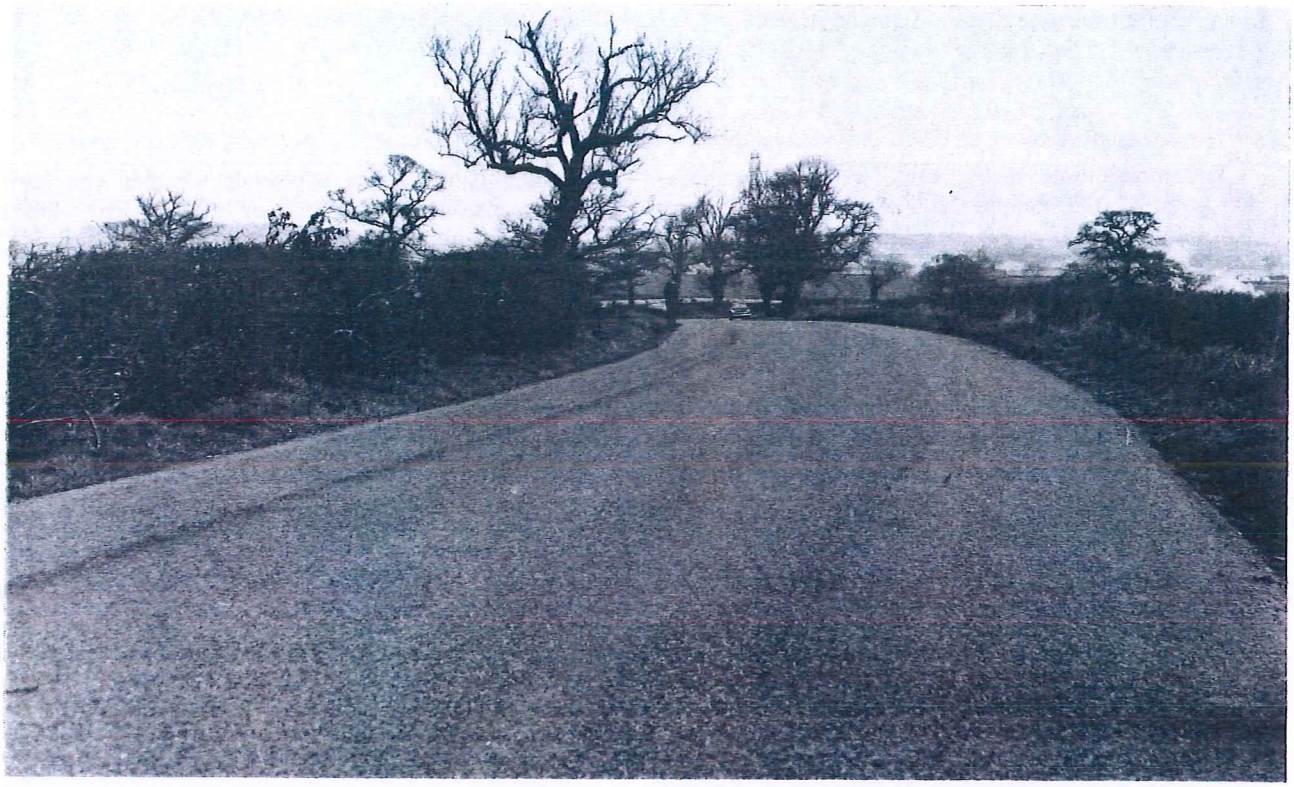
But reading further through the report, a different reaction would set in. One of indignation, outrage, and inability to comprehend how anyone could be so insensitive. A police spokesman had offered a comment on the accident. Here, the reader would have searched in vain for a sentence deploring the behaviour of the motorist who had clearly ignored the Highway Code rule: 'Never drive so fast that you cannot stop well within the distance you can see to be clear.' Instead, the police sought to attach the blame to the ramblers! According to the Daily Telegraph (2):

> '. . . . . a police statement described organised walks on public roads as 'downright dangerous' and were to be deplored, particularly if they were in country lanes.'

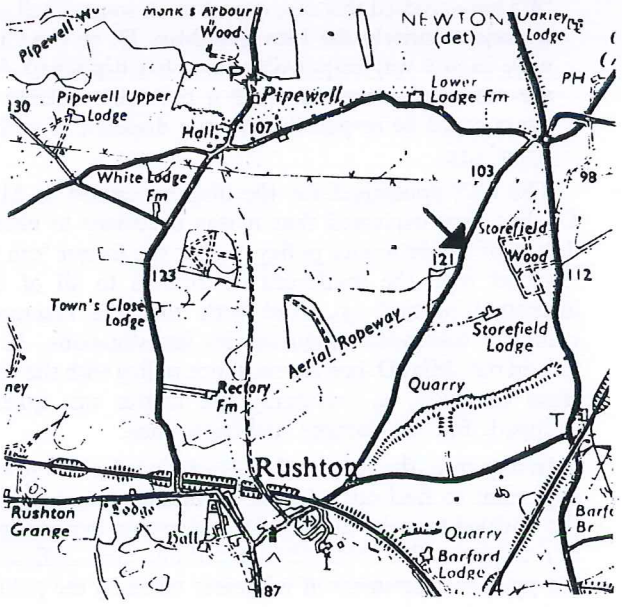
(1)



(2)



(3)



THE SCENE OF THE ACCIDENT

The driver of the Cortina involved in the Kettering accident drove from Rushton, approaching the brow of the hill from the south-west (photo (1) opposite — looking towards Rushton from the top of the hill). The ramblers at the head of their group would have been just to the right of the point from which photo (2) (opposite) was taken. They saw the driver come speeding around the bend, swerving over towards the left hand side of the road away from the trees. The driver saw approaching him (photo (3) above) two cars travelling south. In an attempt to avoid these, he braked hard, skidded and ran into five of the ramblers at a point on his left hand side of the road near where the observer in photo (3) is standing (arrowed on map opposite). Photos by Barry Perrin. Map taken from Ordnance Survey material.

In response to the many letters received from all over the country, the Rambler's Association wrote to the Northamptonshire police demanding a withdrawal of the statement and an apology. The police conceded that pedestrians had as much right to use a public highway as motorists, but beyond that they would not go. The cause of the accident was thoroughly investigated, but throughout all the subsequent proceedings, including the inquest and the prosecution of the driver, the authorities acted in the spirit of that first police statement to the press. Yes, the motorist was in the wrong, but these ramblers are odd characters and to some extent they only had themselves to blame.

Fortunately, it was not only the police who carried out an investigation into the accident. An environmental journalist, Jeremy Bugler, appreciated the significance of the case and he followed the proceedings through all their stages. His report appeared in 'The Observer Magazine' on 10th April 1977. It is reprinted in full in this document. Bugler's analysis of the case makes very disturbing reading. It illustrates how society appears to be possessed by a collective complacency about the motor car which renders us immune to the appalling damage it can do to human life when we fail to control it properly. At the same time, it obliges us to seek to attach blame to totally innocent parties and to look for remedies which are quite clearly irrelevant and nonsensical. This is well illustrated by Bugler's comments on the coroner's advice to the rambling club: send someone ahead of the party to give warning of oncoming vehicles, and this sort of accident might be prevented in future.

The story told by Bugler gave ramblers enough to be unhappy about for a very long time, but there was more to come. Claims for damages were made against the motorist and his insurance company looked into the details of the accident. Eleven months after the tragedy, the leader of the ramble received a letter from the Motor Claims Officer of the Co-operative Insurance Society. Without qualification or apology the letter simply read:

> 'We are the insurers of Mr J. P. Sorley, the motorist involved. Having completed our inquiries into the circumstances of the accident, *it appears that there was some negligence on your part as leader of the Ramble,* and/or on the part of the Kettering & District Rambling Club. Please advise us whether you have a personal liability policy or whether the club has any insurance policy to cover contingencies of this type' (3) (our italics).

It is not difficult to imagine how much distress the arrival of this letter must have caused. Familiar though they were by this time with the indifference (at times bordering on contempt) with which everyone in authority seemed to be treating them, ramblers were roused in their indignation once again. In a letter to the Chairman of the insurance company, the President of the Ramblers' Association, Gerald McGuire, made no bones about how strongly they felt:

> 'A few days ago, the leader of that rambling party, Miss D. of Kettering, received the attached letter from your motor claims officer in Rugby. The letter could not have been better calculated to have caused distress to Miss D. She is extremely upset, and my Association is appalled by the lack of feeling or discretion in the letter from the Motor Claims Officer.
>
> 'We have studied this case ourselves in some detail and we reject entirely the idea that Miss D. or the Club were in any way responsible for what happened. We are most indignant that such a reputable Society as yours could be responsible for the dispatch of such a letter' (4).

The CIS apologised for the distress caused to Miss D., but they explained that it was necessary to obtain details of her insurance policy so that the matter 'can be resolved with the minimum of distress to all of the interested parties' (5). And with that the insurance company continued to pursue its investigations. As it turned out, Miss D. had an insurance policy with the very same company, so eventually the matter was quietly dropped. But the damage had been done.

In any case, the Rambler's Association decided it was important to find out *why* the insurance company had felt entitled to write to Miss D. and accuse her outright of negligence. We obtained (not without some difficulty) a copy of the statement of witnesses taken by the police.

The accident had taken place on 20th May. 22 of the 23 ramblers on the walk gave their evidence on dates between the 21st and 28th May; the 23rd gave her evidence on 8th June. Several of the ramblers commented on how well the leader kept the party under control.

Death on the Road

This article was first published in 'The Observer Magazine' on 10th April, 1976. The Rambler's Association is indebted to its author, JEREMY BUGLER, *and to the Editor of* THE OBSERVER, *for permission to reproduce it in full in this document.*

* * *

'I SAW the car suddenly. It just hurtled over the brow of the hill, pointed towards me, and then twisted, so that it went down the hill broadside-on. Crab-fashion.

'I didn't turn round to look at once because I heard cars coming up behind us, and I flinched, waiting for a crash. Then I did turn round, and just as I did, I heard these great bumps, and I saw these things flying in the air. At first I didn't realise they were bodies. One went right across the road. The car actually continued on down the road, turned right round and then slithered into the ditch.

'Then there was this strange moment of complete silence and stillness. You couldn't hear anything. Just this dead, utter silence'.

That is how an eye-witness described one of Britain's worst accidents last year. A car, completely out of control, tore into a group of ramblers, out for a quiet walk in the country. Five ramblers died of terrible injuries. The driver, who was only bruised, suffered a severe mental breakdown later.

Yet despite the awful carnage the investigations that followed were strictly limited and the one official recommendation that emerged is arguably grotesque and absurd. The ramblers who survived and the relatives of those who died have been left bitter, even outraged, at being, as they see it, blamed for it.

In the end, the most significant thing about the pointless deaths of the five ramblers may be simply that they happened on the road.

* * *

THE OFFICIAL aims of the Kettering and District Rambling Club (founded 1937) are: 'To encourage a love of the open air, to provide for the healthy enjoyment of leisure, to assist in the preservation of amenities of the countryside and to promote social and international friendship'.

Most of the hundred-odd members might find that a little stiffly expressed, but broadly they'd agree. They have joined the club for the very gentle pleasures of being in the countryside, walking and talking to friends. Most of them are middle-aged or even elderly, but they enjoy robust, even rude, health. One member says: 'We're a bit sensitive about age. People tend to write us off as a lot of geriatrics, but there's few of us who can't walk a good 12 miles without strain.'

The club is vigorous enough: once a month, it organises a day long Sunday ramble of about 10 to 15 miles, and also a half-day Saturday ramble, a little shorter. It also runs extra rambles, such as 'coach rambles', 'carol rambles' and special events such as 'Walks in Threatened Parks' and member's photographic slide evenings. There are regular evening rambles of five miles or so.

The people who met at the Thornhill Arms, in the village of Rushton at 7 o'clock on 20 May, were going on an evening ramble.

They were in good spirits. A dull day had cleared to a fine evening – perfect weather for the five-mile walk across fields and, unavoidably, down a few roads. A good crowd had turned up – 28 people. Among them was Gordon Page, a company secretary of a firm of agricultural engineers, one of the club's moving spirits. George Hall, who worked for British Steel and was nearing retirement, was with his wife Nance. Two other regulars, Eric and Muriel Small, had come. The Smalls had both retired the previous year and were relishing their time together. Reg Groome, a chartered engineer, also just retired, had come without his wife, which was a bit of a surprise because they had never before gone on walks separately. By mistake, his wife Barbara, a school secretary, had booked for a local theatre, not knowing there was a ramble that evening, and in the end, Reg Groome had said, oh well, I think I'll go on the ramble.

Two young people were on their first ramble, Michael and Susan Askew, she a librarian and he a newly-trained teacher working, as befits the times, as a fork-lift driver for Weetabix. They felt like a bit of exercise, and so did Susan's mother, Mary Dodsworth, a quiet woman with quiet interests and quiet especially about her job with the Inland Revenue.

'It was so pleasant', says Susan Askew. 'The first part of the walk was just across the fields to Pipewell, and people were chatting happily. We noticed how well organised it was. The ramblers had a leader and when the leader said stop, people stopped. We were loving it'.

Halfway through the walk, the ramblers struck the road. They had no choice. They'd tried to arrange, earlier, a cut through the fields, but the farmer had refused; he had crops growing. On the road, Susan says, they walked with special care, not more than two abreast, tight in by the verge; 'in the gutter, where we always are,' as another put it. The column of 28 was strung

out along some 150 yards, walking on the side facing the oncoming traffic, as the Highway Code lays down. People at the front shouted 'car' when traffic came, and the cry would be passed on down the line.

About halfway down a road leading back to Rushton village, the road started to climb, towards a long right-hand bend. Susan Askew was walking with her mother; her husband Michael was a few yards ahead. As the first pair of ramblers were some 20 yards from the brow of the hill, Susan saw it: 'The car appeared to be on the wrong side of the road . . . . . my immediate reaction was that it was going very fast, about 60 miles an hour . . . . He skidded down the road towards us'. Then she moved. She ran, and seconds later the car, a bronze Ford Cortina, clipped her jacket as it went past. It then mowed down the five people immediately behind her: her mother, Mary Dodsworth, George and Nance Hall, Reg Groome and Muriel Small. Eric Small, at the tail of the long thin line, escaped unhurt.

Michael Askew shouted at Susan to stay where she was. 'I could see four bodies in the ditch and I recognised Susan's mother. I could see she was breathing but unconscious and that there was nothing I could do'. A fifth person across the road was already being covered with ramblers' brightly coloured anoraks.

Michael Askew then walked down to the car. 'The driver was there, terribly distressed, crying and trembling. We helped him out and he sat down on the grass verge. He kept saying: 'Oh God, why? Oh God, why, why, why?'

Two ramblers were dead by the time the ambulances came. Three died in Kettering General Hospital a few hours later.

* * *

LIKE ALL terrible accidents this one harvested its dead, and blighted the lives of some of the living. The car driver, a soft-spoken 31-year-old steel erector named John Sorley, spent several months in a mental hospital afterwards. 'I can remember nothing about the accident, but in my mind I used to go over and over it, imagining what must have happened. I couldn't stop it, and without the people at St. Crispin's (the hospital) I wouldn't have got through it'.

George and Nance Hall were childless, but their deaths 'cast down the whole road', as a neighbour puts it. Reg Groome's widow Barbara makes the point that it can be particularly grim to lose a husband or wife late in life. It means a solitary old age. 'My life has, well, been completely ruined. I've got to put it together again, sink or swim. I shall swim'.

Eric Small, who lost his wife at the start of their retirement together, has taken it hardest: 'I'm stuck here, with no purpose at all, and I've just got to go on bearing it until my time's up. It's not living. We always used to say to each other 'I hope we have a few years when we retire'. You feel after a lifetime of work you're owed a few years of leisure and pleasure.

'I just live day to day. When I wake up in the morning, I say – how am I going to occupy today? Of course, I have to feed myself, but that takes little time.

'In the evening, I blare it out with the television and radio. And I think, although I've got nothing to think about. I don't go rambling now. I just can't go into the fields. I can't bear it. She should be with me. It's the finality of it I just can't stand'.

The fifth rambler, Mary Dodsworth, was long separated and had a life of struggle to bring up and educate her daughter singlehanded. She was cut down, her daughter says, just when she was relieved of pressure. 'She was just beginning to really live'. She was planning a long holiday in Canada, 'my own grand tour', things she'd never done.

If the relatives of the dead ramblers share the grief of all people bereaved by accidents, they feel a little distinct – marked out – by a judgement, later openly expressed in Kettering Magistrates Court, that the ramblers were partly the cause of it all. Susan Askew speaks for them all when she says one was glad to have been on the ramble 'because I saw for myself what happened'.

The ramblers started to feel persecuted the day after the accident. Some of the newspapers carried reports that worried them. *The Sun* wondered whether tighter controls – on the ramblers – might have prevented the accident. *The Daily Telegraph* and other papers carried stories of reported remarks by Police Chief Superintendent Roger Davis, the head of Northamptonshire's traffic department: 'This incident underlines what we said last week about the dangers of rambles and walks on public roads. I think there were people who thought we were crying wolf at the time'. The police later apologised, saying Chief Superintendent Davis was quoted out of context, but by that time the ramblers were becoming very defensive. They looked to the inquest to correct the balance.

Four months after the accident, the inquest was held in Court No. 3 of Kettering's modern court building. Michael Collcutt, the Northamptonshire coroner, sat with a jury of seven. John Sorley, the driver, was not present. 'Our job is not to apportion blame', said the coroner in his opening address, 'but to consider also whether we can avoid tragedies of this kind again'. A series of witnesses established the essential outlines of what must have happened:-

John Sorley drove from his home in Desborough, Northants, for an evening out in Corby, by a route he used several times a day. When he came to the critical bend, he was travelling fast. All the evidence indicates he was exceeding the road's 50 mph limit by 10 or 20 miles an hour. His speed was crucial because, as police tests with a similar car on the same stretch of road afterwards showed, over 60 mph the back of the car became 'light'. A police driver said: 'I would have hated to have had to brake then. The back end would have slewed to the right. . . . . '

When John Sorley came round that bend, in the middle or on the wrong side of the road, he saw the long line of ramblers, strung out in ones and twos, down the road on his left. Coming

towards him, on the correct side of the road, was a white Renault 12 saloon, driven by a burly young Northampton man, Adrian Storey, one of the key witnesses of the accident. Storey thought Sorley was travelling at around 70 mph.

John Sorley, when he saw what was before him, overreacted or panicked. Fatally, he did brake. His car behaved just as the police vehicle examiner surmised later, and the skid was made worse by the condition of the car itself.

The police found nothing wrong with Sorley – he had hardly any alcohol in his blood – but the Cortina's tyres were worn unequally, although still classed 'above-legal condition'. His offside front tyre had excessive wear on the outer edge, and his nearside front tyre had too much wear on the inside edge. Police found that his tyres had worn in this way because of a 'misalignment of the steering over a period of time'.

When Sorley braked, said the police examiner, the weight of the car would have been thrown on to these worn parts of the tyres, particularly the offside one. The effect would have been to help to skew the car round and send it into that long, horrifying slide, leaving skid marks of 94 feet 7 inches, down the line of ramblers until it had mowed down five of them. Further skid marks of 31 feet and 28 feet were found *after* the Cortina had hit the ramblers.

All the witnesses at the actual crash said at the time the ramblers were well in to the side of the road. 'They were in ones and twos, a couple on the verge, but most in the road, very close to the verge', said Adrian Storey, the white Renault driver. However, one driver who passed down the road *before the accident* gave evidence that he found ramblers across the road 'from the verge towards the centre'.

The coroner was impressed with this discordant bit of information, but he had little time for Mr. T. C. Foley, a consultant for the Pedestrians' Association for Road Safety, who got up to say that the trouble was speed. 'Thousands of people would be saved', said Mr. Foley, 'if people obeyed the rule: never drive so fast that you cannot stop safely within the distance that you can see'.

The coroner said, yes, yes, of course, but human nature being what it is, people are going to make mistakes and they are going to drive too fast at times.

When he summed up, the coroner said: 'Speed appears to have been a contributory factor, but on the other hand, as far as Mr. Sorley was concerned, one has sympathy with him if he was presented with the view described by one witness who went along the road earlier'. This view would have been the ramblers well out into the road. To sum up in this way, the coroner had to ignore all the actual witnesses, especially the driver of the white Renault, who said the ramblers were close into the side. In fact, the only person clearly out of position was John Sorley, in the centre of the road, in his car.

Coroner Michael Collcutt then urged the jury to do two things. First, to find a verdict of accidental death and then to make a recommendation that in future all ramblers, when walking on the roads, should send someone on ahead 'at blind corners' to warn motorists of advancing ramblers. The jury obliged, on both counts.

It took a few hours for the implications of the coroner's suggestion to sink in. Next morning's papers helped. The report in *The Guardian* had a headline: RAMBLERS WARNED. It told of the recommendation to rambler's clubs 'throughout Britain' to tighten up on their road safety by sending a member ahead at blind hills or sharp bends. By the evening some of the ramblers were angry.

They were annoyed about details. The bend and hill which the accident was near are neither especially blind nor sharp. It is nothing at all like a hairpin. Then they were angered because what they see as the blunt cause of the tragedy – a motorist speeding and losing control – was minimised. 'That was put down as a fact of life', said Gordon Page, who was at the head of the column when the accident happened. 'Yet if I had been another 50 yards ahead of the rest, it would have made no difference. Nothing would have stopped that man'.

The coroner's and the jury's recommendation struck him as an ironic turnabout. Up to 1896 all cars were limited to 4 mph in the country and 2 mph in the towns, and had to be preceded by the famous man with a red flag – for long the very personification of obstructed progress.

Yet here were the inquest coroner and jury advising that a man should precede a party of walkers to warn hapless motorists: Dangerous Ramblers Ahead. How topsyturvy can you get? How long will it be before walkers and ramblers are barred altogether from roads without pavements? The Kettering ramblers asked themselves these questions.

The inquest coroner, however, appeared to the ramblers to be enlightened compared with the defence solicitor, representing John Sorley, some weeks later at Kettering Magistrates Court. The Director of Public Prosecutions had ordered that Sorley should not be charged with the serious offence of 'causing death by dangerous driving', known by police as a Class One offence, nor even dangerous driving, Class Two. He was charged with the relatively minor offence of driving without due care and attention, Class Four.

Sorley pleaded guilty by letter. His solicitor said in mitigation that the ramblers were walking on the wrong side of the road 'in complete disregard of the Highway Code'. She then quoted to magistrates a rule that the Department of Transport says applies only to marching bodies of men, like troops. The road safety people at the department said later the ramblers were on the correct side of the road and advised people walking on roads with no pavements to walk on the side facing oncoming traffic. John Sorley was fined £100, license endorsed. That evening, the local ramblers were seething. They take a type of Boy Scout pride in knowing the law and sticking to it. To have been told that they contributed to the accident by not taking precautions was bad enough. To have been condemned for ignorance of the ramblers' code of walking and provoking the deaths of their friends was the last straw.

Much more than the amour propre of a group of Northamptonshire ramblers may be at stake here. The way the accident was officially 'processed' is instructive. If they'd been clouted by a train, or injured while travelling by rail to one of their distant rambles, they would have got a full-scale public inquiry, a detailed study by the Chief Inspecting Officer of Railways and his staff, taking many months, and a report to the Secretary of State for Transport.

Railway accidents are taken very seriously. In an accident near Hitchin, Hertfordshire, in 1974, a train travelling at 15 mph struck the tail of a crane re-laying the line. The only person injured was a nine-year-old boy, who cut his finger. Yet the full paraphernalia of railway accident procedure, including a public inquiry, was put into operation. A few months later, an engine driver was killed and eight passengers injured in a derailment near Watford. A painstaking inquiry established that thieves had broken into a freight train, leaving the doors open so that goods fell onto the track, derailing the accident train. New procedures were adopted by British Rail to cut down the risk of it ever happening again.

We are right, of course, to expect the highest standards of safety from carriers to whom we entrust ourselves. And it pays. British Rail had only one passenger death in 1974, four in 1975 and none in 1976. Every year about 7,000 people are killed on the roads and many more are seriously injured. For road victims or their relatives, there is no equivalent to the Chief Inspecting Officer of Railways, no public inquiry, no report to the Secretary of State.

For each and every road accident, such a procedure might be too much to ask for. But perhaps the serious multiple-death accidents demand it. The Northamptonshire police made a careful study of the accident, but it was limited in scope, did not involve a report to any Secretary of State and was cursory in some details. It left important questions unanswered. If the steering of Sorley's car was defective, how had this occured? When had his car last had its MOT test? Is the MOT test as now devised rigorous enough to detect such crucial mechanical faults? Should certain conclusions about vehicle speed on country roads be drawn from the accident? No one will know and the ramblers will say, no one will care.

Then *why* can we apparently accept, with a few winces, the deaths of five walkers on a country road and not apply the standard of fingers that get cut on railway journeys? Michael Askew, son-in-law of Mary Dodsworth, probably got the answer: 'We've had a poor Press. The sympathy has been for the driver, but then we are all motorists and no motorist can look at this accident and say: 'There but for the grace of God, don't go I'. That's why I have no animosity against the driver'.

Bad driving is the communal crime of contemporary society; studies have shown that most motorists make a serious mistake every 100 miles or so. In moments of temper or haste, many of us have taken corners fast and furiously, like John Sorley. Every motorist's nightmare is what actually happened to Sorley. The reporters, the inquest jury and the coroner, the DPP and the police may perhaps all have felt with Sorley, been sobbing in the smashed-up car with Sorley, broken down under gentle questioning with Sorley, suffered the nightmares in St. Crispin's mental hospital with Sorley.

But even though most drivers can imagine themselves as John Sorley as he slithered broadside down that road, this act of imagination might conceivably obstruct a proper understanding of how the accident happened. More important, it could prevent reasoned action to stop future accidents. The coroner's ideas for advance-warning ramblers is only tinkering. Anyway, it places the onus of accident-prevention on the harmless and often innocent parties. Perhaps the greatest advance we can make will be simply to recognise we have blurred our perceptions.

We are doing it all the time. The Department of Environment's weighty consultation paper on transport policy refers to bicycles as 'ten times as dangerous as cars'. Whose fault is that? How many people have cyclists killed? Perverted reports on road accidents are commonplace. *The Plymouth Sunday Independent* reported recently: 'A rise of 14 per cent in deaths and serious injuries on Devon and Cornwall roads was blamed by police chiefs on the slow reactions of elderly pedestrians'. Motorists who accidentally kill people are often fined relatively trivial sums.

No sign at all comes from the Government that this motor-blindness is understood. Road accidents are increasing steadily again – 4 per cent up in 1976. And the Government is now thinking of raising speed limits. Soon it may be legal to drive faster down that Northamptonshire road where the five ramblers lost their lives.

* * *

The motorist whose car the accident vehicle had swerved to avoid said in his statement that, at the time of the accident, the ramblers were walking in single file up against the roadside verge. Two other independent eye-witnesses corroborated this view that the ramblers were acting responsibly and with care.

Almost a month after the accident, on 16th June, the police took a statement from another motorist – one who had seen the ramblers at an earlier stage of their walk. Although this witness said that most of the ramblers were walking in double file by the side of the road, he also claimed that 'near to the front of the line of ramblers there was a group of them about four abreast facing oncoming traffic' (6). Another witness, whose evidence was taken as late as 9th July, said that, when he passed them, 'The walkers were spread out along the road, some were in single file, some double and some three abreast' (7). (The ramblers had in fact just emerged from a field path at this point and were waiting to cross the road).

It was this late evidence, collected after all the ramblers had given their statements so that they had no opportunity to comment on it or offer contrary evidence, which appears to have given the insurance company – and probably many others as well – the confidence to say to the ramblers: *you* were negligent; *you* were just as much to blame. Patent nonsense? Certainly. But a let-out nevertheless; a good enough reason for not having to confront the brutal significance of an accident which, it seemed, just had to be accepted as a fact of life.

A short while later . . .

In the late summer of 1976, a woman, who had been out walking along Congleton Edge in Cheshire, was knocked down and killed by a motorcyclist on a narrow, winding country lane. Had she been out walking in the same area three months earlier there would have been no need for her to have used that dangerous stretch of road. She could have used a footpath that came down from Congleton Edge to a point on the road beyond the dangerous section. However, that path, at the request of a local resident, had been closed by the local council in June. It had been replaced by another path 300 yards away which brought walkers coming down from Congleton Edge onto the dangerous section of the country lane. This was done despite objections from local people and footpath organisations. The safety of walkers was apparently regarded as of less importance than the privacy of one individual.

The result was tragedy – again.

Blind spots in traffic planning

Accidents like the ones near Kettering and Congleton Edge are not unique. Most readers will know of, or may even have been witnesses at, accidents which could have been prevented if the needs of pedestrians had been more carefully considered, or if motor traffic had been more strictly controlled. But what of the future? Have the lessons of past horrors been learnt and is everything possible being done to prevent further accidents to innocent pedestrians? The answer to this question is simply no, as the following examples may help to demonstrate.

Since the South Downs Way long-distance path (used by walkers, horse-riders and cyclists) was opened in 1972, users of the path have been forced to negotiate the busy Arundel to Storrington (B2139) road near Amberley, West Sussex. Motorists coming from the west use the road as a short cut onto the dual carriageway A24. The most dangerous section of this road is the narrow, twisting part between Houghton and Amberley, and it is precisely this part – more than three-quarters of a mile in length – along which the South Downs Way runs. The need for an alternative route away from the road is abundantly clear. But none has yet been provided.

As if this were not bad enough, permission has now also been given by the County Council for the development of some disused chalk pits at Amberley as a museum. Up to 100,000 people a year may visit the museum, whose entrance lies on a tight bend of the B2139. Walkers, cyclists and horse-riders on the South Downs Way will therefore have to face the extra hazards of more traffic along this road and of scores of coaches and cars turning across the line of the Way at the museum entrance. How long before a serious accident happens here as well?

The B6479, between Langcliffe and Horton in North Yorkshire, has been the source of some concern to the Langcliffe Parish Council. Parish councillors were very concerned about the danger to children going to school and elderly people crossing the road to get to the village shop. The road also lies in the Yorkshire Dales National Park in an area very popular with walkers. One parish

UNWILLINGLY TO SCHOOL

For many children attending the Eight Ash Green Primary School in Essex, their route to school includes this dangerous stretch of road with no footway. Examples of such danger spots abound, but so often it is extremely difficult to get remedial action taken. While vast sums are allocated by highway authorities for road widening schemes, the provision and maintenance of footways and footpaths is badly neglected. The 1977 White Paper, "Transport Policy", said that "greater attention should be given to the needs of pedestrians", but rendered this meaningless by telling local authorities to accept "a lower standard of maintenance of footpaths"! Photo: Essex County Newspapers.

councillor told a local newspaper: 'We have been wanting a speed limit for years. A man was killed here a few years ago. They widened the road then took the speed limit off. The way lorries come down is absolutely frightening'. So the parish council wrote to the North Yorkshire Police and to the County Council, asking for something to be done.

They were simply informed, in January 1978, that 'the situation had been investigated and the stretch of road was not accepted as a dangerous area'. (8).

Footways along some busy roads in Essex are actually being *done away with* in order to facilitate road widening. At a meeting of the Essex Highways Committee in November 1977, councillors were asked to reconsider a plan to widen by four feet the A120 Puckeridge to Marks Tey road. The widening would be carried out at

the expense of footways along the road. Councillor Stanley Barnett spoke out for the pedestrian: 'On all sides,' he said, 'we see these vital pedestrian facilities being sacrificed to enable roads to be widened to cater for the increasing use of juggernauts and heavy vehicles'. He added that this was an entirely wrong policy.

The Committee decided to hold a site meeting with local residents who were also worried about loss of footways. (9).

While money can be found in Essex for the improvement of roads for the benefit of juggernauts, shortage of funds is used as an excuse for failing to improve facilities for pedestrians at danger spots.

The Chairman of the Dedham Parish Council in Essex has been pressing since 1973 for a footpath on a hazardous stretch of Castle Hill in Dedham. Nothing has been done, so anxious parents – whose children have to walk around the blind bend with no footpath or grass verge – are mounting a petition to press for urgent action. (10).

In a similar situation in the same county – this time in the village of Sible Hedingham – a baby's pram was hit by a car on a narrow, twisting road with no pavement. The baby was not hurt, but local parents became very concerned. The parish council will try to get action taken, but one councillor reported in a local paper had no illusions: 'Of course, with the spending cutbacks it is going to be very difficult to get something done. We have been trying for nine years to get a pavement for School Hill.' (11).

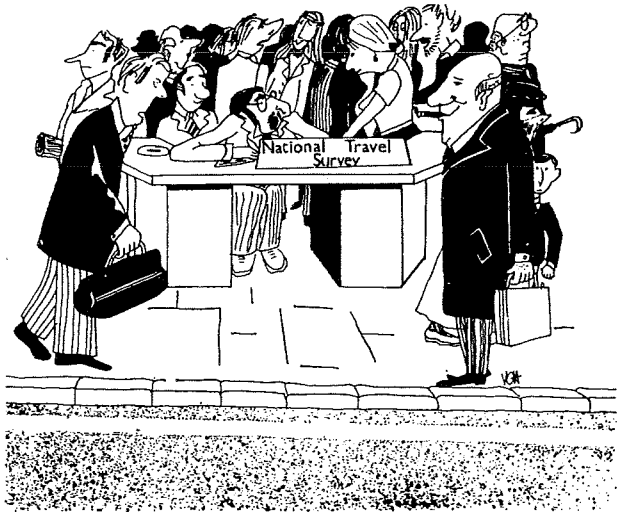
Accidents to horse-riders, obliged to use country lanes and roads because of inadequate provision of bridleways, is also a very worrying factor. A survey carried out by the Hertfordshire branch of the British Horse Society showed that that county is the third worst in the country for accidents involving horses and riders. The branch's bridleways officer, Mr John Featherstone, blamed this on the lack of bridleways, the irresponsible speed at which some motorists drive, and the 'stone wall of bureaucracy' which his society had come up against in its efforts to get the local authorities to provide more bridleways. In particular, he pointed out that the County Council was responsible for producing a map of bridleways and keeping it up to date. 'In Hertfordshire the map has not been updated since 1953,' he said. (12).

The Lessons

These examples illustrate some very disturbing tendencies in the way in which traffic in this country is planned for and controlled. Pedestrians in town and country are seen as something extraneous and troublesome, to be given priority in a few limited areas such as shopping precincts, but which otherwise cannot be taken into account when planning new roads, road improvements, and expenditure on highways and traffic generally.

This mental block against acknowledging pedestrian movement is even reflected in official statistics. The 1972/3 National Travel Survey provides an analysis of the forms of transport used by people in making journeys for various purposes. According to the published figures, 57% of all 'journey stages' are made by car. The figures are derived from a sample of individuals' 'travel diaries' taken over a period of one week. Oddly enough, however, it emerges from the detailed records of the Survey that over one in ten people apparently made no journey whatsoever during the week in question. This absurdity is explained by the fact that the published Survey data exclude journeys of under one mile made on foot. If such journeys are taken into account, it appears that 53% of all journey stages are made on foot and less than a third by car. (13).

It is therefore clear that the case for giving higher priority to the needs of pedestrians in urban and rural



Oh pretty quiet – one bus, two cars.

areas is overwhelming. What can be done to improve the present state of affairs?

First, highway authorities should review their spending plans and be prepared to change their priorities so that the needs of pedestrians are placed above the demand for faster traffic movements. More footways and footbridges should be provided so that walkers are not obliged to use the carriageway. Country footpaths should be properly maintained and waymarked so that they can be used as alternatives to road walking. More bridleways should be created to cater for horse-riders and cyclists. Overall, a much higher proportion of highway authorities' expenditure should be used for this kind of work.

Second, penalties for dangerous driving and speeding must be stiffened. Highway authorities should seriously consider introducing more speed limits, particularly on dangerous country lanes. It is simply not good enough to say that speed limits should only be introduced where motorists will 'respect' them and accept them as 'reasonable'. If the police are unable to enforce speed restrictions, then physical measures must be used to keep speeds down – 'sleeping policemen', reduction in carriageway widths (with adjacent footways for pedestrians), and so on. And the Highway Code should impress upon motorists more forcibly the need to drive carefully and slowly on country roads and generally to keep speeds down so that a safe stopping distance is always visible ahead.

Third, investigations into serious accidents involving pedestrians must be carried out much more thoroughly than at present. Jeremy Bugler draws attention to this in his article. A railway accident is investigated with meticulous care by the Chief Inspecting Officer of Railways and his staff. A public inquiry is held and there is a report to the Secretary of State. When the five ramblers were killed in the Kettering accident, there was a police investigation, the results of which were not published; a brief coroner's inquest and a magistrate's hearing. On the one occasion in this process when someone (Mr. T. C. Foley, consultant to the Pedestrians' Association) attempted to draw some general conclusions by pointing out that so many lives would be saved if motorists' speeds were kept down, he was brushed aside by the coroner. This would surely not have happened at a public inquiry.

Fourth, and most important of all, there must be a general change of attitude; a heightening of consciousness of the importance of walking as a means of transport in its own right. It seems almost puerile to make this point, but all the evidence we have quoted suggests that it is a fundamental consideration which is widely ignored. It applies not just to those working in transport departments, highways authorities, and travel survey offices, but to everyone. Many of us are motorists for some of the time and almost all of us are pedestrians for much of the time. We must make every effort to overcome this collective schizophrenia which causes us to forgive our excesses as motorists and ignore our sufferings as pedestrians. What is called for is a revolution in attitudes – nothing less will be sufficient.

A Final Word

Of course, it will take time to give effect to these and other measures that will be needed to make life safer for pedestrians. But this can be no excuse for delay and prevarication. The situation is getting worse all the time. The remorseless growth in road accidents continues.

The number of road deaths in 1977 was one per cent higher than in 1976. The total killed was six thousand, six hundred and thirty human beings. (14).

REFERENCES

(1) Department of Transport Press Notice No 483, 20 December 1977, 'Road Accidents Great Britain 1976'.

(2) 'Daily Telegraph' 22nd August 1976.

(3) Letter from the Motor Claims Officer, Co-operative Insurance Society Ltd (CIS), 20 April 1977.

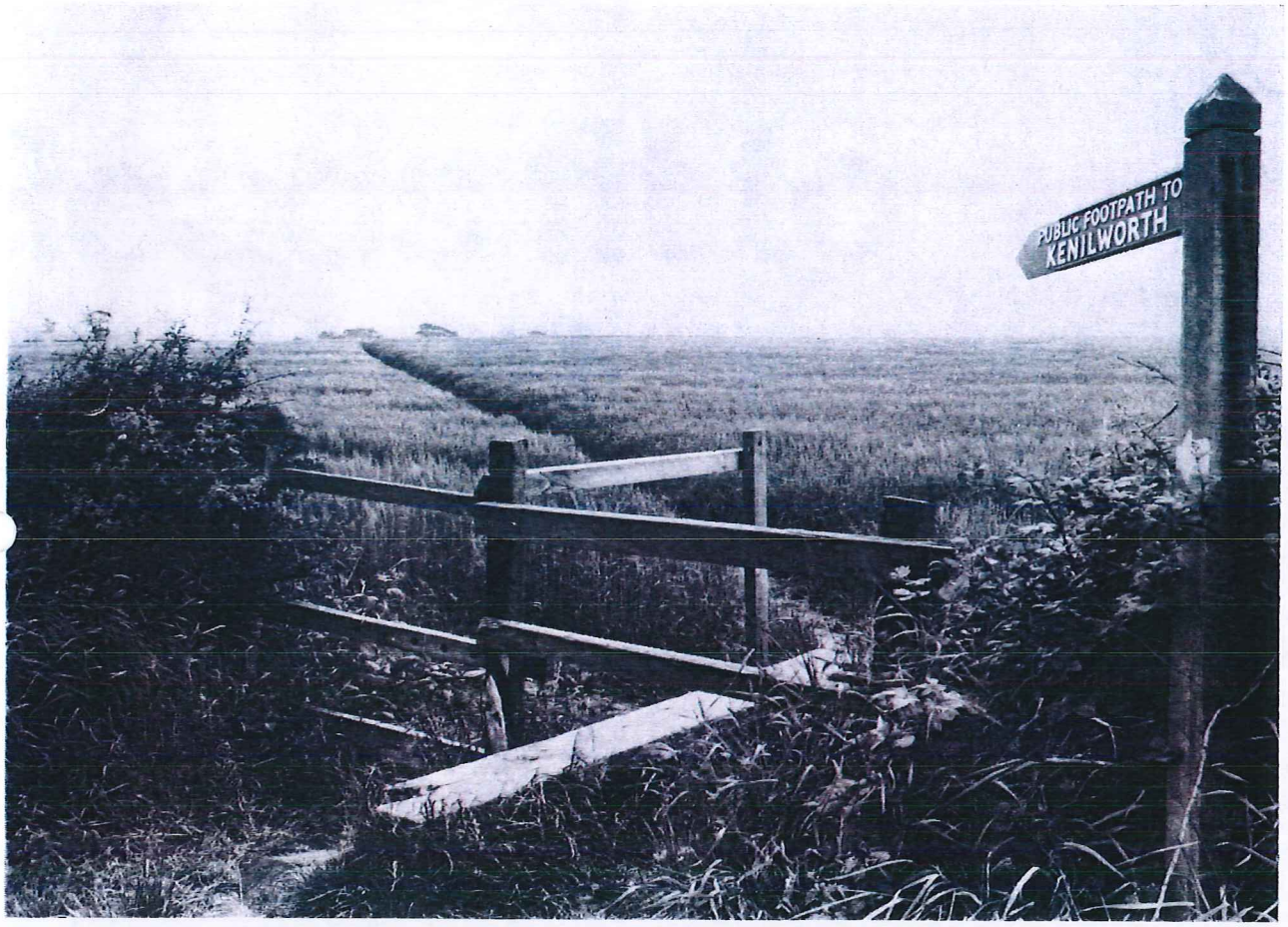
(4) Letter from RA President to the Chairman, CIS, 11 May 1977.

(5) Letter from Chief General Manager, CIS, to RA President, 17 May 1977.

(6) Northamptonshire Police, Accident Report Ref AK 373 76, Statement of witness Terry James Boxford, 16 June 1976.

(7) *Ibid,* Statement of witness Nicky Milan Mileusnic, 9 July 1976.
(8) 'Craven Herald & Pioneer', 27 January 1978.
(9) 'Evening Echo' (Southend), 28 November 1977.
(10) 'East Anglian Daily Times', 25 January 1978.
(11) 'Suffolk Free Press', 5 January 1978.
(12) 'The Herts Advertiser', 5 August 1977.
(13) 'Motorway Monthly', Vol 1, No. 8, July 1977.
(14) Department of Transport Press Notice 51, 14 February 1978, 'Road Casualties 1978'.

The cartoon on page 13 is reproduced by kind permission of the Editor of "Undercurrents".

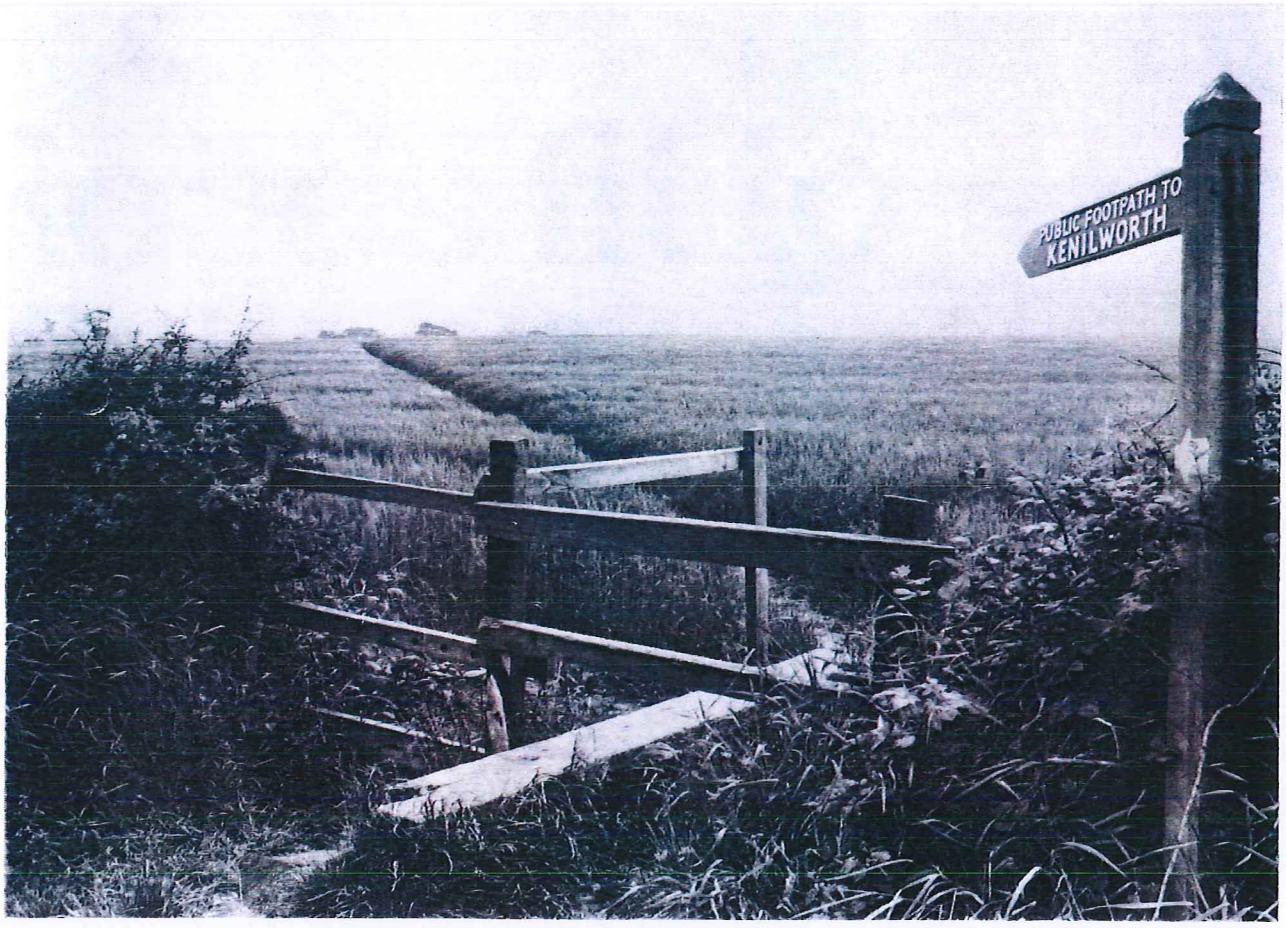


A SIMPLE WAY OF PREVENTING ROAD ACCIDENTS

If there were more country footpaths and bridleways, and if those which exist already were kept in good condition, there would be less need for ramblers and other pedestrians to walk along roads. The path shown above is properly looked after — mainly as a result of the efforts of the Kenilworth Footpath Preservation Group. But a majority of paths in England and Wales is neglected by local authorities, despite their statutory obligations, and are illegally obstructed by farmers and builders. This is a prime example of the way in which the needs of pedestrians are given low priority in our society. Photo: Coventry Evening Telegraph.

(7) *Ibid,* Statement of witness Nicky Milan Mileusnic, 9 July 1976.
(8) 'Craven Herald & Pioneer', 27 January 1978.
(9) 'Evening Echo' (Southend), 28 November 1977.
(10) 'East Anglian Daily Times', 25 January 1978.
(11) 'Suffolk Free Press', 5 January 1978.
(12) 'The Herts Advertiser', 5 August 1977.
(13) 'Motorway Monthly', Vol 1, No. 8, July 1977.
(14) Department of Transport Press Notice 51, 14 February 1978, 'Road Casualties 1978'.

The cartoon on page 13 is reproduced by kind permission of the Editor of "Undercurrents".



A SIMPLE WAY OF PREVENTING ROAD ACCIDENTS

If there were more country footpaths and bridleways, and if those which exist already were kept in good condition, there would be less need for ramblers and other pedestrians to walk along roads. The path shown above is properly looked after — mainly as a result of the efforts of the Kenilworth Footpath Preservation Group. But a majority of paths in England and Wales is neglected by local authorities, despite their statutory obligations, and are illegally obstructed by farmers and builders. This is a prime example of the way in which the needs of pedestrians are given low priority in our society. Photo: Coventry Evening Telegraph.

This paper is the fifth in a series now being published by the Ramblers' Association. *Brief for the Countryside No. 1* was called *People and the Countryside* and was a general review of leisure needs in the countryside especially those of walkers. Published in January 1971 it is priced at 15p. *No. 2* was *Must it be reservoirs?*, an examination of methods of water supply alternative to reservoirs (published June 1971, price 15p); *No. 3* was *Forestry: time to re-think* (now out of print). This challenged the economics and objectives of soft wood timber production in Britain. *No. 4* was entitled *Rural Transport in Crisis* (1973; 20p).

The Ramblers' Association has 30,000 members and 440 affiliated clubs and societies. It aims to encourage rambling, to foster a greater knowledge, love and care of the countryside and to work for the preservation of natural beauty, the protection of footpaths and the provision of access to open country.

The Ramblers' Association
1/4 Crawford Mews, London W1H 1PT

Price 25p

Leicester Printers Ltd · The Church Gate Press · Leicester

3M 6/78

Personal security issues in pedestrian journeys

Contents

Foreword 2

Acknowledgements 3

Chapter 1: Background to the study 4

Chapter 2: Current perspectives on walking and personal security 9

Chapter 3: The pedestrians concerns for personal security 16

Chapter 4: Impact of Personal Security on Decisions for Mode of Travel 38

Chapter 5: Addressing Pedestrian Concerns for Personal Security 49

Chapter 6: Initiatives for Pedestrian Security: Lessons from the Case Studies 61

Chapter 7: Conclusions and Recommendations 86

Appendix 1: Household Survey 92

Appendix 2: Respondents in Focus Groups For Escorted Journeys 94

Appendix 3: Issue for Case Study Evaluation 96

Acknowledgements 99

Personal security issues in pedestrian journeys Executive Summary 100

Introduction 102

Case Study 1: Highfields (Leicester) 108

Case Study 2: Wolverhampton Subway Study 116

Case Study 3: Southend Central Station Town Centre Link 126

Case Study 4: Birmingham Showcase Bus Route Attitudinal Study 130

Case Study 5: Lincolnshire Rural Village Study 144

Case Study 6: Nottingham Safer Bus Routes 149

Conclusions: Issues of Concern to Pedestrians 154

Foreword

by Glenda Jackson
Transport Minister

Crime and the fear of crime, particularly for women, older people and people from ethnic minority communities, can deter the use of public transport and walking, especially at night.

This report is part of the Departments programme of initiatives to improve personal security for both transport passengers and pedestrians. It shows the range of personal security concerns pedestrians have, and describes a number of initiatives which have improved and promoted walking, both as discrete journeys and as links to public transport services. Key lessons and recommendations to promote best practice are also highlighted. Some of the initiatives described show that with imagination, rather than big budgets, a range of effective measures can be achieved.

The report underlines the importance of local authorities, transport operators, police forces and other interested groups working together to implement a package of measures to improve peoples experiences and perceptions of the pedestrian environment. I am certain that the report will prove to be a useful guide for all of us keen to promote walking as an attractive, safe and healthy mode of travel.

Glenda Jackson

Personal Security in Pedestrian Journeys:
Reports by Crime Concern and Social Research Associates

Acknowledgements

We are grateful to all who contributed to this research, not least those members of the public who took part in the questionnaire surveys. Particular thanks to those who organised and participated in the focus groups and escorted journeys, including staff at Burnley Safer Cities, and residents of Bristol, London, Birmingham and Thorverton village in Devon.

We would like to thank the Advisory Group, especially those who gave comments on the draft report. Thanks also to the agencies and individuals who participated in the case study research. Particular thanks to Sustrans who provided information and advice on the safe routes to schools initiative, and to the Pedestrians Association, Transport 2000 and the University of Westminsters Transport Studies Group for sharing their experience of work in this field.

Finally, we are grateful to Miranda Carter and Tracy Wallace of the DETR Mobility Unit, whose guidance and comments on our work have been enormously valuable.

Julia Stafford
Geraldine Pettersson
Helen Young
Alison Mather

Chapter 1:
Background to the study

1.1 Introduction

In January 1998, Crime Concern was commissioned by the DETR through the Departments Mobility Unit to:

- identify and prioritise pedestrian concerns for personal security, both on discrete journeys and as part of the whole journey;
- assess the effectiveness of individual initiatives for pedestrian security; and
- identify best practice to provide a more secure pedestrian environment.

This work will contribute to the Governments key objective to reduce our dependency on the car and achieve a more sustainable and healthy transport system by providing genuine and safe alternatives for travel. Central to achieving this objective is the promotion of safer walking and cycling, and greater use of more attractive public transport.

The Governments White Paper *A New Deal For Transport: Better for Everyone* [DETR, July 1998] reinforces the importance of providing people with genuine choice in their preferred mode of travel by making walking *a more viable, attractive and safe option.* The White Paper also states that *the reduction of crime, and fear of crime, wherever it occurs in the transport system will be a major priority.*

The consultations conducted for the White Paper and earlier research commissioned by the DETR confirmed that fears for personal security can be a real barrier to the use of public transport and walking, especially after dark. Concern for personal security is often greatest when walking to and from the bus stop or train station at either end of the public transport journey. Measures to improve security in the pedestrian environment will not only encourage people to walk to and from their destination but also encourage greater use of public transport.

The Crime and Disorder Act 1998 places a statutory duty on local authorities and the police to produce in partnership a strategy for tackling crime and disorder in their area. It also presents an important opportunity for the personal security concerns of pedestrians to be addressed as part of this strategy.

This studys emphasis on identifying best practice and the scope to replicate initiatives more widely to create a secure pedestrian environment will contribute to the work of local authorities and Passenger Transport Authorities to promote walking and use of public transport. As stated in the White Paper, strategies to make it easier and safer to walk will need to be included in the Local Transport Plans which will be key to the delivery of integrated transport locally. The DETR is also working closely with representatives of local and other central government departments and other organisations to prepare a walking strategy that will provide a framework for action to promote pedestrian activity.

1.2 The Research Programme

This national study uses a blend of quantitative and qualitative research methods to investigate the full range of issues relevant to walking and personal security and identify and assess case studies of best practice. Details of the research programme are provided below.

Understanding the issues:

Literature audit:

drawing on the literature review carried out for the national review of personal security on public transport[1995] updated by a review of subsequent publications, including professional transport, planning and crime prevention journals.

Resident surveys:

a self completion questionnaire was completed by 902 resident households in the following types of locations:

1. suburban social housing area, mainly houses, in a Welsh city [121]

2. deprived inner city area with high rise flats, large ethnic minority population and low car ownership in the West Midlands [119]

3. residential area, mainly owner occupied and close to canal in small Midlands city [122]

4. rural villages and isolated farms in East Anglia with high car ownership [149]

5. central residential area with high population turnover and low car ownership in large seaside town in the South East [145]

6. mixed tenure, suburban area with back alleys and close to busy shopping centre in major North West city [124]

7. middle class residential areas in inner London adjacent to localities with high crime rates and poor reputation [122]

The overall response rate was 43%. The locations [deliberately not named] were selected for their very different characteristics as this would enable the survey findings to help identify those characteristics most closely associated with personal security in the pedestrian environment. Each location was visited, including after dark, to gain a firsthand impression of the walking environment and inform the survey analysis.

The questionnaire covers: perceptions of security in the local area, both during the day and after dark; concerns about specific types of street-based incidents; what makes the respondent feel unsafe; precautions taken when out walking; length of time willing to walk; car use; the perceived benefits of the car for short and long journeys; perceived problems with car use; and suggestions for promoting walking and greater use of public transport. Appendix 1 provides a profile of respondents and the area response rates.

Leisure venue and street survey:

274 users of different types of leisure and entertainment venues were contacted through an interview survey and asked about their modes of travel and perceptions of security. The survey was conducted in four different cities and towns and covered the following types of venues: cinemas; theatres; pubs; nightclub; health club and gym; and evening classes. The common criterion for selection of the venues was that each could be reached by walking or using public transport, thus ensuring that respondents had a genuine choice of travel modes. The survey was designed to identify some of the travel and personal security issues associated with using leisure venues and how these are affected by the type of venue and its location.

Survey with parents through schools:

a self completion questionnaire was completed by 185 parents with children in their last year at primary school or first year at secondary school. One school has been the focus of improvements for safer routes to school and the walk to school campaign. The questionnaire asked about their childs journey to school and covered: how their child travelled to and from school; how long does the journey take; if by car, was it a journey combined with another trip purpose and, on distance alone, is walking a practical option; if it is, what stops the parent from letting their child walk; if travelling by public transport is a practical option, what stops the parent from letting their child travel by public transport. The survey findings are used to help identify some of the concerns of parents for travel to school and personal security.

Focus groups on escorted journeys:

a focus group was held on each of five selected routes displaying different features of the walking environment. In each location, the group was first taken on an escorted journey. The subsequent discussion explored in detail those aspects of the pedestrian journey which caused concern and the measures which could be taken to address those concerns. The following locations were used for the escorted journeys and focus groups:

a) a large pedestrianised area in a small city centre with a number of pubs and subways leading from the bus station;

b) a rural walk through a village and surrounding countryside, the absence of public transport was known to be a critical issue locally;

c) a walk through streets, a park, a local shopping centre and alleys in a residential area of a large city;

d) an inner city area including a busy shopping centre and edge of a large open space; and

e) a walk from an area with a high Asian population through subways and shopping area.

A summary profile of those attending the focus groups and the schedule of questions for the discussion is given in Appendix 2.

Assessing the effectiveness of individual initiatives and identifying best practice

Survey of initiatives:

completed questionnaires were returned by 122 organisations providing details of their initiatives, in place or planned, for improved pedestrian security. Responses were received from local authorities, Passenger Transport Executives, interest groups and professional bodies. Responding organisations from England, Wales and Scotland highlighted a total of 633 initiatives to improve pedestrian security. Further details of the survey and its findings are provided in Chapter 5.

Case study selection:

using the analysis of data from the survey of initiatives, case studies were selected for further investigation. Initially, the organisation was chosen because it could provide information on a particular type of initiative. However, during the research undertaken to assess the initiatives effectiveness, it was common for other initiatives to be discussed and explored as part of the package of measures to improve pedestrian security. The case studies selected are listed below by type of initiative with the organisation providing primarily or supplementary information:

Case Studies:

a. *Pedestrian Audits & Perception Surveys* - Bristol City Council and Edinburgh City Council

b. *Pedestrian Strategies* - York City Council, West Yorkshire Authorities, Avon Authorities

c. *Town and City Centres* - Burnley town centre, Edinburgh City Council

d. *On-street Assistance* - Glasgow City Reps, Edinburgh City Council, Stockport town centre

e. *Initiatives in Rural Areas* - The Countryside Commission [Greenways], Cumbria County Council [Quiet Routes]

f. *Safe or Priority Routes* - Edinburgh City Council

g. *Safer Routes to Schools* - Leeds City Council, Edinburgh Safe & Healthy Travel To School, North Somerset Council and Backwell Junior School, Hertfordshire County Council

h. *Campaigns to Encourage Walking:* - Hertfordshire County Council, [TravelWise, Countryside Management], North Somerset Council and Backwell Junior School [Walk to School Week], Edinburgh City Council

Case study assessment:

at each of the case studies, interviews were held with the initiating authority and, as appropriate, with their partners in the initiative. For some case studies, focus group discussions were held with those whose safety or personal security was the target of the initiative. Any evaluation or survey material on the effectiveness of the initiative was also collected. The issues covered in the case study research are listed in Appendix 3.

1.3 The Advisory Group

An advisory group was established to provide guidance and comment at various stages of the studys development. The members of the group are:

Home Office - Ben Judah

Strathclyde PTE - Hillary Howatt

Association of Town Centre Managers - Alan Tallantire

Womens Design Service - Sue Cavanagh

Rural Development Commission - Peter Roberts

Oxford Pedestrians Association - Dr Grimley Evans

East Sussex County Council - Ed Bassford

Royal National Institute for the Blind - Peter Barker

1.4 The Reports Structure

The next Chapter sets the context for the presentation of the research findings. It draws on existing research and professional publications to describe current perspectives on walking and deterrents to walking, including concerns for personal security. Chapter 2 also draws on crime and community

safety research to identify what influences peoples perceptions of street safety, which street incidents cause most anxiety or fear, and what precautions people take to avoid or minimise risks to their personal security.

Chapter 3 explores perceptions of personal security and what physical and social features of the pedestrian environment impact negatively or positively on these perceptions by drawing together the findings from our household surveys and focus group discussions. It looks at how perceptions of personal security are influenced by knowledge of the neighbourhood, gender, age and ethnic origin. Finally, it explores what precautions people take to reduce risks to their personal security.

Chapter 4 examines how people decide between different modes of travel and how their perceptions of personal security impact on their decision to walk. As well as data from the household surveys, it presents the findings from the survey at leisure venues and the survey with parents about their childs journey to and from school.

Chapter 5 presents an overview of initiatives or measures in place or planned to improve the pedestrian environment and address the concerns of pedestrians by drawing on our survey with organisations and the literature audit.

The findings from the individual case studies and assessment of their effectiveness [from interviews, focus group discussions and written material] in addressing concerns for personal security are presented in Chapter 6. This Chapter also summarises key lessons from the case studies.

Finally, Chapter 7 draws together conclusions from the studys findings and makes recommendations to more effectively address pedestrian concerns for personal security.

References

DETR A *New Deal For Transport: Better For Everyone, The Governments White Paper on the Future of Transport* TSO, Cm 3950, 1998

Chapter 2:
Current perspectives on walking and personal security

2.1 What do we know about walking?

Trends in Walking

Data from the 1994/96 National Travel Survey, reported in the publication Walking in Great Britain, reveals that walking accounts for nearly one third of all journeys and 80% of all journeys of less than one mile [DETR, 1998]. In addition to the walk only trips, additional journeys partly by foot are made using other modes of transport. About half of these trips involve part of a journey by bus.

Young people aged between 11 and 15 years make more journeys on foot than any other age group. In most age groups, women tend to walk more than men [Tolley, 1990]. Both men and women living in households without a car walk much further on average than those in car owning households. In 1994/96, men who were the main drivers of company cars walked only about half the average distance of all men.

Data from the National Travel Survey also shows that the average distance walked per person per year has been declining steadily since 1986 and the average number of pedestrian journeys has decreased by 13% over the last 10 years. In contrast, the average number and distance of journeys by car has increased dramatically and, by 1994/96, 60% of all journeys and 82% of total distance travelled was by car or van. Since 1986, the number of walking trips made by children and young people has fallen by 17% for those aged between 5 and 10 years, by 29% for those aged 11 to 15 years, and by 14% for the 16 to 20 year olds.

There are likely to be a number of factors contributing to the decline in walking. The publication Walking in Great Britain concludes that much of the decline in the total number of walking trips can be associated with the strong trend in trip lengthening, especially since 1986. The average length of a trip by any mode increased from 5.2 miles in 1986 to 6.2 miles from the 1994/96 survey. Over the same period, the average length of journey made entirely on foot has remained constant at about 0.6 of a mile.

Deterrents to Walking

The discussion paper Developing a Walking Strategy [DoT, 1996] lists a number of commonly identified deterrents to walking, including length of the journey, the gradient, condition of the pavement, the weather and fears about personal security. Other research has also identified the features of the local environment which impact on whether people find a pedestrian journey feasible or convenient, including: the length of the walking journey; steepness of the gradient; the presence of high steps or kerbs; whether there are major roads to cross and what measures are in place to control the traffic and give a priority to pedestrians; how exposed they are to the weather; and how safe they feel from threats to personal security [National Consumer Council, 1987].

Studies by the Pedestrian Association [1998] reveal that poor pavement surfaces and fear of falling can be a significant deterrent to people on foot, especially for older people. A survey of residents over sixty, commissioned by Harrow Council [1997], found the most important factor influencing their willingness to go out was a fear of falling and a greater sense of physical vulnerability, especially in relation to speeding traffic or being pushed or threatened.

A recent survey conducted for the General Consumer Council in Northern Ireland [1997] suggests that litter, poor maintenance and busy traffic are the most signficant barriers to walking. Other studies have shown that poor maintenance, rubbish and the presence of vandalism and graffiti all suggest a lack of management, care and control of the environment and this makes people feel more vulnerable [Crime Concern, 1995]. The Association of Town Centre Management has commented from its research that *unclean, poorly maintained environments not only contribute to increased unsocial behaviour, but also greatly increase perceptions of insecurity.*

The decline in walking trips by children is closely associated with a growth in parental fears for their childs safety, both from road safety and risks from strangers [Sustrans, 1996]. Whilst children commonly identify traffic as a danger on their journey to school, in a recent survey amongst schools in Hereford and Worcester, only 2% identified risks from strangers as a reason not to walk [Hereford & Worcester, 1996].

Demonstration projects by the Countryside Commission [1997] have identified that risks to pedestrians, cyclists and horse riders from vehicle traffic reduces peoples choice of ways to move around safely and reliably and can be a deterrent. The British Social Attitudes Survey [1995] confirmed widespread concern about traffic problems and safety on country roads and at rural visitor attractions.

Urban and Rural Settings

The number of walk journeys varies in different parts of the country, with many more walk journeys made by the residents of towns and cities. The greatest contrast is between inner London residents who make nearly 60% more walking journeys than the average for the residents of rural areas. Although the differences are small, the number of walk trips per year generally increases with the size of the urban area [DETR, 1998].

The Purpose of Walking Journeys

Data from the General Household Survey, reported in Walking in Great Britain, reveals that shopping is the most frequent purpose of walk only trips [about a quarter of all journeys] followed by social or entertainment purposes [a fifth of the total]. Walking to work only accounts for 6% of all journeys on foot, a decline from 8% in 1986. In contrast, the number of walking for enjoyment trips has increased over recent years. More people are now walking for leisure and walking was by far the most popular activity, with 45% reporting walking for leisure in the previous four weeks. Walking was the purpose of a third of countryside leisure trips and more than half of people walked alone. Women and men made a similar number of leisure visits to the countryside for walking.

About half of all journeys made to escort children to school are on foot and more than half of all children still walk to and from school [Association of Transport Coordinating Officers et al, 1997]. Despite the continued importance of walking, the last twenty years has seen a dramatic change in the way children travel to and from school. For example, the number of seven and eight year olds who travel to school independently fell from 80% in 1971 to fewer than 10% in 1990, and many more children are now escorted to school by car. In a survey of children aged 7 to 11 years in five schools, the percentage travelling to school on their own fell from 86% in 1970 to 29% in 1990 [Hillman et al, 1991].

Through their work in developing safe routes to school, Sustrans has found that girls are more likely than boys to favour walking to school because they value the opportunity to talk as they walk in a group and because modern fashion in clothes is not always compatible with cycling. For girls, it is more appropriate therefore to promote walking as a sociable mode of travel.

Parental fear of road accidents and concerns for their childrens personal security are major factors in encouraging parents to escort their children to school, increasingly by car [Sustrans, 1996]. The school run by car has become a common feature in the daily lives of many families and contributes significantly to peak traffic flows and congestion. In one study, 20% of parents identified fear of attack or abduction as reasons why they choose to accompany their child to school, although not necessarily always by driving them [Hillman, 1993].

2.2 Personal Security and Walking

Recorded Crime Statistics and Under-Reporting

Recorded crime figures show that property crime is much higher than crime against the person with burglary, car crime and criminal damage accounting for 65% of all incidents recorded nationally [Home Office,1998]. Violent crimes, including physical assault, account for only 8% of total recorded crime. However, physical assault is one of the few categories of recorded incidents which has increased steadily over recent years.

Although the numbers of recorded violent incidents are comparatively low, many incidents against the person are not reported to the police. Data from the British Crime Survey [Home Office, 1996] reveals that under half of all offences recorded through the survey were reported to the police, although reporting rates vary by type of incident. There is low reporting of common assault, vehicle vandalism and theft of personal property. The survey found that 60% of muggings were reported to the police, but only 40% of stranger or acquaintance violence.

Local surveys also confirm that many offences against the person are not reported. The Ealing Crime Survey found that less than 20% of street-based incidents [excluding car crime] were reported to the police [London Research Centre, 1988]. The lowest levels of reporting were for incidents of racial harassment [11%], attempted theft [13%] and being threatened in a fight or disturbance [14%]. A more recent crime survey in Enfield revealed that only 27% of incidents of harassment or assault outside the home were reported to the police. The most frequently given reason for not reporting an incident was that the police could do little or nothing about it [Crime Concern, 1996].

Recorded crime figures suggest that men are more at risk than women from stranger assault in public places. The British Crime Survey reveals that men are the most frequent victims of stranger and acquaintance violence, but muggings are more evenly split between men and women. However, victim surveys reveal that crimes of violence against women often go unreported. From the Edinburgh Womens Safety Survey [Edinburgh City Council, 1998] 43% of women said that over the previous twelve months, they had been harassed by rude or abusive comments on the street and nearly a fifth had been followed by a stranger. Of all the incidents described through the survey [ranging from verbal abuse to assault or robbery] only 2% had been reported to the police.

A much earlier survey of women by the former Greater London Council [1985] found that 3% of women had been attacked and 11% harassed in some way while travelling within the last 12 months. Half of these incidents had been on the streets, the rest either on transport or while waiting, and few had been reported to the police.

From the British Crime Survey data [1996] age is strongly related to risk and younger people face higher risks of all types of violent crime. Young men were the victims of 46% of the incidents of stranger violence reported through the survey. Alcohol was a factor in just over half of all stranger violence and a third of all violent incidents occurred in or around pubs and clubs. Groups of assailants were often involved: a fifth of attacks were by groups of four or more, and a fifth of all

assailants were judged to be between 16 and 24 years old. Those at highest risk of violent crime [including domestic incidents] were living in Greater London and the West Midlands, inner city areas, and privately rented housing. Those at lowest risk were those living in Anglia and the East Midlands, non-inner city areas and owner occupied housing.

Anxiety About Street Based Crime

Data from the British Crime Survey and local surveys with residents living in very different areas across the country consistently shows that fear of street crime, including physical assault, sexual assault and robbery, causes many people significant worry or concern. The analysis of anxiety about crime from the 1994 British Crime Survey [Hough, 1996] reveals that more than a third of people feel unsafe out alone after dark, and this proportion rises to a half for those living in the inner cities. Women feel much less safe than men, older people feel progressively less safe than younger people and, at all ages, ethnic minority people feel less safe than white people.

The 1996 British Crime Survey [Home Office, 1996] shows some statistically significant, albeit small, improvements in peoples perception of street safety. The number of women who felt very or a bit unsafe on the street fell from 54% in 1994 to 47% in 1996. The proportion of men feeling unsafe was also fractionally lower in 1996.

Most other local surveys reinforce the concerns which many people feel about street-based crime. From the Enfield survey, more than half of residents said they felt fairly or very unsafe when walking out alone in their neighbourhood after dark and this was similar to the proportion revealed in the earlier Ealing survey. In both surveys, respondents were asked to identify those types of places where they felt most unsafe. Despite the differences between the areas and almost ten years between the survey dates, respondents identified similar types of locations as unsafe places to walk or wait, especially after dark: subways or underpasses; car parks; bus stops; train station platforms; local parks or open space; alleyways; side streets or back streets; and housing estates or areas with a poor reputation.

Other studies have found that women are especially concerned about using multi storey car parks, subways and underground areas and, after dark, side streets and alleys [Association of Town Centre Managers 1997, Crime Concern and Transport & Travel Research 1997]. The Edinburgh survey [1998] shows that most women feel safe out during the day; the exception is car parks where one in five women still felt unsafe even in daylight hours. Feelings of safety, however, declined dramatically after dark with a fifth of women feeling unsafe in their home street, nearly a quarter unsafe in the street where they worked, and more than a third unsafe in the city centre. Nearly two thirds of women felt unsafe in car parks after dark. The main fears identified through the Edinburgh survey came from the threatening behaviour of others,especially drunks and groups of young people or men, and fear of strangers. Again from the Edinburgh survey, disabled women felt significantly less safe than non-disabled women whether walking, driving, and when waiting for or using public transport.

Research into the personal security of local black and minority ethnic women by Edinburgh University [1998] identified heightened concerns, especially in socially deprived areas where racism was felt to be more prevalent. However, respondents in that survey also commented that some more affluent areas could be "*quiet and unwelcoming...you feel like a stranger in different parts of the city and isolated*".

Within city or town centres there may be additional factors which contribute to the residents or visitors feelings of personal security when out walking. In a recent survey with residents of Bristol

city centre, over half of all respondents identified drunken behaviour and the presence of beggars as problems contributing to their lack of safety [Pettersson, Dilworth 1997].

A study undertaken in Londons centre of entertainment [Pettersson, Webb 1997] provided an analysis of calls for police assistance, with disturbance in a public place, thefts [generally of hand luggage and purses], violence against the person, drunkenness, and street robbery as the five most commonly reported incidents. More incidents occur at the weekends than during the rest of the week. Despite the level of incidents, most respondents [women and men] to a street interview survey in Londons entertainment centre reported feeling safe or very safe along the main thoroughfares, even in the late evening. The large numbers of people using these main thoroughfares was a key factor in making people feel safe.

Most research has focused on perceptions of security in urban areas. Research on public attitudes to the countryside [Countryside Commission, 1997] found little evidence that personal security is a major concern, although it was more likely to be a concern for women and infrequent visitors. However, further research for the Countryside Commission investigated perceptions of personal security of people walking in woodlands at the urban fringe [Burgess, 1997]. This research confirmed that intensity of concern increases with age, is greater for women than men, and is influenced by cultural background. Peoples fears are also continually reinforced by media coverage of violent crimes commited in woodlands or other rural settings.

Impact of Fears for Personal Security on Walking

People consider walking to be the least safe way to travel and fear of crime is a significant factor affecting how often, where and when people walk. The British Crime Survey analysis [Hough, 1996] reveals that significant minorities routinely avoid going out alone after dark or avoid certain areas or types of people because of fears for their personal security. Although men are less anxious than women about their personal security, a significant minority still take similar action to avoid the risk of street crime. Precautionary behaviour to avoid street crime has risen slightly since 1994, but as the 1996 British Crime Survey report states *`this could as equally signify a sensible response as one that implies people are more fearful.*

A consequence of womens lack of security when walking alone after dark is that many rarely or never walk alone at night. A survey by Nottingham Safer Cities [1990] identified a variety of measures taken by women to reduce perceived risks, including not walking alone after dark and avoiding unsafe areas like subways and back streets. In the Edinburgh womens survey, walking is perceived to be the least safe mode of travel and, despite their concerns for car park safety, the car is still the preferred option for travelling around Edinburgh at night. The behavioural consequences of concerns for personal security in woodlands [Burgess, 1997] are that most women feel unable to be in woodland on their own and children are largely prohibited from playing unaccompanied.

Recent research has also confirmed that fears for personal security can be a real barrier to use of public transport, and that the walk to and from the stop or station is generally perceived as more unsafe than time spent on vehicle [Crime Concern and Transport & Travel Research, 1997]. In making their travel decisions, passengers do not differentiate between the elements of the journey but on their perception of the whole journey. We know that people change the way they travel because of fears for their personal security.

In relation to public transport, the same research has estimated that an additional 10.5% of trips would be made, if passengers felt more secure. Most of these trips would be made off-peak when spare capacity on public transport is greatest.

Less is known about the costs of avoidance behaviour in terms of: lost revenue to business; increased pollution and congestion when people use their cars more frequently; and accidents when pedestrians put themselves at risk in road safety terms in order to avoid possible danger from crime. It was estimated that avoidance behaviour in Nottingham City Centre, caused by peoples fear of crime, resulted in reduced turnover of £24 millions per annum and over 600 jobs [Oc and Trench, 1992].

References

Association of Town Centre Managers *Safe and Secure Town Centres, A Good Practice Guide* ATCM, 1997

Association of Transport Coordinating Officers *Safety on School Related Journeys* 1997

Burgess, Dr J *Perceptions of Risk in Recreational Woodlands in the Urban Fringe, A Research Project for the Community Forest Unit*, Countryside Commission University College London, 1997

The Countryside Commission

Public Attitudes to the Countryside 1997

Rural traffic: Getting It Right, Advisory Booklet 1997

Crime Concern

National Transport Review of Personal Security Measures Crime Concern for DETR, 1995

Personal Security on Transport, A Literature Review Crime Concern for DETR, 1995

Crime Perception and Community Safety in Enfield LB Enfield, 1996

and Transport and Travel Research *Perceptions of Safety from Crime on Public Transport* Crime Concern for DETR, 1997

Dept. of Transport *Developing A Walking Strategy* 1996

DETR

Personal security on public transport, Guidelines for operators DETR Mobility Unit, 1996

Transport Statistics Report Walking in Great Britain HMSO, 1998

Edinburgh City Council *Hidden Figures, the 1997 Edinburgh Womens Safety Survey* 1998

Edinburgh University [Lorraine McEvilly] *Out of Sight, Out of Mind an evaluation of personal safety for black and minority ethnic women in Edinburgh* March 1998

General Consumer Council, Northern Ireland *The Walking Environment* 1997

Greater London Council *Survey on Women and Transport* GLC Womens Committee, 1985

Harrow Borough Council *Safety and the Senior Citizen* 1997

Hereford and Worcester Council *Let TravelWise Open Your Eyes: School Project Pack* 1996

Hillman, M et al *The Role of Walking and Cycling in Transport Policy*, Policy Studies Institute, 1990

Hillman M *One False Move* in Hillman M Editor, *Children, Transport and the Quality of Life*, Policy Studies Institute, 1993

Home Office

The 1996 British Crime Survey Home Office Statistical Bulletin, 1996

Notifiable Offences, England and Wales,1997 Home Office Statistical Bulletin Information on the criminal justice system in England and Wales, Digest 3 Home Office Research and Statistics Department, 1995

HMSO *British Social Attitudes Survey*, 12th and 13th Reports 1994 and 1995

Hough, M *Anxieties About Crime, 1994 Analysis of the British Crime Survey* Home Office

London Research Centre *Ealing Crime Survey*, 1988

Oc and Trench *How Can We Make Cities Safer For Women?* Symposium Paper, University of Florida, 1992

The Pedestrians Association *Enjoy Your Trip?* July 1998

Pettersson, G and Dilworth, J *Living in the City A Positive Choice* Bristol City Council, 1997

Pettersson, G and Webb, *S Capital Route A strategy for Community Safety in the Heart of London* Westminster Safer Cities, 1997

National Consumer Council *Whats Wrong With Walking? A Consumer Review of the Pedestrian Environment* National Consumer Council, 1987

Sustrans *Safety on the Streets for Children* Information Sheet FF10, November 1996

Tolley, R [ed] *The Greening of Urban Transport: Planning for Walking and Cycling in Western Cities* 1990

Chapter 3:
The pedestrians concerns for personal security

3.1 Introduction

The previous section provided an overview from the literature of concerns for personal security whilst walking. This section draws from our research through surveys, focus groups and interviews to explore in more detail the pedestrians concerns for personal security and the underlying reasons for these anxieties. The analysis will also reveal the differences between urban and rural perceptions and the impact on those perceptions of different features of the pedestrian environment.

When consulting in depth with pedestrians about their experience and perception of the walking environment, many issues much wider than personal security have been raised. In particular, these include issues about road safety, the impact of traffic congestion and speed, parking and the availability of public transport. In order to fully explore the prevalence and relative importance of the many issues affecting peoples decisions to walk, information about these wider concerns and the feelings expressed are included within the remit of this report. In addition, the surveys and focus group discussions have provided information on peoples experience of and attitudes towards use of the car. These findings are of interest in their own right and also provide a useful context for exploring how peoples decisions to walk [or walk and use public transport] are influenced by car ownership.

3.2 Perceptions of Personal Security in the Pedestrian Environment

Perceptions of Personal Security Within the Local Area

In common with other research findings, data from our household surveys, interviews at leisure venues and focus groups on escorted journeys reveal a sharp distinction between perceptions of personal security on the street during daylight and perceptions after dark:

> "during the day you always feel different, then I worry more about traffic and pollution ...theres people about and you are visible, so theres not so much to worry about"
> [woman in town centre group]

> "my main worries during the day are cars...people who leave their engines running outside the shops, pavement parking, the amount of traffic...its at night when the balance changes and my safety becomes the priority"
> [woman in inner city group]

The much heightened concerns for personal security after dark were common for women and men, young and older people, and rural and urban dwellers. From the household surveys, the majority of residents of six out of the seven areas felt safe walking during the daytime [Table 3.1] and this majority was as high as 92% in rural East Anglia [Area 4]. The exception where more survey residents felt unsafe during the day was in the deprived, inner city area of a West Midlands city [Area 2]. This was also an area with a greater number of Asian and other ethnic minority households and their greater feelings of insecurity may well stem from concerns about and experience of racism. The Edinburgh research with black and minority ethnic women [1998] revealed greater feelings of insecurity when ethnicity was combined with gender: "*Im a target as a woman but more so because of ethnicity*".

In contrast to the daytime, the majority of respondents in all seven areas either felt unsafe walking in their area alone after dark or did not go out in the evening [Table 3.2]. There is quite a difference between the areas on the proportion of residents who described their area as a bit unsafe or very unsafe. The areas with the highest percentage of residents describing their area as unsafe after dark were all located in major cities or conurbations.

Table 3.1
Residents Perceptions of Safety, Walking Alone in their Area[1] DURING DAYLIGHT
Percentages

	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
Safe or Very Safe	67	38	70	92	81	66	72
A bit unsafe	20	36	23	6	13	25	21
Very unsafe	9	24	5	-	5	6	6
Do not go out alone or at all	4	2	2	2	1	3	1

Table 3.2
Residents Perceptions of Safety, Walking Alone in their Area[1] AFTER DARK
Percentages

	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
Safe or Very Safe	26	10	20	43	37	15	19
A bit unsafe	27	22	44	32	39	48	51
Very unsafe	18	38	13	2	13	15	16
Do not go out alone or at all after dark	29	30	23	23	11	22	14
% of respondents:							
women	56%	51%	66%	65%	49%	61%	58%
aged 60 yrs plus	38%	31%	22%	37%	26%	38%	27%

car owners	64%	35%	77%	83%	43%	58%	69%

Data from the household surveys show women are much less likely than men to feel safe walking alone in their neighbourhood after dark and more likely not to go out alone in the evenings [Table 3.3]. Younger people are least likely to feel very unsafe in their neighbourhood after dark and those over 45 years of age are more likely either to feel very unsafe or not to go out alone or at all after dark. Although the sample is comparatively small and hence the findings should be treated with caution, when compared with white residents, ethnic minority residents are more likely to feel unsafe walking alone in their neighbourhood after dark.

Table 3.3
Residents Perceptions of Safety, Walking Along in their Neighbourhood AFTER DARK - by gender, age and ethnic group
Percentages

	Women %	Men %	Under 25 yrs %	25 to 44 yrs %	45 to 59 yrs %	60 yrs & older %	White %	Ethnic Minority %
Very safe or Safe	16	41	26	30	28	19	28	14
A bit unsafe	40	34	52	45	36	28	37	42
Very unsafe	16	14	9	13	19	18	15	25
Do not go out alone or at all	28	11	13	12	17	35	20	19

Although the views expressed in the focus groups tended to be consistent with these findings from the household surveys, there is a clear indication that feelings about security between women and men, different age groups and ethnic groups are far more complex. For example, in the focus groups, men [including younger men] often expressed greater concerns for personal security than might be suggested by the survey findings. Also, an individuals attitude or feelings about broader life issues can influence how anxious or fearful they are about crime or risks to personal security:

> "its very much a question of attitude, how you feel. I feel safe here and I felt safe living in Glasgow, but some people have a very vivid imagination and see fears everywhere. Its how you walk, how you look it all comes down to a question of confidence, feeling personally safe and secure is very much an attitude, how you are"
> [older woman in rural group]

> "confidence your attitude being strong is so important...walk firm, be determined. Your whole body language has to say, dont mess with me and you have to feel it"
> [younger woman in urban group]

The analysis of the 1994 British Crime Survey [Hough, 1995] and other surveys have found that people most fearful for their safety judged their risks to be highest, were in the lower income

groups, lived in more disorderly neighbourhoods with lower levels of social support and were more vulnerable in terms of physical size, health and confidence in their self defence abilities.

Having been a victim of crime oneself did increase worry. From our focus groups, past experiences of crime, either firsthand or observed, was often sharply remembered and had influenced confidence on the street. There was evidence that participants had taken steps to avoid future potential risks associated with that incident:

> "I wouldnt walk in xxxxx at night and I never like going there even in the daytime. Ive been attacked twice both were anti gay attacks. Once thats happened you never want to go back and it makes you very, very cautious not just there but in other areas as well. But I was determined that it wasnt going to stop me going out it was a real effort to go back out and feel confident again but I was determined to do it"
> [man in inner city group]

> "I was walking along the street around here late at night and I was followed by a man in a car the driver slowed right down I ran off. I dont feel safe there anymore. I wouldnt walk down that road again after dark not on my own and Id even feel funny walking down there with someone"
> [young woman in inner city group]

The medias reporting of incidents, especially those of a violent nature, may also influence perceptions of safety on the street or public place:

> "we are educated not to feel safe these days things went on years ago but, with television, now we hear about them so much more and it makes people fearful for their own safety as well"
> [older man in town centre group]

The impact of a violent crime in the countryside may be much greater on rural residents because their sense of safety is so much higher compared with urban dwellers. In one rural group, a woman described the realisation that violent crime [the murder of a young woman out alone] could happen in the countryside as a "*loss of innocence*". The woman commented:

> "...Id never feared before, Id always felt safe before...I wasnt worried for myself but for my children, my daughter...it brought it all home, there are threats in the countryside, its here as well"
> [woman and parent in rural group]

Street Incidents Causing Most Concern

In the household surveys, many residents expressed concerns that either themselves or a member of the family could be the victim of street crime in their local area2 [Table 3.4].

As perhaps might be expected, the lowest concerns were expressed by those living in rural East Anglia [Area 4], whilst some of the greatest concerns were expressed by those living in the large cities or conurbations [Areas 2, 6 and 7].

Residents from most areas expressed most concern about being mugged or robbed in the street, ranging from 73% very or fairly worried in Area 2 [inner city, West Midlands] to 26% in Area 4 [rural, East Anglia]. For comparison, in the 1996 British Crime Survey [BCS], 47% of the total sample were very or fairly worried about being the victim of a mugging. In the BCS and our household surveys, it is only a minority of respondents who are very worried. In most areas, the

majority or nearly half of residents were very or fairly worried about being assaulted or attacked, again those expressing most concern lived in the large cities or conurbations. Worry about being stopped by kerb crawlers was expressed by about a quarter of residents in Area 2 [inner city, West Midlands] and Area 7 [Greater London] and both are close to or border on localities with a reputation for prostitution.

Table 3.4
When Out Walking Alone AFTER DARK, Very Worried or Fairly Worried About These Incidents Happening To Residents In This Area
Percentages

Types of Incidents	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
Being assaulted or attacked	42	66	51	26	47	56	58
Being mugged or robbed	46	73	50	26	47	62	65
Sexual assault or rape	27	43	32	19	29	41	46
Stopped by kerb crawlers	11	30	13	2	12	18	26
Verbal abuse or intimidated	38	37	44	11	50	42	34
Falling over	27	24	17	17	18	29	18

Table 3.5
When Out Walking Alone AFTER DARK, Very Worried or Fairly Worried About These Incidents Happening To You By Gender, Age and Ethnic Origin
Percentages

Types of Incidents	Women %	Men %	Under 25 yrs %	25 to 44 yrs %	45 to 59 yrs %	60 yrs & older %	White %	Ethnic Minority %
Being assaulted or attacked	51	42	58	54	51	38	47	62
Being	54	44	53	54	59	45	49	63

mugged or robbed								
Sexual assault or rape	45	12	58	42	32	19	31	41
Stopped by kerb crawlers	20	8	27	19	13	10	14	24
Verbal abuse or intimidated	36	33	31	41	37	33	35	32
Falling over	21	20	2	15	18	33	21	10

Compared to men, women were more worried about being the victim of a street-based crime and it is women who worry about sexual assault or rape and being stopped by kerb crawlers [Table 3.5]. From the 1996 BCS, 53% of women respondents said they were very or fairly worried about rape and more women were very worried about rape than any other offence. As participants in one focus group described:

> "our main fear is attack from a man, especially where it is isolated and lonely...the whole issue about walking at night is about being attacked by a man..."
> [younger woman in urban group]

> "but not all men are threatening we know that, but how do you know who is and who isnt...its much more of a gut reaction when you are on your own...when its dark and you see a man walking along towards you...then its a gut reaction about being attacked"
> [older women in urban group]

Although not a crime issue, worries about falling in the street were included in our survey because such concerns can impact on peoples sense of safety and confidence generally, and thus impact on their feelings of personal security. Worry about falling over in the street was primarily a concern for older people and linked through the household surveys and focus groups to the many comments about the poor condition of many pavements:

> the bad condition of pavements, especially off the main roads, thats my main concern. I am very frightened of falling and that often stops me from going out. Ive had a hip operation and a fall again could end my walking for ever
> [older man survey respondent]

> "the state of the pavements...they are terrible around here, appalling...it is a real deterrent to walking, especially at night. Ive really hurt myself falling over in the past and that makes me very careful now...its that they are never maintained properly"
> [younger woman in inner city group]

A report from the Pedestrians Association [July 1998] identifies that the number of injuries caused by falls on poor quality pavements are likely to far exceed those caused to pedestrians by vehicles, yet these go unreported in official accident statistics. The Association also draws on the 1997 National Road Maintenance Condition Survey which shows pavement conditions to be worsening

year on year. Excluding NHS costs in treating fall victims, it also estimates that the cost of poor pavements could total over £500m a year from legal and insurance costs and staff time dealing with claims.

3.3 What Makes People Feel Safe and Unsafe As a Pedestrian

Identifying what makes people feel safe and unsafe is key to the development of effective measures to address pedestrian concerns for personal security and encourage more people to walk as their preferred mode of travel, either to reach their destination or access public transport.

Feeling Safe

There was a sharp distinction between the feelings of insecurity expressed by urban and rural residents. In general, urban dwellers felt safe or much safer in areas which were busy with people going about everyday activities. That most or all of these people were strangers did not appear to worry most urban dwellers, unless they displayed erratic or unpredictable behaviour. In sharp contrast, rural dwellers emphasied their much greater sense of security in quiet and even secluded areas:

> "I have no qualms about being alone...we value the quiet and the calm...when you are out in the country, you are aware of someone immediately... most likely you will know them, but if you dont and you want to move away from them...well you can...theres the space"
> [woman in rural group]

In part, these differences between urban and rural perceptions may be because we feel safer in places we know and where we can assess the scale of risk from firsthand experience:

> "how true it is that one often feels safer in your local area...I just feel safer because its my local area and I know what happens there and I feel more confident. In areas that you dont know, you can imagine problems...you just dont know what to expect, what an area is like. Some people might think that the town centre isnt safe, but if they know it, thats different"
> [woman in town centre group]

However, the differences in the causes of unsafety between rural and urban environments appear to go beyond solely confidence in an area which one knows. Although outside the scope of this study, it would be important to explore the extent to which rural dwellers from one locality would feel as safe walking alone in countryside with which they were not familiar. Research has shown that urban dwellers are much more likely to feel unsafe in other urban areas with which they are not familiar, although that may in part be influenced by reputation and/or influenced by media reports.

Feeling Unsafe

From the household surveys, very few respondents said that nothing made them feel unsafe walking in their local area after dark [Table 3.6]. From a range of features listed in the questionnaire, people hanging about tended to be the most common feature which made people feel unsafe in urban areas. Poor lighting and places for strangers to hide were also associated in most urban areas with a lack of safety. In the rural survey area, poor [or absence of] lighting and uneven [or absence of] pavements were the two most common features which made residents feel unsafe. Very few additional features were identified by the surveys respondents, and graffiti and litter were only mentioned by a small minority as specifically contributing to personal insecurity.

Table 3.6
What Makes Residents Feel UNSAFE When Walking About Their Area, AFTER DARK
Percentages

Features Which Make Residents Feel UNSAFE	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
People Hanging About	64	68	72	31	55	60	49
Poor Lighting	51	61	44	64	51	58	66
Places for strangers to hide	30	63	42	25	47	42	27
Lonely Places	38	49	51	33	48	50	55
Drunks	41	34	64	22	72	42	40
Subways	14	45	18	9	42	20	21
Uneven Pavements	38	29	28	41	33	46	28
Traffic or Busy roads	9	13	17	17	10	15	8
Nothing makes me feel unsafe	8	5	4	-	6	3	3

Table 3.7
What Makes Residents Feel UNSAFE When Walking About Their Area, AFTER DARK by Gender, Age and Ethnic Origin
Percentages

Features Which Make Residents Feel UNSAFE	Women %	Men %	Under 25 yrs %	25 to 44 yrs %	45 to 59 yrs %	60 yrs & older %	White %	Ethnic Minority %
People Hanging About	60	53	63	64	61	46	56	60
Poor Lighting	61	51	65	60	58	50	58	56
Places for strangers to	40	29	56	49	35	26	36	45

hide								
Lonely Places	54	35	66	48	47	38	46	46
Drunks	47	43	58	52	47	36	45	41
Subways	27	25	42	31	24	18	22	36
Uneven/lack of Pavements	34	36	11	24	34	53	35	42
Traffic or Busy Roads	12	15	9	13	13	15	12	24
Nothing makes me feel unsafe	2	8	3	4	6	5	4	5

The analysis of all responses by the demographic characteristics of residents shows that 98% of women and 92% of men identified at least one feature which made them feel unsafe, walking alone after dark [Table 3.7]. People hanging about and poor lighting were the most common features which made women and men feel unsafe. Women were more likely to be made to feel unsafe by lonely places and places for strangers to hide. However, similar percentages of men and women were made to feel unsafe by drunks, uneven or lack of pavements, and subways.

Older people [60 years and older] were more likely to feel unsafe because of uneven/lack of pavements. However, older people were less likely than younger respondents to identify that places for strangers to hide, people hanging about, drunks and lonely places made them feel unsafe. By way of explanation, more than a third of older respondents said they did not go out alone or at all after dark and therefore probably have little recent firsthand experience of the impact of such features on personal security. In contrast, many of the younger respondents [under 45 years of age] go out after dark and were much more likely to identify features which contribute to their feelings of insecurity.

About 12% of the total sample came from ethnic minority population groups. A greater percentage of ethnic minority respondents, compared to white, identified places for strangers to hide, people hanging about, subways, uneven pavements and busy roads as features which made them feel unsafe. Some of these differences from the much larger white sample may be because the ethnic minority respondents came from busy and deprived inner city areas.

In conclusion, with such high proportions of respondents made to feel unsafe by at least one or more physical or social features of the pedestrian environment, implementing a range of measures to improve the pedestrian environment would be likely to have a significant impact on making walking a more comfortable and secure means of travelling.

Features That Make People Feel Unsafe

People Hanging About

In all the urban areas, people hanging about made between a half and more than two thirds of respondents feel unsafe. We know from the focus groups and from the survey data that most urban

people like places to be busy and well used, but groups of people [often young] hanging about the streets is intimidating and seen as potentially threatening for pedestrians:

> "my main worry walking to and from the bus station are the people hanging about late at night, why should they be there? You just feel frightened about what they could do"
> [woman in town centre group]

> "there are always groups of drunks hanging about...lining the pavement...drinking on the street. It goes on all day but its worse at night. They give you a lot of hassle, sometimes I go a different way, if Im on my own"
> [man in inner city group]

> "if there are teenagers hanging about the bench on the corner in a group I tend to walk on the other side"
> [man in rural group]

> "... I know its silly and they wont do anything, but I still feel happier crossing over...they are in a bunch you see"
> [woman in rural group]

> "I would never go down the back streets at night, not if I can help it...its not just that they are dark but its a notorious area with a big estate and theres always gangs of teenagers hanging about. On the main roads, I know what Im likely to face"
> [man in inner city group]

Women and ethnic minority residents were those most likely to be made unsafe by groups of people hanging about [see Table 3.7].

Poor Lighting

In most areas, at least 50% of residents said poor lighting made them feel unsafe, including nearly two thirds of those living in Area 4 [rural, East Anglia]. But, as the focus group discussions identified, poor lighting was not only about too few lights in the street:

> "we have yellow lights around here, they are said to be more in keeping with the residential area. The light looks pretty but its no good for pedestrians...it doesnt give a proper light on the pavement, its too dim"
> [woman in urban group]

> "the lights at the top of the Common are very bright, they were designed for the new road and the new supermarket...that type of very bright light for the road make the Common darker...it does nothing to make the Common lighter for people walking"
> [woman in urban group]

> "the main shopping area and main roads in the centre are well lit but a lot of effort has gone into that. But, walk down the back streets or just go off the town centre and the lightings very poor. They have got to think about other areas, its how you make ordinary streets safer at night that counts"
> [man in town centre group]

> "lighting is important, of course it is, but there has to be other things as well...there are places where there is no clear view of whats ahead or round the corner...good

lighting cant help on its own"
[man in inner city group]

Poor lighting in rural areas was a key factor which nearly two thirds of residents in the household survey said made them feel unsafe. On the questionnaires, a number of respondents had crossed out poor lighting and written no lighting. The village which played host to the rural focus group did have street lighting and respondents said this contributed considerably to their sense of safety in walking around after dark.

The absence of lighting along country roads also impacted on peoples sense of safety:

> "I would not feel happy about walking in country lanes where there is no lighting...partly, its a question of road safety...cars travel along these roads at very considerable speed and drivers do not expect to see pedestrians or maybe wouldnt see them in the dark. Theres no pavements and nowhere to get out of the way, so you would be very unsafe"
> [woman in rural group]

> "there are earlier and later buses on the main road but thats a mile and a half walk from the village. If its dark, thats on unlit roads, isolated with no pavements. This is where drivers go incredibly fast...yes, theres a speed limit but who is around to enforce it? There was a young woman who was working in Exeter. She used to walk two miles to this main road to catch a bus at 7 am and then come back two miles at night in the dark...that just wasnt safe"
> [man in rural group]

Many villages are not equipped with street lighting or there is limited lighting solely along the main street. There are conflicting views expressed both amongst rural dwellers and countryside interest groups about the introduction or expansion of street lighting into rural areas and this will be discussed in more detail in the Case Studies [Chapter 6].

Places for Strangers To Hide

Women were more likely than men to be made unsafe by the presence of recesses or corners where strangers could hide [see Table 3.7]. However, from the focus groups, it was evident that both men and women identify risks associated with such features, and often take steps to avoid passing through or by them:

> "I tend to avoid walking that way in the dark because there are unused garages and passages where people could be hiding...it just isnt worth it. During the day, theres no problem because someone hanging about there could be seen"
> [man in inner city group]

> "at the end of the Common, there are some garages and there are bushes and its all overgrown...even during the day, I feel uneasy here...there are places for people to hide and I cant be seen from anywhere either"
> [woman in urban group]

Lonely Places

Secluded and lonely places were areas which made many people feel unsafe. The focus groups identified the types of places which caused people most concern, although some of these areas were used without fear during the day:

"I would not cut through the shopping centre at night on my own. Theres nobody about and its very secluded, anything could happen and no one would hear"
[woman in town centre group]

"I feel its quite dodgy using the shopping area late at night...its empty and everythings closed...just walking through to get to the pub at the other side makes you feel unsafe"
[man in town centre group]

"Im fairly happy using the Common during the day...even at 5 oclock I use it because there are still people around and Im careful"
[woman in inner city group]

"...but I wouldnt cross it after dark...the trees, odd people hanging about and long distances where theres no one else about"
[man in inner city group]

Some focus group participants associated back or side streets or back alleys as lonely or secluded places after dark:

"when a place is isolated, people dont want to use it. There are a lot of dark alleys just off the main centre and it makes you feel unsafe just walking past them without going down. I dont really think about it during the day"
[man in town centre group]

"people tend to gravitate to the main roads when walking at night...thats where you will see most people and feel safest...but you still have to get home and that means walking down a side street, thats when I start to feel scared"
[woman in urban group]

Although from the household surveys, a third of residents in the rural area said lonely places made them feel unsafe, this was much lower than the proportions for residents in the urban areas. The focus group discussions identified a sharp contrast between rural and urban dwellers and their perceptions of isolated areas. Urban participants [men and women] tended to be much more wary of isolated areas, both during the day and after dark. However, rural participants felt much more confident out alone in their local area after dark and during the day. Isolated or lonely areas were much less of a threat to rural residents. However, in contrast, they were much more likely to feel unsafe in busy areas where there are a lot of strangers, such as town and city centres:

"...theres lots of people around and you dont know them and its much more threatening...
[woman in rural group]

"you cant move away from anyone, if you feel unsafe, because theres not the room"
[man in rural group]

Drunks

Especially in the two survey areas where residents lived closest to the local town or city centre [Areas 3 and 5], the presence of drunks was a factor in making people feel unsafe. From the focus groups, there was a mixed reaction to drunks on the street:

"the drunks on the street can be a nuisance but generally the older men and women keep to themselves, so its not such a problem. Young men coming out of the pubs late at night and tanked up thats much worse. Some of them are just looking for trouble and pick on me"
[young man in inner city group]

"on a Tuesday night, you will not see a living soul around the centre and Id feel a lot less safe because of that, but on Saturday night, the atmosphere is brilliant...yes, people have been drinking but theres lots of people and most of them are in groups and you dont feel worried by that...yes, theres police about but its more because of the number of people that I feel ok"
[man in town centre focus group]

"I dont really mind about the drunks at closing time...personally, I prefer it to having the street deserted...some of them are ok. Sometimes, if I have to walk late at night, Ive timed my walk with closing time to make sure there are people about....I can handle the fact that theyre drunk or noisy, its the lonely, isolated places I cant handle"
[woman in urban group]

From an interview survey in Londons West End [Pettersson and Webb, 1997], drunkenness and rowdy, unpredictable behaviour were responsible for causing the most unease amongst the visiting public. Despite the presence of more drunks in the main thoroughfares, most people still considered these safer than the West Ends back or side streets because these tend to have fewer pedestrians and lower standards of street lighting.

It was not only the presence of drunks that people associate with a lack of safety, but the concentration of pubs in some areas, especially town centres:

"every time a shop or restaurant closes, its a pub that opens these days. Theres such a concentration of them in the town centre...some of them are really large. The trouble is it just encourages one type of person and everything is about drinking and getting drunk"
[woman in urban group]

I feel unsafe with the concentration of pubs and clubs, and the narrow footpaths mean when I am out I am compelled to make contact with those who are drunk, if only verbally. The concentration of pubs and the lack of balance with shops does not make the area pedestrian friendly
[household survey respondent]

Subways and Alleyways

Although very much a localised feature, in the two areas where subways are a common feature [Area 2 and 5] nearly half of all household survey respondents said they made them feel unsafe. The focus groups identified similarities in the concerns caused by subways and alleyways because both engender similar feelings of being trapped and are felt to be oppressive:

"people avoid using the subways under the main road most times and especially at night...men and women dont like using it alone. The walls are full of graffiti, you cant see whos down the subway until youre in it and then youre trapped...its not a long subway but everyone finds it very intimidating...theres no escape...even young

people risk life and limb crossing the busy main road to avoid using it"
[woman in town centre group]

"even in the morning, it can still be dark and theres broken glass and it stinks of pee"
[man in town centre group]

Even where the subway is clean, well lit and as open as possible, the fear of being trapped still remains and is often the over-riding reason why the subway is not used or used reluctantly:

"theyve tried to make it feel safer by keeping it clean and bright...theres wide stairs leading down and a ramp on both sides and it opens out in the middle...but I still dont like using it. Ill rush through it during the day...theres often drunks sitting around drinking on the seats in the middle and they call after me as I walk past...thats not pleasant. But I wont use it at night...its lonely and anything could happen. I walk the long way round, if I have to get to the bus station"
[young woman in urban group]

Alleyways can also produce similar feelings and, although they do have the advantage of not being below ground, this does not mean that pedestrians are visible from surrounding buildings:

"the alleyway was where most of us felt most unsafe...I felt trapped and claustrophobic ...theres no way out and its very narrow...what makes it worse is that the houses on either side have such high fences to their gardens...I know its to keep people out but it doesnt help pedestrians to feel safer"
[woman in urban group]

"when Im walking through somewhere like that alley, its as though time stands still. I suppose its because Im concentrating all the time...waiting to get to the end...and it seems like Ill never get out"
[woman in urban group]

Uneven Pavements, Pavement Parking and Cycle Use

The household surveys and, to a greater extent, the focus groups included issues wider than personal security to embrace concerns for road and pavement safety. People do not always distinguish between concerns about crime and personal security and safety issues but identify more widely with all the risks which affect their confidence and well-being on the street.

Older people comprised the majority of survey respondents who found uneven pavements a risk to safety [see Table 3.7]. In the more open format of the focus groups, younger people and especially women expressed concern about poor maintenance of footpaths and pavements and risks to children. Similar to their comments on the absence of street lighting, some survey respondents from rural East Anglia commented on lack of pavements and the increased dangers that could result especially when road traffic is travelling at speed.

The survey with parents about their childs journey to a rural school identified their very strong concerns about the absence of pavements along part of the route and the fast traffic using the country roads. The combination frequently deterred parents from allowing their child to walk to school or led them to take alternative routes:

there are no pavements for most of the journey and the country roads are used as a short cut by drivers who frequently go too fast

> the pavement is not continuous between our home and the school. It would mean my seven year old child crossing busy roads several times. Where there is a pavement, it is very narrow in places. If there was a continuous pavement, without the need to cross the road, he would walk to school
>
> my childs journey to school could be shorter, if it was not for the lack of pavements and the huge amount of traffic. She has to take a very long way round to school because of this as I feel it is a safer route

The focus groups identified other risks to safety associated with cars parked on the pavement:

> "...there are very few pavements in the village and they are very narrow...it is really inconsiderate of people to park on them and its dangerous with cars travelling at speed and people having to walk out into the road"
> [man in rural group]
>
> "some things have changed for the better with lower kerbs which means I can get the buggy up and down quicker and out of the road...but some things have got a lot worse there are a lot more cars parked on the pavement...its a serious danger to children...a child recently got her coat caught in a car bumper and was only just stopped from being dragged along when the car started up"
> [woman in urban group]

With less and less space available for pedestrians, the pavements generally were felt to be a less safe place:

> "theres so much clutter on the pavements these days wheelie bins are pushed further out on to the pavement, theres so many signs...all of them for traffic too! Freedom on the pavements makes you feel so much safer "
> [woman in urban group]

The surveys which were carried out on the main pedestrian route through Londons West End [Pettersson, Webb, 1997] included a visual audit of street furniture and this concluded:

> `throughout the route, pavement congestion is compounded by the sheer number and clutter of traffic signs and poles most just to do with managing cars. Many poles are topped by only one sign and there can be three or four poles in any one location. Added to these are the numerous metal stands for free newspapers and advertising blocks mounted on the pavements. Pedestrians have to navigate their passage through an increasingly diminishing pavement space.

A risk to safety which was raised in the urban focus groups and through additional comments in the household surveys was the increasing problem of people cycling on the pavements or using roller blades or skate boards. Cycling on the pavement was the problem which angered many participants:

> "...a few days ago, I saw a man knocked down by a cyclist on the pavement near here. The cyclist just rode off...its an increasing problem and can be very dangerous. In London, ten or fifteen years ago, cyclists used to have some respect for the rules of the road and for pedestrians, but thats all gone now...they ride at speed on the pavements and expect pedestrians to get out of the way...they dont wait at red lights anymore...its as though they think because theyre not in a car, its alright for them to

do what they like"
[man in urban group]

`people riding bikes on the pavements are a hazard in day or at night. Ive been knocked down twice get them off the pavements!
[household survey respondent]

"the pavements are no longer the territory of the pedestrians...it has been increasingly encroached...cyclists, roller blades, skate boards, cars on the pavement...theres no enforcement and our space has gone..."
[woman in urban group]

Busy Roads and Faster Traffic

Fear of traffic accidents and speeding traffic was included in the household survey questionnaire and raised in the focus groups because it is a potential risk which can impact on peoples confidence whilst walking on the street. A recent study by Ross Silcock [1998] concluded that pedestrian risk from traffic accidents was often related to individual behaviour. Inattention, particularly when people cross in groups, and misjudgement were often involved in serious accidents. The same study found that competition which almost exclusively involved young males was unlikely to result in accidents as most were very good at making the necessary judgements. However, other experience strongly refutes the suggestion that the behaviour or judgement of pedestrians rather than drivers is at fault for traffic accidents [Pedestrians Association, 1998].

Across the seven survey areas, a comparatively small minority of respondents identified that traffic or busy roads made them feel unsafe when walking about their area after dark [Table 3.6]. However, this minority was nearly a fifth of those resident in rural East Anglia and in the small Midlands city. In the focus group discussions, much more emphasis was placed on the perceived safety risks from traffic, possibly because there is more scope of participants to develop the discussion:

"cars go so much faster along side roads and little roads these days, much faster than they used to...theres a general disregard for speed compared to ten years ago"
[woman in urban group]

"crossing the roads round here can be a nightmare...the traffic is going very fast and they dont expect the zebra crossing or pedestrians to cross...the road junction is very complicated with more than two sets of lights, all on different circuits...you cant just walk across one road but have to wait to use two or three separate crossings...its just designed for the traffic...the whole areas been given over to traffic... I dont think anyone has thought about the pedestrian at all"
[man in urban group]

"the countryside has changed...there is a lot more traffic and it travels very much faster...one of the differences with the village now is that we get a lot of cross commuting ...people driving to and from Exeter to work"
[man in rural group]

"what really puts me off walking during the day is the traffic and especially the large lorries...we are getting much larger lorries coming through the village, some even with trailers..."
[woman in rural group]

"...thats because the scale of farming has changed. In the past, produce like potatoes or milk was picked up in much smaller containers...but now its all in much larger containers and much larger lorries...they have to go through the village which was never made for them...there should be a length restriction really"
[man in rural group]

The survey with parents at a rural school on their childs journey to school revealed the perception of added traffic dangers from inconsiderate motorists driving too fast along narrow country roads:

the biggest problem for a child walking to school where there are narrow roads and no pavement or path is the lack of awareness by motorists. Most display a total disregard for pedestrians, crossing the road is very difficult. Car drivers tend to see other cars but they forget about pedestrians...

Fear of Erratic Behaviour

Participants in an inner city focus group referred to the presence of people displaying erratic behaviour and the extent to which this made them feel unsafe whilst out walking at any time:

"when Im waiting at the station, I look up and down the platform and see the ones that are talking to themselves and avoid them...try and sit right away from them... there are so many people in London who are ill...Im aware of them when Im out walking...whats frightening is that there is no way of knowing if they are going to be violent or whatever"

"Ive lived in the country where there were no street lights but I still felt safe...it was a breeze compared to London...what is really frightening here are the people who are unpredictable...you just cant tell what they could do next"

This was not an issue in the other focus groups. However, the concern about the mentally ill or those with erratic behaviour expressed by in the London focus group did mirror the views expressed by other London participants in the consultations undertaken for the previous DETR research on fear of crime [Crime Concern & Transport & Travel Research, 1996].

3.4 Reducing Risks To Personal Security On The Street

Avoiding Going Out After Dark

The ultimate precaution to avoid perceived risks from crime as a pedestrian would be to avoid going out after dark. The household surveys asked respondents to choose one of five statements which most accurately described their response to concerns for personal security.

Table 3.8
Which of the Following Statements Best Describes You?
Percentages

Statements	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
fears for personal security **often** stops me going out	23	33	15	6	10	23	15

after dark							
fears for personal security **sometimes** stops me going out after dark	21	29	31	23	28	28	34
fears for personal security is NOT an issue & **never** stops me going out after dark	20	10	23	37	32	16	26
fears for personal security is an issue but I would **never let** fear of crime stop me from going out	18	16	19	16	22	22	17
I wouldn't go out after dark anyway	18	12	12	18	8	11	8

Again, those areas with the highest percentage of residents whose concern for personal safety often or sometimes stops them going out after dark were the three in large cities [Areas 2, 6 and 7]. Residents living in the two smaller cities [Area 3 and Area 1] recorded the next highest percentages for those often or sometimes not going out after dark because of personal safety. The south east town [Area 5] and rural East Anglia [Area 4] recorded the lowest combined percentages. These latter two areas are those where the majority of residents said either that concerns for personal safety never stops them going out at night or they would never let fear of crime stop them from going out. The household survey results also reveal that a significant proportion of residents said they would not go out after dark anyway [ranging from nearly a tenth to a fifth of respondents across the survey Areas].

Table 3.9
Which of the Following Statements Best Describes You?

Statements -	Women %	Men %	19 to 44 yrs %	45 yrs plus %	White %	Ethnic Minority %	Car owner %	No Car %
fears for personal security **often** stops me going out after dark	20	12	12	21	17	20	13	23
fears for personal security **sometimes** stops me going out after dark	32	21	31	24	25	33	28	25

fears for personal security is NOT an issue & **never** stops me going out after dark	16	35	26	23	25	12	30	17
fears for personal security is an issue but I would **never let** fear of crime stop me from going out	16	24	23	16	20	23	20	17
I wouldn't go out after dark anyway	16	8	8	17	13	12	9	18

Women more than men are more likely to often or sometimes not got out because of concerns for personal security, as are women and men from ethnic minority groups [Table 3.9]. This table also reveals that those with a car are more likely to never let concern for personal security stop them from going out after dark. A greater percentage of those without a car at home do not go out after dark anyway. In part, this is because non car owners have an older age profile compared to car owners.

Taking Precautions When Out After Dark

Residents were asked in the household surveys whether they took any of a list of precautions to reduce risks from crime when out after dark. The most common precautions which are always taken when out after dark are to make sure of transport home and to avoid certain types of people or certain places [Table 3.10]. People living in the large cities or conurbations are more likely than other residents to always take these precautions.

Only a small minority of respondents said they always carry a stick or umbrella for security and fewer still carry a mobile phone [highest in London at 14%] or carry a personal attack alarm [highest in the inner city, West Midlands at 10%]. More women than men always take precautions against risk from crime, and older people tend to take more precautions than younger people.

The survey and focus groups also asked whether there were any other precautions taken for personal security. Among those described by small numbers of respondents were: carrying the house keys, both to gain quick access and to retaliate, if attacked; walking with the dog; carrying a perfume or hair spray; taking a torch; leaving credit cards or other valuables at home and not carrying a handbag. Some respondents also emphasied the importance of `*walking confidently, walking briskly, walking with purpose* and *always being alert to my surroundings and other people*, attitudes often reinforced by personal safety training.

Table 3.10
Precautions Generally Taken By Residents When Walking, AFTER DARK

	Precautions **ALWAYS** taken						
	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %

Go out with someone else	22	40	39	25	20	32	26
Make sure of transport home	39	54	45	32	22	45	48
Avoid certain types of people	27	32	46	17	53	40	36
Avoid certain places	31	40	48	22	44	36	36
Carry a stick or umbrella	13	14	8	11	5	10	7
Carry a mobile phone	-	6	7	8	8	2	14
Carry personal attack alarm	4	10	5	5	3	7	4

Regularly Avoid Certain Places

The household surveys asked whether residents regularly avoided certain local places when out walking. As Table 3.11 shows, between a half and a third of respondents in most survey areas only avoided places after dark.

Table 3.11
Residents Who Avoid Certain Places When Out Walking
Percentages

	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
Yes, But Only After Dark	54	44	66	46	60	52	57
Yes, At Anytime	11	33	14	6	9	18	11
No, I Never Avoid Places	35	21	20	48	31	30	32

With the exception of Area 2 [inner city, high ethnic minority population] where a third said they avoided places at all times, only a small minority of respondents in other areas avoided areas all the time. Between a fifth and a third of people living in urban areas said they never avoided places and this proportion increased to nearly a half in the rural area [Area 4].

To provide a greater insight into the kinds of places which people avoided, the household surveys asked respondents to name or describe those streets or places locally which they regularly avoided.

The summary below gives a brief description of the kind of places which residents regularly avoid in their local area:

Area 1: roads through housing estate, unlit areas, side streets and back alleys.

Area 2: streets through the housing estate, entrances to the high rise blocks, localpark, subways in the city centre, and back streets.

Area 3: streets on nearby housing estate with poor reputation locally, the canal towpath, local pubs, city centre pubs, unlit areas and side streets or alleys.

Area 4: local town centre in the evenings, unlit country roads, village streets with no pavements, and narrow lanes.

Area 5: pubs and clubs along the sea front, subways, narrow lanes and alleyways, main station area where street drinkers can hang about, main shopping street after dark.

Area 6: back alleys to the houses, area around local cemetery, side streets, unlit area, and large local pub.

Area 7: adjacent neighbourhoods with poor reputation for crime, main high road after dark pubs and reputation for prostitution, local park after dark, alleyways, and around local hotel with poor reputation.

The places which people specifically said they avoided in their neighbourhood was consistent with those types of localities which people earlier said caused them to feel unsafe. That is: lonely places, back or side streets, alleyways, subways and those locations where drunks might congregate.

References

Crime Concern and Transport and Travel Research *Perceptions of Safety from Crime on Public Transport* Crime Concern for DETR, 1997

Home Office 1996 *British Crime Survey* 1996

Hough M *Anxieties about Crime, Analysis of 1994 British Crime Survey* Home Office 1996

The Pedestrian Association

Enjoy Your Trip? July 1998

Letter in Local Transport Today, September 1998

Pettersson, G and Webb, S *Capital Route A strategy for Community Safety in the Heart ofLondon* Westminster Safer Cities, 1997

Ross Silcock *Pedestrian Safety, Final Report* for the DETR August 1998

*1. **Suburban** - social housing area, mainly houses, in a Welsh city*
*2. **Inner City** - deprived inner city area with high rise flats, large ethnic minority population and low car ownership in the West Midlands*
*3. **Small City** - residential area, mainly owner occupied and close to canal in Midlands*
*4. **Rural** - villages and isolated farms in East Anglia with high car ownership*
*5. **Large Seaside Town** - central residential area with high population turnover and low car ownership in large seaside town in the South East*
*6. **Major City** - mixed tenure, suburban area with back alleys and close to busy shopping centre in North West*

7. ***Inner London*** *- middle class residential areas in inner London adjacent to localities with high crime rates and poor reputation*

Chapter 4:
Impact of Personal Security on Decisions for Mode of Travel

4.1 Introduction

This chapter draws on information from the leisure and parents surveys, as well as the household surveys, to explore how concerns for personal security impact on decisions of whether to walk, use public transport or travel by car. It begins by providing general information from the household surveys on the time respondents were willing to walk and on car ownership and use.

4.2 Willingness To Walk

Respondents to the household surveys were asked for the longest time they would feel comfortable walking in their neighbourhood on a fine day. It is emphasied that this is not what people said they walked but how long they would feel comfortable walking. Table 4.1 shows substantial numbers of respondents said they would feel comfortable walking for longer than thirty minutes. As would be expected, those aged 60 years and older, and those with restricted mobility were the least likely to feel comfortable walking for longer than thirty minutes. But, even for these population groups, between a quarter and a third were still prepared to walk for thirty minutes or longer. The distance respondents were willing to walk was not significantly different for households with children.

Table 4.1
Maximum Length of Time Willing To Walk Locally on a Fine Day - By Gender, Age, children in household and Disability
Percentages

Length of Time	Women %	Men %	Under 25 yrs %	25 to 44 yrs %	45 to 59 yrs %	60 yrs & older %	Households with children %	Has restricted mobility %
10 minutes or less	10	11	4	9	9	16	8	25
10 to 20 minutes	15	14	26	10	14	20	11	20
20 to 30 minutes	35	29	39	34	35	28	38	31
longer than 30 minutes	40	46	31	47	42	36	43	24

Table 4.2 compares the length of time respondents feel comfortable walking on a fine day for car and non car owners. There is very little difference between the two groups but, again, it needs to be emphasied that this is not the actual time walked by these respondents but their perceptions of how long they are willing to walk. The same table compares the length of time willing to walk on a fine

day with their regular use of the car. Again no particular patterns emerge. Over 40% of respondents using a car more than once a day said they would feel comfortable to walk over thirty minutes and this this was only slightly higher at 44% for those using the car once a week or less.

The national study on Walking in Great Britain [DETR, 1998] identified that the average length of walking trips has remained constant over the years at about 0.6 of a mile, although the number of walking trips has declined as people travel further. Although our data is measured in time and not distance, the household surveys suggest that many people would feel comfortable walking for a longer distance on a fine day, possibly for a mile or a mile and a half. There would appear to be considerable potential to exploit many peoples willingness to walk and thus accrue health and environmental benefits.

Table 4.2
Maximum Length of Time Willing To Walk Locally on a Fine Day - By Car Ownership and Car Use
Percentages

Length of Time	Car at Home %	No Car %	Use of the Car as Driver or Passenger			
			more than once a day %	once a day %	several times a week %	once a week or less %
10 minutes or less	10	9	11	9	10	8
10 to 20 minutes	14	16	14	14	18	14
20 to 30 minutes	36	36	33	40	36	14
longer than 30 minutes	40	39	42	37	36	44

4.3 Car Ownership and Use

The household surveys asked respondents about car ownership and how often they used the car, as a driver or as a passenger.

Table 4.3
Car Ownership and Car Usage By Area
Percentages

Car ownership	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %

Respondents where there is a car at home	64	35	77	83	43	58	69
Car Used -							
More than once a day	53	56	43	33	32	37	35
Once a day	21	8	19	23	11	19	18
Several times a week	22	22	29	34	28	37	31
Once a week	3	11	7	7	19	7	9
Less than once a week	3	11	7	7	19	7	9

Table 4.3 reveals that highest car ownership is in the rural survey area in East Anglia [Area 4] and, as survey respondents commented, the car was a necessity because of the lack of public transport:

> for me not to use my car, public transport would have to begin to serve rural areas for longer hours to cater for shift workers

> I dont like driving everywhere but I have to have a car with poor public transport. The money spent on buying, taxing, insuring and maintaining the car could be put to much better use but first me and my children need good, safe, reliable, cost effective public transport

> I dont have a car now, but I am going to have to get one or give up work. There are only three buses to and from the town a day and I have to walk home alone from work in the dark...on the way I only pass two street lights and theres no pavement for most of the walk

Those areas with the lowest car ownership were the deprived, inner city neighbourhood in the West Midlands [Area 2], the neighbourhood close to the centre in the south east large seaside town [Area 5], and the suburban area of the north west city which has some of the lowest levels of car ownership in the UK.

Although with the highest level of car ownership, rural residents did not use their car as frequently as some urban dwellers [Table 4.3]. In Area 5, nearly 30% of car owners used their vehicle once a week or less. Car owners living in the social housing area at the outer edge of a South Wales city [Area 1] were the most frequent car users, with nearly three quarters using their car at least once a day. In London, those using their car at least once a day fell to just over half.

Car Use for Short Journeys

Respondents with a car at home were asked through the household surveys what they thought were the benefits of using a car for short journeys compared with walking. Improved personal security was one of the options in the possible benefits listed in the questionnaire. Across most of the survey areas, convenience and ease with heavy shopping were the benefits most frequently identified

[Table 4.4]. Young women with children identified that difficulties with using the bus could encourage car use for short journeys:

> using the bus with a small child who uses a pushchair is very difficult and I end up just taking the car because its so much easier. Pushchair hire in town and city centres would help enormously
> [household survey respondent]

Except for London and the West Midlands inner city area, improved personal security was identified by between a quarter and a third of respondents as a benefit from using the car compared with walking. In London, the respondents choosing personal security increased to 40% and in the West Midlands inner city to 54%. Women, older people and ethnic minority residents were more likely than men to see personal security as a benefit from using the car in place of walking. It is women and older people in general who are most likely to be dependent on public transport.

Table 4.4
For Short Journeys, Why Do You Think the Car is Better than Walking
Percentages

Length of Time	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
easier with heavy shopping	74	68	79	79	53	68	78
more convenient	68	35	48	52	61	91	53
it's quicker	58	49	55	57	55	53	60
for personal security	22	54	34	26	27	29	40
easier with young children	21	35	23	15	6	16	21
for comfort	8	14	9	17	16	15	16
% feeling very unsafe in their area after dark	18	38	15	2	13	15	16

Table 4.5
For Longer Journeys, Why Do You Think the Car is Better than Walking & Using Public Transport
Percentages

Length of	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7

Time	%	%	%	%	%	%	%
for personal security	21	46	27	20	27	31	35
it's quicker	56	38	52	55	50	56	49
for comfort	11	11	3	16	21	10	19
more reliable	25	14	26	17	29	34	28
can get to more places	40	51	52	59	60	47	57
more convenient	43	16	26	38	52	34	40
easier with young children	14	24	22	11	6	12	21
easier with heavy shopping	29	51	47	48	26	34	24
cheaper	21	5	20	36	26	34	24
we can all travel together	17	27	20	11	11	18	6

Car Use for Longer Journeys

Car owners were also asked what they thought were the benefits of using a car for longer journeys compared with walking and using public transport, and again improved personal security was one of the options listed in the questionnaire. The ability to get to more places and quickness were the two most popular benefits and ease with heavy shopping was still a frequently chosen benefit in some areas [Table 4.5].

Across most areas, the percentages choosing personal security tended to be slightly lower than for the shorter journeys with between a fifth and a third identifying this as a benefit from using the car. Again, respondents in London and the West Midlands inner city area were more likely than in other areas to choose improved personal security as a benefit.

In the rural focus group, one participant who had not been on public transport for twenty years described his view that once you have a car, it made sense to use it:

> "if you have bought the car, paid your road tax, paid for your MOT, why on earth are you going to say, Ill leave it at home and use public transport? Youve already invested all that money in the car, why have the added expense of using public transport ?"

Such sentiments were echoed in other focus group discussions.

4.4 Accessing Leisure Venues

Across all modes, most people had travelled twenty minutes or less to their leisure or entertainment venue and most expected to travel for a similar time on their return journey. For the analysis of travel patterns, the responses have been grouped into daytime activities not alcohol related [including visits to the gym or leisure club and afternoon visits to the cinema] and evening activities sub-divided into those alcohol related [pubs and nightclubs] and those which are not [including theatre and cinema visits and evening classes].

Table 4.6 shows the choice of travel to and from these groups of activities. Although the samples were comparatively small, the results do reveal some sharp distinctions between daytime and evening activities. Travel patterns to and from the venues were fairly similar for the different daytime activities and walking or using public transport accounted for over half of the trips.

Table 4.6
Leisure Venues: Choice of Travel To and From the Activities

Type of activities	Walking		Bus or Train		Taxi		Car	
	To	From	To	From	To	From	To	From
Daytime activities [not alcohol related]	21%	27%	36%	29%	5%	7%	39%	37%
Evening Activities								
Alcohol related	52%	28%	22%	6%	13%	48%	13%	18%
Not alcohol related	35%	31%	25%	23%	9%	13%	31%	33%

In the evening, travel patterns to and from the venues did change significantly with much fewer people choosing to walk or travel by public transport from venues which were alcohol related. The number of taxi trips was much higher for journeys from venues. For evening activities which were not associated primarily with alcohol consumption, the travel patterns to and from the venues remained fairly similar. In part, the fall in public transport journeys from alcohol related venues will be because when respondents left to return home this may have been when using a bus was no longer an option.

Respondents who had travelled in a car to and from the venue were also asked whether walking or using public transport had been an option and, if yes, why the decision had been taken to go by car. Very few respondents travelled to alcohol related venues by car and none who had said that walking or using public transport was a viable alternative. However, of those going to activities which were not alcohol related, both during the day and in the evening, significant percentages of respondents could either have walked or used public transport [Table 4.7]. Thus, there would appear to be a considerable potential for raising awareness to encourage those using leisure venues to walk or use public transport.

Table 4.7
Alternatives to the Car to Travel to and from Activities

Type of Activities	Walking was an alternative	Using Public Transport was an alternative

	to venue	from venue	to venue	from venue
Daytime activities	54%	47%	88%	94%
Evening activities - alcohol related	none	none	none	none
Evening activities - not alcohol related	70%	62%	75%	62%

Many different reasons were given for why people chose to drive rather than walk or use public transport. A number of people said they "just dont think about it, I just get in the car". Other frequent comments were: "we have a car why not make full use of it?" and "Ive just filled it up, so why not use it?". The most common reasons for not walking or using public transport during the daytime were more about convenience or time:

raining and uncomfortable to walk or wait for public transport

carrying shopping

have young children and easier to all go in the car

shortage of time or being late

takes too long by public transport

too lazy to walk

restricted mobility

In the evening, personal security was much more of an issue, although respondents still gave a range of reasons why they preferred to drive:

not safe enough to walk home

do not walk in the dark

do not feel safe waiting for the bus in the evenings

too cold

public transport is not reliable in the evenings

buses not frequent enough at night

public transport would be far more expensive for all of us

car is quicker

easier to drive by car

buses do not go right to the cinema

restricted mobility

Consistent with the findings from the household surveys, those features of the pedestrian environment which made respondents in the leisure survey feel most unsafe after dark were: groups of people, usually young, hanging about the streets; drunks; poor lighting; secluded places; subways; and places where people could hide.

4.5 The Childs Journey To School

A questionnaire was completed by 185 parents at urban and rural schools to obtain information about their childs journey to school and, if their child did not walk or use public transport for the journey, what were the reasons for their decision. An analysis of the childs means of getting to and from school is shown in Table 4.8. No child cycled to school, but nearly two thirds of pupils at the urban schools and over half at the rural schools walked to school. About a fifth in urban and rural locations walked alone.

Table 4.8
Analysis of Journeys To and From School

Means of Travel	Urban Schools		Rural Schools	
	To School %	From School %	To School %	From School %
Walks alone	16	20	18	19
Walks with parent	14	11	14	15
Walks with friends	32	37	26	27
By bike	-	-	-	-
Car with parent	28	23	30	24
Car with friends	-	-	5	9
Bus [all services]	10	9	7	6

Consistent with other surveys about the journey to school, the use of the car is more common for the journey *to* school than *from* school. For the survey as a whole, there was about a third less car trips from school. Also, journeys to school by car are more likely to be part of another journey [especially to work or taking a brother or sister to another school or nursery]. For all car journeys [urban and rural], 48% of the trips to school had another purpose, but this fell to 33% for journeys from school.

Those using their car for the school journey either to or from school were asked whether it was possible for their child to walk as an alternative. Nearly two thirds of children taken by car to urban schools could have walked, but, reflecting the greater distances involved, this fell to just over 40% for those at rural schools. In urban schools, the parents fears of attack and busy roads to cross were the main reasons why the child was not allowed to walk. That their child could be bullied was the third most common reason given by parents. In the rural schools, busy roads to cross was the main reason for parents not wanting their child to walk to school with fears of attack identified by only a small minority although having to walk through lonely places was an added concern.

Parents commented on the perceived dangers or risks of walking to school, some from the inconsiderate parking of other parents:

> safety is much reduced by parked cars of parents dropping off or picking up their children close to the school, making road crossing difficult, especially after school

> dangerous parking by other parents makes crossing roads near the school far more hazardous . . . cars travel too fast and the road home is not lit, therefore darkness is an additional hazard during the winter months

> traffic is our main concern. Our son has to walk along a busy road with a narrow pavement . . . traffic calming measures and increased footpath provision would make his journey safer

> my daughter began walking to school alone in Year 6. We live a fair distance from the school and there are many busy roads to cross. It would help her and make me less anxious, if there were more crossing points or a lollipop person to help

> my children cannot walk to school as they have to cross too many large roads and out of the four main roads only two have a patrol to help children cross. One has a traffic light but with no pedestrian light to help them cross safely

Parents were asked why they would not let their child use public transport, if the distance was too far to walk. For those attending urban schools, the main reasons identified by parents were fear of attack, their child could be bullied, it was not convenient or there was no appropriate public transport available. For those using rural schools, the main reason identified by parents was that their child was too young to travel alone, no public transport or direct route, there were busy roads to cross or it was not convenient. Some of the comments, especially from those using urban schools, identified parents concerns for the personal security of their child:

> I would always prefer to take my child by car. I worry about attack and bullying. I wouldnt even consider her using public transport because of the greater risk of attack or bullying

> I have concerns for my two sons coming home from school on the bus as they have been attacked by other boys twice. These boys are from another school. I think someone should be able to deal with this type of matter whether it happens in or outside the school

4.6 Perceived Problems with Motoring

As well as asking car users what benefits they identify with driving shorter and longer journeys compared with walking or using public transport, they were asked what they perceive to be the problems with car use. The analysis by area [Table 4.9] reveals that the most frequently identified problems with car use were traffic congestion and difficulty in parking. Between a third and a half of respondents also identified the costs of parking as a problem with car use.

Perceptions of car crime as a problem varied considerably between areas from over 60% in Area 2 [Inner city area in West Midlands] to 20% in Area 4 [rural East Anglia]. The variation between areas is likely to be related to the real risk of car crime. Concerns about pollution was highest in Area 5 where 79% of respondents living in the central area of a south east town identified it as a problem. In all other areas, only 40% or less of respondents identified pollution as a problem. In

most areas, less than a quarter of respondents said concern about the environment was a problem they associated with use of the car, although this proportion increased to nearly a third in Area 5.

Table 4.9
Main Problems with Car Driving Compared to Walking or Using Public Transport

Problems with car driving	Area 1 %	Area 2 %	Area 3 %	Area 4 %	Area 5 %	Area 6 %	Area 7 %
traffic congestion	54	76	70	50	77	65	68
too slow	1	8	1	3	15	2	9
pollution	24	38	41	38	79	34	37
difficulty in parking	72	43	59	56	68	65	72
costs of driving	15	32	31	38	31	43	13
driving dangers, accidents	22	32	27	24	21	37	7
stress of car driving	19	14	22	21	23	22	19
worry about environment	8	22	26	25	32	19	25
costs of parking	41	30	43	33	31	31	37
car crime	49	62	37	20	31	40	15
average number of problems identified per respondent	3.2	3.6	3.6	3.1	4.1	3.6	3.0

4.7 Measures To Encourage People To Walk or Use Public Transport

The household surveys also asked an open question about how people could be encouraged to walk or make use of public transport. To encourage walking, the following suggestions were most frequently made:

- safer streets and higher profile policing
- better street lighting, regular checks and maintenance of street lights
- improved condition of pavements and better maintenance
- more street lighting along roads in rural areas
- more footpaths and pavements along rural roads

- better maintenance of vegetation, especially along rural roads, to provide clear sight lines
- enforcement to stop pavement cycling and pavement parking

To encourage use of public transport, the comments of many respondents echoed the following:

> until public transport becomes much more reliable, cheaper, cleaner, safer, quicker and makes more places accessible and affordable, people will not forsake their cars
>
> in rural areas, there has to be public transport provided not just one or two buses day, but a proper service that meets peoples needs and is reliable and one that we can afford

Other frequent suggestions from survey respondents to encourage use of public transport were:

- a secure waiting and travelling environment for those using public transport
- greater road space priority to buses and taxis, curbs on private cars through traffic management measures and parking restrictions or higher charges.
- less crowding on urban transport services
- comfortable, quality and accessible services
- greater availability of clear, understandable timetable information
- more hail and ride services in the evening to prevent having to wait alone at a bus stop or shelter
- more services to pick up or deliver passengers off the main roads
- more park and ride facilities

References

DETR *Walking in Great Britain* HMSO 1998

Chapter 5:
Addressing Pedestrian Concerns for Personal Security

5.1 Introduction

This chapter draws on the results of our survey of organisations to identify those initiatives for improving the pedestrian environment which are either in place or planned. It also includes information from the literature review on measures to address concerns for pedestrian security.

5.2 A Greater Priority to Walking

Commentators, including environmental pressure groups, have argued that there has been a consistent lack of priority given to pedestrians compared to motorists [Tolley 1990, Joint Local Authority Associations policy statement, 1990] and, as a result, walking is regarded as a low status means of getting around. However, during the last decade there has been a significant shift in thinking about transport, largely due to the recognition that traffic congestion and pollution can severely affect our quality of life, especially in urban areas.

As a consequence, much greater priority is now being given to walking, cycling and use of public transport. Central Government has played a leading role in developing a number of policy initiatives to encourage these more environmentally friendly and sustainable modes of transport. For example, the 1996/97 guidance to local authorities on preparing their annual Transport Policies and Programmes stated walking is often overlooked as a means of transport we would like every TPP to set out the authoritys approach to encouraging walking by making it safer

The Governments White Paper on the future of transport [1998] intends to make walking a more viable, attractive and safe option and strategies to make it easier to walk will be included in the Local Transport Plans to be prepared by local authorities. The Government will expect local authorities to give more priority to walking by: reallocating road space to pedestrians; providing more direct and convenient routes for walking; improving footpath maintenance and cleanliness; providing more pedestrian crossings; reducing waiting times for pedestrians at crossings; dealing with those characteristics of traffic that deter people from walking; introducing traffic calming measures; and ensuring that the land use mix, layout and design of development is safe, attractive and convenient for walking.

Many initiatives to improve the environment for pedestrians are part of a wider package of measures to reduce traffic and encourage modal shift away from car trips. To reduce traffic congestion in urban areas, a carrot and stick approach to transport planning and traffic management has been adopted by many local authorities. The stick to encourage traffic restraint includes measures for traffic restriction, road closures, and pedestrian priority areas. Alongside this, the carrot encourages use of alternative modes through cycle networks, improved public transport, and enhanced facilities for pedestrians and cyclists.

To date, many of the measures designed to improve the pedestrian environment have an objective of improving pedestrian safety. However, the term safety usually refers to reducing risks from road traffic and accidents and rarely do current initiatives explicitly state an objective to address pedestrian concerns for personal security.

Those initiatives which have an objective to improve personal security for pedestrians have tended to focus on those walking to and from or waiting for public transport. For instance, the DETR Guidelines for public transport operators [1996] emphase the importance of the whole journey and

the need to tackle concerns for personal security through a partnership approach with other agencies. Also, the Secure Stations Scheme launched by the DETR in 1998 refers to the whole journey, including the pedestrian environment immediately around train stations and interchange facilities.

The discussion paper produced by the Walking Steering Group [1996] refers specifically to concerns for personal security. It identifies the importance of improving natural surveillance as a means of addressing these concerns through: encouraging more people to walk; designing streets and squares that are overlooked by buildings; the contribution from flats over shops in town and city centres; frontages with windows; and opening pedestrianised town centres to traffic at night. It also recommends more formal surveillance through the installation of CCTV cameras in areas perceived to be unsafe.

The section of the White Paper on travelling without fear states as one of the Governments objectives to make towns and neighbourhoods safer to help promote walking, cycling and use of public transport as an alternative to the car. It also states that the Government will issue guidance on good practice measures to improve security for pedestrians. The findings of this study will contribute to this guidance.

5.3 Current Practice: Survey of Initiatives and Literature Review

Introduction

Questionnaires requesting information on past, current or planned initiatives for pedestrian safety were sent out to all local authorities, Passenger Transport Executives [PTEs] and interest groups. Completed questionnaires were returned by 122 organisations, a response rate of 38%, including 100% of PTEs. The responses identified a total of 633 initiatives to improve pedestrian safety. The data provided by the survey was analysed by different types of initiatives and these also provide the structure for this chapter. Table 5.1 reveals the numbers of initiatives by the broad category.

Table 5.1
Initiatives Grouped By Main Category

	% of all Initiatives
Campaigns, including TravelWise & Walk to School week	28%
Green Transport plans	9%
Pedestrian strategies & pedestrian audits	7%
Pedestrianisation & Pedestrian Priority	9%
Quiet routes & Greenways	2%
Partnership working, including CCTV	24%
On-street assistance, city centre reps	2%
Safer routes to school	13%

Safe or Priority Routes	6%

Campaigns

Travel Awareness

In recent years, there has been a growth in local campaigns to encourage walking or deter use of the car, including TravelWise, Headstart, Dont Choke the City, Green Transport week, and Alive or Fit for Life. In addition to these mainly local authority-led initiatives, the Government funds campaigns at the national level, including Are You Doing Your Bit? and Going for Green.

From our survey, over 40% of respondents [mostly local authorities] said that they had campaigns in place to encourage people to use their cars less and to walk or cycle more. Many of these campaigns use the common name and logo, TravelWise. It was first launched by Hertfordshire County Council in 1993. Campaign activities include local publicity, working with business and residents groups, and providing school travel packs and information on local public transport services. Hampshire County Councils Headstart campaign has involved more than 130 local residents groups in workshops to discuss their transport problems, identify solutions and become involved in the transport planning process.

Commentators have argued that the aims of the travel awareness campaigns need a clearer focus and improved coordination. In response to these concerns, a National Travelwise Association was launched in March 1998. Although relatively little evaluation of the effectiveness of travel campaigns has taken place to date, this will change when the results of two EU funded projects[3] become available. These projects are assessing the effectiveness of local awareness campaigns and will provide guidance to local authorities on how to maximise their effect.

Our survey did not reveal any specific reference in the travel awareness campaigns to addressing pedestrian concerns for personal security. However, a study commissioned by Greater Manchester City Council and the Greater Manchester PTE of their awareness campaigns did reveal that concerns for personal security are a disincentive to making journeys without a car.

Walk To School

Over half of all local authorities responding to our survey said they were engaged in campaigns to promote walking to school. The majority referred to Walk to School week as a core initiative, supplemented in some cases by accident prevention training. The Pedestrians Association has played a key role in raising awareness about alternatives to the car through their annual Walk to School week. A number of local authorities already had Walk to School events in place before the Pedestrians Association became involved in 1995. However, the Pedestrians Association has been instrumental in coordinating events, encouraging other authorities to take part and producing a resource pack to assist in planning and organising events. In 1997, the Pedestrians Association distributed 4,000 Walk to School packs.

This is the fourth year of the Walk to School campaign, but the Pedestrians Association identified that only in the last two years has the campaign really expanded and increased in national importance. The initiative covers not just Walk to School week but campaigns for much longer periods and one-off events to raise awareness and change travel habits. Initially, the campaign was promoted through road safety officers, but recently it has branched out through professionals working in health promotion and Local Agenda 21 coordinators. The demand for advice and support in developing new events is growing and the Pedestrians Association is seeking funding to

produce two guides: How to organise your Walk to School event; and information on low or no cost schemes which encourage Green Travel to School.

In addition to Walk to School, our survey identified other initiatives to raise awareness for walking and road safety on school journeys, including:

- Coventry and Wirral Councils run school gate parking campaigns which highlight the hazards associated with parking too close to the school;
- Wirral Council also provides a walk and talk scheme to improve childrens knowledge of the streets and hazards in their local area and promote greater understanding of their own pedestrian behaviour;
- Birmingham City Councils parent partnering project involves parents in taking groups of three children out on the streets local to the school and teaching them about road safety. In addition, the Councils Walk on Wednesday campaign aims to raise awareness and change travel habits;
- Tower Hamlets Council provides road safety events which include talks to parents to encourage them to walk their children to school and take part in neighbourhood walks. It also involves parents in role play to teach children about pedestrian safety and bilingual leaflets are produced to promote the better to walk message; and
- Essex County Council has published guides for teachers on road safety and traffic training for children in primary, secondary and special needs schools. The guides identify risk locations [for example, subways, alleyways and lonely footpaths] and that risks can be greater in unfamiliar situations and after dark. These guides also include how to help children identify people in the street to whom they could approach for help [such as, familiar parents, police, traffic wardens, school crossing patrol staff] and how they can best protect themselves if out after dark.

A number of agencies have developed close links with health promotion campaigns and initiatives. One of the most comprehensive is the Fit for Life! Healthy Transport: Walking, Cycling, Bus, Train Makes Sense initiative with Strathclyde PTE, University of Glasgow, Greater Glasgow Health Board and Glasgow City Council as partners. However, the only mention of personal security in the comprehensive guide which promotes the campaign [Strathclyde, 1996] is in relation to parents concerns for their children on the journey to school and the involvement of the Strathclyde Police to tackle fears about stranger danger.

The Government has also led several high profile pedestrian safety campaigns, including those for child pedestrian safety. While some experts criticised the methods used to communicate the safety message for the Hedgehog Campaign, research commissioned by the DETR found that it was an effective way to communicate with children and the use of cartoons did not lessen the seriousness of the message.

Green Travel Plans, Including Walk to Work

The University of Westminsters report on safer routes to school projects and Green Transport Plans [1998] identifies that attempts to influence modes of travel used for journey to work began in the late 1970s. However, none of the trial schemes proved successful and interest in such initiatives to reduce car use gradually faded. Interest in such initiatives has been increasing again during the 1990s and, since local authorities in the UK have responsibility for implementing Agenda 21, this is an added incentive for Councils to develop green commuter plans for their own staff.

From our survey, over 40% of local authorities and other organisations were involved with or planning measures to encourage employees to walk, cycle or use public transport for their journey to work. Surveys of employees travel patterns or focus group discussions often contribute to the planning process. The Glaxo Company in Hertfordshire has recently undertaken a travel to work survey of all its employees as an initial stage in its participation in the TravelWise scheme and the development of a company travel plan.

Establishing partnerships with transport providers can be another key element in successful Green Transport Plans. For example, at Southampton University Hospital Trust staff who hand in their parking permits can receive up to £150 in a one-off cash payment in the first year and a free one month bus pass followed by reduced fares. Elsewhere, Essex Buses and Midland Red West are offering discounts to commuters who change their way of travelling to work in favour of public transport.

Nottingham City Council was one of the first local authorities to attempt to influence local employers to change their employees travel to work to more environmentally friendly modes. Both Nottingham City Council and Gloucestershire County Council have developed Green Commuter packs to encourage local employers to improve facilities for pedestrians and cyclists. Camden Council is the first local authority in London to adopt a comprehensive Green Travel Plan for its staff. The Plan, developed with London Transport, aims to reduce car use by a range of incentives including interest-free season ticket loans and upgraded shower and changing facilities for cyclists.

Camden Council is also working with the Metropolitan Police and the British Transport Police on measures to ensure safer walking and travel for tourists. Sheffield City Council is working with the two local Universities and businesses to encourage people to use their cars less by walking and/or using public transport. Linked to the expansion of its Sheffield city centre store, Marks and Spencers has agreed to offer incentives to its companys cardholders to encourage their greater use of public transport.

Pedestrian Strategies and Pedestrian Audits

From our survey, a number of local authorities have pedestrian strategies in place which both coordinate measures to improve the pedestrian environment and raise the priority of walking as a mode of travel. An example is the West Yorkshire Pedestrian Strategy involving five local authorities [Bradford, Leeds, Calderdale, Kirklees and Wakefield] and the West Yorkshire PTE. Another example is the walking policy in Strathclyde [1995] which does address personal security, principally by ensuring public footpaths are appropriately lit to aid pedestrian safety at night.

Nearly a third of organisations responding to our survey conduct pedestrian audits as a basis for identifying ways of improving the pedestrian environment. These audits commonly cover pedestrian flows; crossing points; pavement width and condition; street furniture; and signage data. Bristol City Council have been innovative in developing access audits. These cover location and condition of: dropped kerbs; controlled crossings; pavement width and any obstructions; surface conditions; signage; lighting; and maintenance of vegetation.

There were two main ways in which these audits were carried out: by professionals with the aim of identifying what facilities were needed; and those undertaken by pedestrians themselves. The latter were more likely to explicitly consider concerns for personal security. In addition, the Womens Design Service has developed planning for real techniques and womens safety audits have also been used to identify those locations in residential areas where pedestrians feel unsafe.

Examples of pedestrian audits identified through our survey were:

- Durham City Councils audit carried out by pedestrians to identify a safe route for women;
- Bury Councils use of audits as an integral part of their assessment of all development proposals with particular attention to the safety, attractiveness, comfort and directness of pedestrian routes;
- Edinburgh City Councils use of pedestrian audits and surveys to identify improvements to the city centres pedestrian environment and develop safe routes;
- Birmingham City Councils annual pedestrian audits, specifically focusing on the needs of disabled pedestrians, and a major review of pedestrian access to a local shopping centre;
- Bristol City Councils use of pedestrian and access audits to map priority routes and support funding bids; and
- Essex County Councils pedestrian and mobility policy refers to the importance of addressing concerns for personal security in subway design and street lighting measures. It also refers to the importance of reducing the clutter of street furniture.

Pedestrian Priority and Pedestrianisation

In Town and City Centres

Nearly half of organisations responding to our survey have in place pedestrian priority schemes, primarily in the town or city centre. Many of these involve pedestrianisation of part or most of the shopping areas. This is often identified as an effective means of creating a safer and more attractive walking environment. However, while pedestrianisation does reduce risk from road accidents, one important effect of substantial pedestrianisation can be the creation of concrete wastelands which may be detrimental to personal security after dark. The Walking Steering Group has suggested that one solution to this problem could be to open up these areas to road traffic after dark.

From our survey, some of the schemes to give pedestrians priority in the town or city centre involve substantial capital investment. For example, Birmingham City Council is demolishing two subways and will spend £1million on improving city centre pedestrian facilities, and Tameside Council is creating traffic free zones in three local town centres. What is not clear from the survey responses is the extent to which concerns for personal security will be addressed in the design and layout of these developments.

The Association of Town Centre Managers publication Safe and Secure Town Centres [1997] provides some guidance for good design and management. It advocates: enabling pedestrians to move about in well lit, wide circulation routes which reflect existing patterns of movement; increased opportunities for enhancing natural surveillance through good sight lines; good maintenance; and greater mixed use development to increase the chances of a capable guardian always being on hand. Although considerable emphasis has been placed by Central Government and some local authorities on mixed use development and, especially, the inclusion of housing to increase the numbers of people using town and city centres and the opportunities for passive surveillance, there is little evidence that such people are then prepared to act as eyes on the street [Coupland, 1997].

Residential Streets or Home Zones

A Home Zone is a street or group of streets where pedestrians have priority and cars travel at little more than walking pace [Childrens Play Council, 1997] and there are extended pavement areas

where people can sit and children can play. Home Zones have been recommended as a relatively low cost measure, principally to reduce child accidents [Howarth, 1996; Preston 1992].

Home Zones have been commonplace in many European countries for at least 25 years. For example, over 6,500 Home Zones or woonerf streets have been introduced in the Netherlands since the late 1960s.

Though common in Europe, the UKs Highway laws do not give clear powers to develop Home Zones. However, there is strong support for the concept amongst those concerned with childrens safety and play. The Walking Steering Group has also recommended the wider use of traffic calming measures and 20 mph zones to make residential streets safer for pedestrians, including children. The DETR has invited highway authorities in England and Wales to submit proposals for a pilot research programme into six pilot Home Zones which will explore how far they can be introduced successfully within existing laws. These demonstration schemes will have a geographical spread and have different objectives and methods. The schemes will be evaluated.

In 1992, the Feet First initiative, coordinated by Transport 2000 and the former Association of Metropolitan Authorities, was launched to identify best practice in environmental improvements for pedestrians. One of the fifteen demonstration schemes was at a housing estate in Knowsley and combined traffic calming measures with other housing, environmental and social initiatives to tackle a range of road safety, environmental and crime problems. Residents were closely involved in the development of the strategy and detailed proposals [AMA, 1993].

Sheffield Council has a continuous programme of small scale schemes to improve pedestrian safety and access to local shops, libraries and doctors surgeries and health centres. A pedestrians forum has been established with a remit to develop guidelines for pedestrian access to new developments.

On-Street Assistance

City Centre Reps

An initiative which has been in place for a number of years in the Netherlands is the system of Stadwachten [Town Watchers or City Guards] which combines an innovative approach to community safety with practical job creation for the long term unemployed. There are about 1,450 City Guards in cities across the Netherlands and 400 in Amsterdam alone. The city guards are employed by the local authorities and provide a reassuring uniformed presence in public places, by day and evening. In Amsterdam, they patrol the metro as well as the streets. All are trained in first aid. The City Guards report graffiti, faulty street furniture and lighting, litter, excessive noise, accidents and observed crime. They patrol in pairs and are in radio contact with their central control. Initially, the police were uncertain about the introduction of the City Guards and there was concern that the public could confuse the roles and powers of police and City Guards. However, these concerns were largely unfounded and the police are now very supportive of the scheme.

A number of local authorities in the UK have established similar schemes, for example: Glasgows City Centre Reps; Stockports Town Wardens; Wirrals Community Patrol Service; and Coventrys Ambassadors. A pilot scheme which went on the streets in July 1998 was Edinburghs City Centre Reps.

Help Points

To improve the safety of pedestrians using Burnley town centre, on-street Help Points have been installed in addition to CCTV surveillance. These Help Points are located in the pedestrianised shopping centre with a distinctive red button on a yellow metal board. The person seeking

assistance by using the Help Point is put in direct contact with a central control centre and is covered by CCTV surveillance.

In central London, the police responsible for security in Londons Royal Parks have installed a pilot network of Help Points which are primarily aimed at reassuring walkers, especially lone women. In June 1998, sixteen illuminated Help Points were installed as a pilot project and linked to central control at the Royal Parks Constabulary. The Help Point is marked SOS and illuminated at night with a blue light. Help can be despatched quickly, usually by a mounted police officer. Although police have said that this part of London is one of the safest, it is believed that the Help Points will reduce anxieties about crime and will boost the confidence of the public, especially after dark. If this basic version of the Help Points is successful, it could be adapted later to include a CCTV camera.

Quiet Routes and Greenways

A report by the Countryside Commission drew on the Netherlands research on public perceptions of rural roads [Schone & Coeterier, 1989]. This revealed that people differentiate between traffic roads and rural roads in the countryside and a rural road can be part of the experience of quiet enjoyment of the country. Once traffic volumes increase, such rural roads become traffic roads and that enjoyment is lost [Countryside Commission, 1992].

The Countryside Commissions quiet routes or Greenways initiative aims to improve the recreational and leisure value of minor roads by making them safer for walking, cycling and horse riding and regain the element of quiet enjoyment. It requires a reduction in the number and speed of motorised vehicles using the rural road network, and the underlying philosophy is to change the balance of priority away from the motor vehicle and towards the vulnerable road user on a designated network of quiet routes.

Existing schemes suggest reduced traffic speeds are popular with vulnerable road users. However, the key issue for personal security is the balance between natural surveillance provided by an increase in the number of people walking and cycling compared to the decrease in other traffic. The Countryside Commission is supporting demonstration projects in Surrey, Cumbria and Devon to encourage greater use of rural roads and lanes by walkers, cyclists and riders.

In our survey, 38% of organisations identified initiatives to increase greater non-car use of rural roads and lanes, although only a minority gave details of their schemes. For example, Rotherham Council has worked with the community to tackle traffic speed and the volume of cars using rural roads, some included in the National Cycle Network. Traffic calming has been introduced to improve the environment for walkers and cyclists. Wrexham Council has planned walking and cycling routes with traffic calming measures and improvements to the footpaths and crossings.

Partnership Working To Improve The Pedestrian Environment

Crime Concerns national review of personal security on public transport [1995] highlighted a number of initiatives aimed at improving the whole journey. These included Safer Travel groups which were developed by London Underground at a small number of pilot stations. These partnership groups involved the local authority, local businesses, and local bus companies to improve the journey to and from stations, especially the pedestrian environment immediately surrounding the station.

The Safer Stations initiative is another partnership approach focused on improving the immediate locality of train stations as well as the public transport infrastructure. The initiative was first developed in Southwark and its influence has grown over the years with other train stations, for

example, in Wandsworth, Lambeth and Merton, benefiting from the partnership approach. A similar initiative was developed by Merseytravel for Kirkby train station where a partnership of local agencies has put in place measures, including CCTV surveillance, to improve the safety on the local environment as well as the infrastructure. Lambeth Public Transport Group [1997] has recently produced a report on safer stations activity.

In our survey of initiatives, 68% of local authorities and other organisations said they were engaged in partnership working to improve personal security at or around train or bus stations. The majority referred to the installation of CCTV surveillance and physical improvements, such as, street lighting. In all but a minority of initiatives, the measures were in rather than around the train or bus station. In Wandsworth, Railtrack and train companies have been working with the Council in developing improvements at nine local stations, including general refurbishment, CCTV surveillance, and upgraded lighting and signage. Wandsworth Council has also established a Disorder Task Force as a multi agency initiative to tackle transport-related crime.

Safer Routes To School

The aim of safer routes to school is to encourage more walking and more cycling. Highway improvements and traffic management are only parts of the package to make routes to school safer. Other elements include training and promotional material to change travel habits. The intention is that increased numbers on foot and on bike make it safer for everyone and will encourage other pupils to change their journey to school.

In the UK, attempts to improve safety to and from school first began in the late 1950s with suggestions for use of minor roads, more crossing places and greater use of school crossing patrols. In the 1970s, the concept of safe routes was developed in continental Europe to reduce child accident casualties rather than to improve personal security [Hughes, 1996] [Nielson 1990]. In Denmark, the Odenze project involved children, teachers and parents in deciding how to improve the journey to and from school. The most common measures taken were to introduce slow speed areas around the school, road narrowings, pedestrian refuges and separate foot and cycle paths. The number and severity of accidents has been reduced significantly. Similar projects were also developed in the Netherlands and Germany.

In 1995, Sustrans was funded to carry out a three year project in ten schools to demonstrate the principles of safe routes to school. Schools in York, Colchester, Leeds and Hampshire took part with the package of measures including traffic calming, crossings, bike security, cycle paths and awareness raising and training for children and young people. Surveys were carried out with the pupils and found those who travelled further feel they are exposed to more risks. Pupils at secondary schools with the tightest catchment areas were the least likely to mention danger from traffic or strangers as a reason for not walking or cycling to school.

Sustrans suggestions to improve perceptions of personal security include:

- sharing the school run on foot parents organise a rota to walk to school with the children from two or three family groups;
- the walking bus parents undertake to walk on a regularly used route to school, collecting up other children as they go;
- the school route chain parents undertake to oversee different sections of a route to school; and

- the introduction of safe havens where children who are being bullied or feel concerned about their personal safety could seek refuge.

In 1996, a study of the safety of children on school related journeys was commissioned by the Association of Transport Coordinating Officers, County Surveyors Society and the Passenger Transport Executives Group. This study [Sian Thornthwaite, 1998] examined the safety of school journeys and found that, contrary to parental perception, children do not appear to be at more risk of accident on this journey than at other times. This research also found there was no particular risk to personal security on the school journey.

Oscar Faber and Sustrans have been commissioned by the DETR to produce a good practice guide on schools transport. This will include Safe Routes, school public transport policies and initiatives, walk to school initiatives and curriculum work. The good practice guidance will be targeted at local authorities. The research is expected to be completed by April 1999.

In June 1998, a new Central Government inter-departmental advisory group was set up to promote best practice in the provision of transport between home and school. The School Travel Advisory Group will draw up guidance for local authorities on how to reduce car use for school journeys by promoting alternatives. Guidance aimed at schools will also be produced.

In our survey, two thirds of organisations said they were developing safe routes to school. Most are in the early stage of development. Some authorities have funding allocated for this initiative in their approved 1998/99 TPP. Others have chosen to pilot projects at individual schools and a number have carried out travel surveys with pupils. Many authorities identified the close links between safe routes to school, educative work to reduce child accidents, and walk to school campaigns. Among the projects identified through the survey are:

- Councils in Wakefield, Birmingham and Kingston upon Thames have introduced 20 mph maximum traffic speeds in school zones;
- in Tower Hamlets, surveys of safest home school routes as a basis for consultation with children, teachers and parents;
- progress with the demonstration projects at schools in Leeds, Hampshire and Hertfordshire;
- Ealing Council has received European Union funding as well as TPP package monies to develop safer routes;

Planning policies are being used to influence travel to school. For example, Camden Council have informed Royal School in the Borough that it cannot expand unless it reduces pupils reliance on the car for journeys to and from school.

Safe or Priority Routes for Pedestrians

Good signage and information [such as town centre maps and public transport timetables] are known to help make people feel more secure, especially if they are unfamiliar with an area. Historic towns and cities like York are now providing signed walking routes which link places of interest. The creation of these leisure routes is now becoming more common. In Bristol, priority walking routes have been agreed to help commuters and shoppers get from their homes to nearby district centres and the city centre.

Westminster Safer Cities are working with the City Council, police and transport operators to establish a Capital Route through the heart of Londons West End. The aim of the project is to

secure the regeneration of one of the busiest pedestrian routes in Britain by introducing a package of measures which will include improving street maintenance, rationalising street furniture and easing pedestrian congestion [Pettersson, Webb, 1997]. In this study, the use of the term safe route was deliberately avoided because it could give the impression that other routes are unsafe.

Wandsworth Council have focused on the borough-wide enhancement of street lighting to make pedestrian routes safer, including those leading to and from train and underground stations. A number of pilot schemes were implemented and evaluated at night to identify the best type of street lighting. The evaluation included consulting with residents. Following the evaluation, a system of lighting was accepted at the basis for the Wandsworth Relighting Programme and the minimum standards of illumination specified. Most areas of Wandsworth are now illuminated to a higher level than this minimum specification due to improvements in lamp outputs and refinements in lighting design techniques. Local residents, Neighbourhood Watch Committes and businesses have welcomed the improved street lighting and the Council identifies that it has contributed to road safety and better security for pedestrians, residents and property.

Nearly a third of authorities and other organisations responding to our survey of initiatives said they were developing or had developed a priority or safe route. However, most made little or no reference to personal security, but were deemed safe in terms of pedestrian priority and traffic calming or restriction. Among those examples reported through the survey are:

- Edinburgh City Council has developed part of a safe route in the city centre for pedestrians;
- York City Councils footstreets scheme in the city centre;
- Durham City Council has enhanced bus shelter design and made lighting improvements along a route to improve personal security, especially for women pedestrians; and
- Peterborough Crime Reduction Programme is involved with a city centre working group to identify ways of creating a more welcoming and accessible city centre. The work of this group could potentially involve carrying out a pedestrian audit and identify factors relating to the creation of safe and attractive routes. This work is at an early stage, but is a promising approach to address concerns for personal security.

5.4 Selection and Role of the Case Studies

Using the data from our survey of initiatives, case studies were selected to reflect the wide range of measures in place or being developed and, where possible, to identify good practice. The process of implementation was explored as well as the outcomes. It was key to our investigation of the case studies to identify whether concerns for personal security had been addressed through the initiative and, if so, how they had been addressed and whether this had been effective.

References

Association of County Councils, Association of District Council and Association of Metropolitan Authorities *A step ahead, improving the pedestrian environment* 1990

Association of Metropolitan Authorities and Transport 2000 *Feet First* 1993

Association of Town Centre Managers *Safe and Secure in Town Centres* 1997

Childrens Play Council *Home Zones* 1997

Countryside Commission Rural Traffic: *Getting It Right* 1997

Countryside Commission *Trends in Transport and the Countryside* 1992

Coupland A, Ed. *Mixed Use Development*, Pettersson G Crime and Mixed Use 1997

Crime Concern *National Transport Review of Personal Security* Crime Concern 1995

Dept of Transport *Developing a Walking Strategy* 1996

DETR *Personal Security on Public Transport, Guidelines for Operators* 1996

DETR *Secure Stations Scheme* 1998

Howarth, I [Trench and Oc Eds] *Making Residential Areas Safer For Children* in Current Issues In Planning, 1990

Lambeth Public Transport Group *Safe and Secure, A report on Safer Stations Activity* 1997

Pettersson G, Webb, S *The Capital Route for Westminster Safer Cities*, 1997

Preston, B *Cutting Pedestrian Casualties, Cost Effective Ways To Make Walking Safer Transport 2000*, 1992

Sian Thornthwaite *Safety on School Related Journeys* 1997

Schone M B & Coetevier J R *The Experience of Rural Roads* Winard Staring Centre Wageningen, 1989

Strathclyde PTE *Fit for Life! Healthy Transport: Walking, Cycling, Bus, Train Makes Sense* 1996

Strathclyde Regional Council *A Guide To Walking and Cycling in Strathclyde*, 1995

Tolley R [Ed] *The Greening of Urban Transport: Planning for Walking and Cycling in Western Cities* 1990

University of Westminster *Travel to School and Green Transport Plans, Review for DETR* 1998

3: The projects are INPHORMM [Information and Publicity Helping the Objectives of Reduced Motorised Mobility with the University of Westminster] and COMPARIE [Campaigns for Awareness using Media and Publicity to Assess Responses of Individuals in Europe with Transport & Travel Research as the UK partner]

Chapter 6:
Initiatives for Pedestrian Security: Lessons from the Case Studies

6.1 Introduction

The literature review and our survey identified that comparatively few of the initiatives introduced to improve the pedestrian environment explicitly address issues of personal security. Most initiatives are principally concerned with road safety or making the walking environment more comfortable, attractive and with reduced risk from traffic accidents. Although the case studies explored in this chapter were chosen because they could or should have explicitly addressed pedestrian concerns for personal security, few did so in practice.

In most of the case studies, it was assumed that an increase in the numbers of people walking would automatically make people feel more secure in public places. Although our household surveys and the focus groups reveal clearly that pedestrians in urban areas feel much safer when streets and other public places are busier, if the initiative does not explicitly address concerns for personal security, an increase in the numbers of people walking may not result.

Our research and the literature review also identified a significant barrier to encouraging local authorities and other agencies to explicitly address pedestrian concerns for personal security. Often, there is a reluctance to acknowledge that fear of crime can be a significant deterrent to walking, especially after dark. Explicitly acknowledging pedestrian concerns for personal security is resisted because it is felt that it will highlight the problem and reinforce pedestrian fears, resulting in less people walking and thus making the pedestrian environment less safe for everyone. Similar arguments are often used to resist identifying concerns for personal security in a housing estate or neighbourhood.

Such arguments are based on the assumption that pedestrians or residents of an area will not already be aware or strongly aware of risks to their security. There is little or no evidence to support this assumption. In contrast, there is substantial survey data which shows pedestrians are aware of risks to their personal security, distinguish between different types of risk, and routinely take precautions to avoid or minimise risk. Explicitly acknowledging these risks and taking measures to address concerns for personal security is to recognise the reality of the walking environment for most pedestrians. Describing and discussing these risks in a way which is not sensational will avoid fuelling fears.

THE CASE STUDIES

6.2 Pedestrian Audits and Perception Surveys

As a basis for deciding on those routes which should have priority for pedestrian improvements and what facilities should be provided or enhanced, a number of authorities carry out pedestrian audits or surveys.

Bristol City Council

The City Council uses pedestrian and access audits for two main purposes: to map priority routes for pedestrian journeys; and to provide the statistical basis for funding bids. The emphasis has been to use these audits to improve key routes for people with disabilities. The Council have developed access audit guidelines and a pedestrian policy which addresses concerns for personal security. The Council is currently considering training local people to undertake Parish audits, but, to date, the process of conducting the audits has not involved pedestrians.

In Bristol, a network of strategic routes has been identified and comprehensive access audits have been produced for each route. These audits identify opportunities to enhance and improve existing pedestrian routes. In 1996, pedestrian perception surveys were carried out in Bristol, Bath and Weston Super Mare, with 8,000 respondents using key routes leading to these centres. These have been a key element in developing proposals for street improvements and traffic management. In Bristol, the route from the city centre to the main Temple Meads train station was a key safety concern for pedestrians and a programme of pedestrian improvements is being implemented. Although the audit process to date has not involved pedestrians, the involvement of local residents in Parish audits is being considered.

Those involved in carrying out the audits identify that there is scope for using crime incident data and survey findings on perceptions of security far more explicitly in pedestrian and access audits. A barrier which needs to be overcome in addressing pedestrian concerns is that the basis for deciding on highway improvements and funding for such measures are heavily reliant on the highway engineers assessment of demand.

Edinburgh City Council

Edinburgh Community Safety Partnerships priorities include womens safety and promoting safety in public places and commercial centres. The Partnership established the womens safety working group to progress joint agency working and one of their first actions was to organise a survey of women in the city. The questionnaire was distributed through a wide range of local groups providing services for women, and interviews at train and bus stations. The survey cost £7,000, including the design and production of a report. The survey was an important part of legitimatising womens concerns for personal security.

The survey had a high profile within the City Council and it was a catalyst for measures to improve womens safety on the street as well as in the home. It was influential in raising the City Development Departments awareness that, if initiatives to get women to use alternatives to car travel were to be successful, then the issue of personal security would have to be addressed. It led to rethinking on the way in which decisions are made about street lighting.

The womens safety survey has been used constructively to identify how the pedestrian environment can be made more secure, especially through enhanced street lighting.Before the survey, criteria for improvements to street lighting tended to be solely on the basis of out of date fitments or in response to local pressure. A group has now been established to develop a set of community safety criteria for enhanced street lighting. These criteria give priority to links between housing areas and local shops, and lighting at bus stops, taxi ranks and around public transport infrastructure. The Council has also relaunched Clarence, a campaign using a friendly lion to get people to report faulty street lighting through a freephone number. The new campaign targets womens safety in particular.

Key Lessons For Good Practice:

- Many local authorities only carry out pedestrian audits for new developments, most in town centres and for retail developments. As routine practice, pedestrian audits should be more widely and systematically applied to existing as well as new developments.

- These audits should not only be conducted on routes leading to and within shopping centres but also those to and from local employment centres [including industrial estates and business parks], and major leisure facilities. Pedestrian audits of routes to leisure venues

and perception surveys with users would be a crucial first step in making these environments both more secure and more attractive to pedestrians.

- In addition to data on pedestrian flows, accessibility, traffic management and accidents, the audits [conducted by day and after dark] should address concerns for personal security by including: assessment of street illumination; restrictions to sight lines; presence of recesses and other places where people could hide; effectiveness of informal surveillance; prevalence of street furniture and opportunities to rationalise; extent of pavement parking; condition of the pavement and litter; and security at bus stops and shelters.

- Involving pedestrians is a key factor for ensuring concerns for personal security are both included by the audit and addressed by the recommended improvements. Training of local people to undertake the audits can be an effective way to involve pedestrians.

- As routine practice, street crime incident data and findings from perception surveys with pedestrians should contribute to the audit process and inform proposals to make the walking environment more secure.

- As good practice, representatives from local pedestrian groups, the police and local community safety officers should be involved in the design of the audit and consulted on its findings.

- Data from pedestrian audits and surveys should be used to target areas for enhanced street lighting, inform decisions to rationalise street furniture, and recommend design changes to provide clear sight lines, improve informal surveillance and avoid hidden recesses. Findings from the pedestrian audits could also be used to inform police patrols of those places where pedestrians are most at risk or feel least safe.

6.3 Pedestrian Strategies

Many local authorities are developing or have in place a pedestrian strategy to encourage walking.

York City Council

The Citys Walking Strategy was agreed in 1992. York has designated a pedestrian network in the city centre and has in place a programme for improved pedestrian facilities on these routes. It has commissioned research into extending the network concept to the rest of the Unitary Authority. Implementation of the pedestrian improvements has been delayed because of a lack of funding to the TPP. To date, action has included part completion of the pedestrian improvements on a three mile stretch of road linking the city centre with a park and ride site with pavement widening and new pedestrian crossings. The next priority will be for pedestrian improvements along a road linking the city centre with a sixth form college, working with Sustrans for a safe route to school initiative. Pedestrian audits are only carried out for new developments, although the use of audits will be considered for assessing the need for improved pedestrian facilities along the network routes.

Linked to the strategy, there have been a number of initiatives for improving pedestrian safety and encouraging walking in York city centre, including the introduction of footstreets. An evaluation of footstreets focused on its impact on retail trade and shop values. In response to this evaluation, the hours of pedestrianisation have been extended, but there is still some confusion about access arrangements and their inadequate enforcement. There is CCTV surveillance in the city centre which was introduced primarily in response to shop theft and night time disorder.

West Yorkshire Pedestrian Strategy

The pedestrian strategy has been prepared by the West Yorkshire local authorities in recognition of the need to adopt a coordinated approach to enhance the image and role of walking [1998]. Walking and access to public transport is vital for the nearly 40% of households in West Yorkshire who do not have a car. The strategy has the following objectives: to increase walking journeys; improve the pedestrian environment for safety, security and attractiveness; promote the health, community and environmental benefits of walking; ensure measures to encourage walking and cycling are complementary; and develop sustainable travel patterns.

A safe street environment for children is identified as a prerequisite to regain some of the independence lost to the present generation. The strategy recognises that concerns for personal security can be a deterrent to walking, especially for women, children and older people. The strategy also has as one of its objectives to make walking more attractive by enhancing safety, security and environmental quality. The policy measures relevant to security are:

take a coordinated approach to tackling issues of community safety, especially where personal security is a deterrent to walking...by working with the community to identify solutions which restore public confidence. Similarly, we will ensure that issues of personal security are a major consideration in the design of new developments.

Details for implementation will be set out in local action plans to be prepared by each authority.

Pedestrian Policy for the Avon Area

Work on the pedestrian policy began in 1993 with the final policy published at the end of 1995, after consultation. It was developed as a partnership between Bristol City, North Somerset, South Gloucestershire and Bath & North East Somerset Councils. The policy includes a strategy for implementation and technical guidance on how to plan effectively for disabled people and other pedestrians. It places considerable emphasis on creating barrier-free access, especially for disabled pedestrians.

The policy states that *where pedestrian routes are provided or improved, personal safety issues should be high on the agenda.* On improvements that can be made to the pedestrian environment, the policy statement refers to new developments and that *routes should be planned so they can be "policed" by the surrounding activities. This would improve personal safety. Isolated routes should also be avoided.* However, the strategy for implementation does not make specific recommendations for improvements to personal security and the technical guidance does not cover these concerns in detail.

Key Lessons For Good Practice:

- Pedestrian strategies should identify specific local concerns for personal security and those places or situations where pedestrians feel most at risk. The strategy should detail ways in which these concerns will be addressed. Broad policy statements alone are not sufficient.
- Highway and traffic professionals need to be made more aware, through training and information on pedestrian concerns for personal security and the impact such concerns have on decisions to walk; and local pedestrians should be involved in the preparation of strategies and detailed action plans and consulted on proposals.

6.4 Town Centres: Pedestrianisation, CCTV Surveillance, Help Points and Action on Begging

Although rarely designed to address concerns for personal security, pedestrian priority schemes are common ways of improving the safety of pedestrians and reducing risks from traffic accidents. Many town centres have introduced CCTV surveillance to tackle concerns about personal security in public places, anti-social behaviour and property crime. The effects of CCTV surveillance on crime and anti-social behaviour are well documented in other studies.

Burnley Town Centre

Burnley town centre has a pedestrianised shopping centre at its heart with CCTV surveillance cameras [monitored by a control centre] and on-street Help Points. Participants in an escorted journey and focus group were asked for their views on the effect of pedestrianisation for their perceptions of personal security:

> "during the day it is fine, but at night it makes you feel very isolated and unsafe.... sometimes its the wrong areas that get pedestrianised the planners only think about the traffic and they dont consider personal safety...the areas of pedestrianisation is often too large and it should be used much more selectively"
> [participants in Burnley focus group]

The national Walking Strategy Group has suggested that concerns for personal security in pedestrianised areas could be addressed by opening them up to road traffic after dark. The participants in the Burnley focus group did not favour this approach. There were already problems from:

> "vehicle traffic that sometimes still uses it. They are not aware that it is closed to traffic and cars or vans can still drive in. This is really dangerous and letting cars use it after dark would make this problem worse"

Most participants knew the location of the CCTV cameras and that there was live monitoring as well as video recording. However, some younger people and the ethnic minority members of the group were much less aware of the monitoring arrangements and less confident of the kind of response that might be forthcoming. People referred to local publicity on the effectiveness of the cameras in apprehending criminals and obtaining successful prosecutions. Although participants generally felt safer with the presence of CCTV surveillance, there was concern about the displacement of incidents to areas without CCTV cameras, poorer lighting and no help points:

> "if perpetrators know that cameras are there, they wont go to the areas with the cameras will they? They will go to other areas where there are no cameras, what about the little shops outside who have none? What happens to them?...is enough attention paid to areas outside the town centres?"

On the issue of displacement, an interesting small scale qualitative study has been published recently [Short and Ditton, 1998] on the views of offenders on the impact of open street CCTV surveillance on their activities. The research was conducted in the town of Airdrie and found that offenders are knowledgeable about CCTV and utilise many different responses to it, including avoiding surveillance and committing offences elsewhere.

From the Burnley focus group, some participants especially the younger members and those from the Asian community were not aware of the on-street Help Points and were not aware of their function to assist in an emergency. Not everyone knew that the CCTV surveillance cameras could be focused on the Help Points. There was wider concern expressed about their effectiveness:

"if you were being robbed, youd run away and not stop and press a button. It is different on a station, because there you cant run away easily...I can see it would be really useful if youd lost your child or if you needed information but not if you were being attacked or mugged"

The group also discussed the issue of information and publicity for the Help Points and concern that not everyone knew where they were and how to use them. The Help Points have had coverage in the local press, but it was suggested that there should be publicity provided in the pubs and clubs. The group were uncertain how awareness about the Help Points could be raised among members of the local Asian community.

Edinburgh City Council

Twelve CCTV cameras were installed in Edinburgh city centre and were fully operational by June 1998. Information from the womens safety survey and crime incident data was used to plan the location of the cameras in Edinburgh city centre. This is the second CCTV surveillance system in Edinburgh, with the first at a shopping centre and housing estate in the north of the City. It is now proposed to expand this system with a further twelve cameras in adjacent parts of the city centre.

The city centre surveillance system was partly funded by the Scottish Office and is the responsibility of the City in View Association, a partnership between public, private and voluntary sector interests. The main emphasis is to reduce crime and fear of crime. The system is monitored by staff employed by the Housing Department. The police also have a monitoring station. To develop expertise amongst the civilian monitoring staff, police officers will work with them for an initial period. The monitoring will be proactive to identify potential problems, such as a person hanging around cash machines in the evening.

The household surveys conducted for this study identified that some respondents found aggressive or excessive begging on the streets contributed to their fears for personal security:

some beggars can be abusive sometimes not that I blame them because they are in a very unlucky situation and must be very low

the number of homeless who are begging in the street has increased so much and some of them become very aggressive if you dont give them money, and that frightens me sometimes
[household survey respondents]

In May 1998, Edinburgh City Council considered the use of bye law legislation to curb begging in the city centre. Such action would be similar to the measures adopted by some local authorities to prohibit street drinking in their town or city centre. Some people begging in the city have tried to develop a voluntary code of conduct to reduce aggressive begging or people sitting in locations where members of the public might feel vulnerable, for instance by cash dispensers or on long, steep flights of steps. Although, the bye law proposal was dropped following consultation, it was decided to try and tackle the issue initially by an enhanced police presence. After gathering more information on the prevalence of aggressive begging and the real situations and needs of people involved in begging [The Big Issue in Scotland, 1998], the City Council will reconsider options, including introduction of the bye law.

Key Lessons For Good Practice:

- The scale and design of pedestrianised areas should not contribute to pedestrian fears for personal security. Guidance on the scale and design of pedestrian priority areas should

identify how issues of personal security can be addressed and how a mix of uses can extend the hours of activity.

- Passing traffic can make pedestrians feel more secure and less isolated. However, the suggestion that some pedestrianised areas could be opened up to traffic in the evenings to address concerns for personal security should be treated with caution. Pedestrian confidence in their safety from traffic could be undermined by allowing access to vehicles and drivers could assume that they can access the pedestrian area at other times.

- The findings from the pedestrian audits and pedestrian surveys [which include data on concerns for personal security] should be used to identify the locations for CCTV surveillance cameras. If possible, consultation with local pedestrian groups should also be part of this process.

- Most of the initiatives for CCTV surveillance cameras and enhanced street lighting take place in town and city centres. Guidance on measures to improve pedestrian security needs to address concerns about the potential for displacement of incidents.

- In common with CCTV surveillance and monitoring, the presence of on-street Help Points needs to be well and regularly publicised. The publicity needs to inform pedestrians of the response they can expect when using a Help Point. Neither CCTV surveillance or Help Points alone will make people feel safer, if the area they are walking through is isolated. Activity and the presence of more pedestrians needs to be encouraged through land use and planning policies.

6.5 On-Street Assistance, City Centre Reps

A number of towns and cities in the UK now employ uniformed staff to patrol their centres as a means of providing on-street assistance and to generate a greater sense of safety.

Glasgow City Reps

In 1993, concerns about the level of crime and disorder in Glasgow city centre resulted in a proposal for the installation of CCTV surveillance cameras [City Watch] and the introduction of a patrol squad [City Centre Reps]. The City Watch system was put in place in November 1994 and the City Centre Reps scheme was launched in June 1995 to *actively promote Glasgow city centre as an attracive, clean and friendly place.*

Twenty six City Centre Reps patrol Glasgow city centre.The Reps are trained in first aid and carry tourist and public transport information. They can respond to basic questions in French, German, Italian, Spanish and Japanese. The Reps patrol from 9am to 6.30pm and are responsible for welcoming and assisting visitors to their area. They patrol a defined route and report incidents of trade refuse, road conditions, litter, damaged street furniture, faulty lighting, graffiti and flyposting. Reps have responsibility for communicating with businesses and regular users. They prepare reports on notifiable incidents, including emergencies, repeated infringements by public or business and service failure. The job description makes no reference to addressing concerns for personal security, although this is implicit in the patrolling functions. The Reps scheme has recently been relaunched with a distinctive red uniform.

In addition to the City Reps, there is a clean up squad with responsibility for removing flyposting and graffiti, removal of refuse in service lanes in private ownership, and the painting of service department utilities within the city centre, for example street lighting boxes. In 1997, the

management of the City Centre Reps also took over responsibility for monitoring the City Watch CCTV surveillance cameras.

In 1996, Community Enterprise in Strathclyde carried out an evaluation of the City Centre Reps scheme [CEiS, 1996] including surveys with local businesses and city centre users. It found that business perceptions of the city centre environment had improved significantly. Businesses identified a positive impact on the cleanliness and attractiveness of the city centre and a reduction in graffiti. Businesses were also more satisfied with security in the city centre, although this was thought to be related to the introduction of City Watch [CCTV surveillance] rather than the City Centre Reps scheme. Although the majority of businesses surveyed felt the city reps scheme was a good idea, the majority could not identify any way in which it had helped or benefited their business or had any impact on business performance.

From the CEiS study, over half of city centre users were aware of the existence of the Reps [unprompted] and identified positive effects from the availability of helpful advice, a cleaner city centre and a fifth commented on reduced crime and increased feelings of safety. The survey also found that 6% of users said they visited the city centre later in the evening as a direct result of the presence of the City Centre Reps, although they did not patrol after 6.30pm. The review recommended the need to raise the profile of the Reps, especially with local businesses and have a uniform which is distinctive and bright.

Edinburgh City Council

Edinburgh City Centre Reps came on street in July 1998, with an assessment of the schemes effectiveness and popularity due after 6 months. There are twenty Reps in total and they patrol in pairs. They have a distinctive logo and uniform of blue trousers and jacket, white shirt and yellow baseball cap. The Reps received four weeks training, including an ability to speak basic phrases in five languages French, German, Spanish, Italian and Japanese. These phrases are also recorded in a book for easy reference.

The Reps patrol the central area of the City from 10 am to 6 pm, seven days a week. They are equipped with two way radios and Council officers have suggested the Reps should have direct contact with the CCTV control room. The primary functions of the Reps is to give directions, answer other questions, check on litter, provide basic first aid in an incident and contact the police, if required. The uniformed presence is expected to improve pedestrian perceptions of safety. The police are supportive of the initiative and cooperation between the police and City Centre Reps is good. If continued, it is hoped to raise private sector finance towards the cost of the scheme.

Stockport Town Centre

Town Wardens in Stockport are part of the Councils community safety initiatives and started patrolling the streets in January 1998. Initially, there were eight Wardens and two supervisors, but this was increased to sixteen Wardens in August 1998. The uniformed Wardens patrol in pairs in the pedestrianised area of the town centre, including the busy main square on market days. Later in 1998, the Wardens will extend their operations to patrol smaller shopping centres in Stockport. They patrol from 9 am to 6 pm from Monday to Saturday.

The Wardens role is to assist pedestrians, especially older people, provide information on public transport, and explicitly as its main aim make people feel safer. The Wardens also report faults or damage to street furniture, lighting and pavements. The Wardens receive training, including in first aid.

Although they have no powers of enforcement, there is a good indication already that the Town Wardens are proving very popular with town centre users. The main Square was experiencing a problem with bag snatching and the uniformed presence has had a beneficial impact in reducing the number of such incidents. Car thefts have also declined. The Wardens patrol the town centre car parks to deter perpetrators and give those using them an enhanced sense of security. There is also a decline in the number of pedestrians, especially older people, tripping up in the market area or falling in icy conditions.

Key Lessons For Good Practice:

- Uniformed people providing on-street assistance can make pedestrians feel more secure, but this is usually not the main purpose of their role.
- The job descriptions for City Centre Reps should include their roles in enhancing the personal security of pedestrians and this role should be given a higher profile in the induction and training programmes.
- Consideration should be given to extending the hours during which the City Centre Reps or Wardens patrol. Pedestrians feel much less secure after dark and the presence of Reps or Wardens patrolling could help address some concerns for personal security.
- The parallel role of the graffiti and litter cleaning squad, attached to the City Centre Reps in Glasgow, has had a considerable impact in reducing fly posting and maintaining a cleaner city centre.
- The development of best practice guidance would be beneficial to assist other towns and city centres who are introducing on-street assistance.
- Lack of adequate funding for City Centre Reps or Wardens often restricts their role or the scale of their activities.

6.6 Pedestrian Initiatives In Rural Areas

The Countryside Commission: Greenways

Although road accident rates in the countryside are lower than those in towns and cities, when accidents do occur they tend to be much more serious in terms of injuries, deaths and the numbers involved. Although it is acknowledged that the absence of pavements can impact negatively on residents perceptions of safety, the Countryside Commission does not favour the provision of pavements as this is a way of urbanising the countryside and detracts from its attractiveness. The Commission much prefers to promote safer driving and measures to encourage greater use of rural roads by non-car users by traffic management. The Countryside Commission has not identified specific routes for these traffic management measures but prefers strategic areas.

The Countryside Commission defines Greenways as *well designed routes which enable people to gain access to and through the countryside, particularly that near their homes. They are designed for shared use by people on foot, bicycle and horseback. They will often link open spaces, country parks and picnic sites, features of interest and places to stop for refreshment. They cater for recreation and play, commuting to work or school and sports training. They are designed and promoted for local use, but at the same time, can link to form wider networks. Their development is on a demonstration of local need and benefit.*

The traffic management measures for quiet routes or Greenways are designed to take traffic off the minor rural roads. The Commission has three demonstration projects in progress: the Lake District, the New Forest and Dartmoor. The proposals involve establishing a 40 mph zone or, in some areas lower than 40 mph, to traffic calm an area. Natural features can also help to reduce traffic speed, for example vegetation along the road can reduce sight lines and make drivers more wary and, as a consequence, drive slower. Increasing sight lines encourages increased traffic speed. There is a strong preference to achieve traffic calming through speed management rather than humps. The speed limits are enforced with the cooperation of the local police. There may also be publicity campaigns accompanied by talks in local schools. Consultation is the key to the successful introduction of such schemes as they require cooperation from different groups of road users.

In rural settlements, the Commission would support the provision of lighting in the main streets, but it must be in character with the buildings and not intrusive. Good practice with rural street lighting is where the lights are fixed to the sides of buildings and not located on separate lamp standards. There are also good practice examples from the Netherlands where lights dim in the middle of the night when the streets are unlikely to be used by pedestrians.

Over the years, off-road and on-road systems of movement in rural areas have become very separate with motorised traffic on-road and riders and walkers using bridle paths and footpaths. The real frustration for country dwellers is that there are not as many ways of getting around as they would like and there is a need for more cycle ways, walkways and bridle paths. The Countryside Commission advocates that systems of movement should become more integrated with walking, cycling and riding alongside the car. Changes from the different systems of movement should be seamless to give people maximum choice.

To explore the most effective means of integrating systems of movement, three demonstration projects have been approved in Devon, Kent and Norfolk. In Kent, the project is focused on an area of small villages with a bridle path network surrounded by main roads. The area is badly fragmented by traffic. In Norfolk, the area for the project is on the coast with a high seasonal influx of tourists. The coastal road has very high traffic flows and there is a hinterland of small roads. Norfolk County Council wants to encourage tourism in the area, but with good traffic management to safeguard the needs of local residents and encourage alternative systems of movement.

Early in 1999, the Countryside Commission will be setting up a pilot Transport Advisory Service through its regional offices. This Service will aim to encourage an integrated approach to the exchange of information between local authorities, user groups and transport providers. It will also encourage the exchange of best practice.

The Countryside Commission would consider personal security as part of any strategy but, given the comparative safety of the countryside compared with urban areas, feels it is far more about tackling perceptions i.e. fear of crime than actual incidents. It is also argued that, if more people have the choice to and can be encouraged to walk, ride or cycle, this will make places feel more secure because of the greater numbers using them.

Cumbria County Council: Quiet Routes

The Lake District Transport Strategy agreed by Cumbria County Council, the National Park Authority, Cumbria Tourist Board and the Countryside Commission includes schemes to increase non-car use of rural roads and lanes. One of the demonstration projects funded by the Countryside Commission was at Under Loughrigg near Ambleside. The Under Loughrigg minor road runs north to south. For many years, it has been used as an alternative route to bypass Ambleside by residents and visitors. Its construction is not suitable for the flow of traffic and for some of its length there is

insufficient width for vehicles to pass each other. Visibility is poor in many places because of twists and turns and there are generally no verges. The road is used by walkers to gain access to footpaths and bridle paths. The route has good potential for recreation and the road is part of the Kendal to Keswick cycle route.

An access only order has been introduced on this minor road. The Order was made in 1995 and restricted motor traffic to access only with new signs to enforce the Order. In addition, an advisory maximum speed limit of 20 mph was introduced. Traffic data collected over the last three years has shown that since implementation of the scheme both numbers of vehicles and traffic speeds have been reduced with the majority of traffic now travelling at 20 mph or slower. The monitoring report commented that *the reduction of traffic speeds along this highway has created a much safer and more pleasant environment for users...the change in user priorities has given the adjacent businesses a unique marketing opportunity...as a model pilot scheme, it has achieved the objectives set through the combination of a road traffic order and signing*.

As a further project, the Furness Greenways demonstration project has been successful in gaining funding from the Countryside Commission. The three year demonstration project will investigate how Greenways can be planned with the involvement of potential users and the wider community. The initiative will involve a great deal of grassroots consultation. In year one, the needs of the routes throughout Furness will be explored and in years two and three, the best routes will be designed and constructed. It will cost £150,000 over the three years.

However, there are some concerns about the development of initiatives to reduce use of the car. The Cumbria Tourist Board, in an article in the Westmoreland Gazette in June 1998, commented that the areas £500 million a year tourism industry is almost entirely dependent on car borne visitors and *proposals to limit car transport are therefore a direct threat to these businesses and the economy of the area.* Tourist businesses were said to be very worred about the Lake District Transport Strategy which seeks to limit car borne transport without first putting in place a viable, comfortable, frequent and efficient public transport system.

Personal security is not considered to be a significant issue in Cumbria and has not really formed part of these initiatives. Personal security was not an issue identified in the consultations for the Greenways project nor has it been raised in the consultations with interest groups and others on the TPP. Personal security has tended only to be an issue in relation to street lighting in urban areas.

Key Lessons For Good Practice:

- Although this is an issue which requires further study, there is some indication from our research that changes in the countryside [for example, increased use of villages for commuter homes and the growth of new housing developments] could be increasing concerns for personal security.

- Increased numbers of urban dwellers visit the countryside for leisure purposes and other research has found that these pedestrians are more likely than rural residents to have concerns for their personal security, especially in isolated and lonely locations.

- Measures to enhance personal security and safety, such as the presence of street lighting and pavements, are sometimes resisted as urbanisation of the countryside. There is a challenge to identify good practice which will address concerns for personal security in a way that is appropriate to the rural setting and does not detract from the character and quality of the countryside.

- The demonstration projects in Cumbria have not identified that the reduced opportunities for activity and informal surveillance with less motorised traffic has had any impact on the concerns for personal security by those living in the area. Also, if more people have the choice to and can be encouraged to walk, ride or cycle as a result of these traffic management initiatives, this should make places feel more secure because of the greater numbers using them.

- The extension of the quiet routes concept to areas closer to major conurbations, however, may identify greater concerns for personal security, especially from visitors. In all proposals, the impact on personal security should be assessed and an explicit element of the consultation with local residents and other users.

6.7 Safe or Priority Routes

Most of the safe or priority routes identified in the survey of initiatives were primarily concerned with road safety. Only the Capital Route proposed by Westminster Safer Cities [planning stage only] and Durham City Councils improvements for womens safety along a route into the city centre explicitly focused on concerns for personal security. Although in its early planning stages, the Peterborough Crime Reduction Programme is involved with other partners in identifying improvements to create safer and more secure routes into the city centre.

Edinburgh City Council

In 1990, a study of the pedestrian environment in Edinburgh city centre was carried out and used interview surveys and counts to identify patterns of pedestrian movements and what sign and route improvements were required. The 3,300 interviews identified the origins and destinations of the pedestrian trips and problems with the city centre as a place to walk. The two main problems identified by pedestrians were: too much traffic and difficulty in crossing roads, including not enough crossings, a too long wait for the green person and a general feeling of unsafety in crossing roads.

Almost half of those interviewed said they would walk more under certain conditions: less or no traffic; cleaner and less rubbish; improved public transport; and if it was safer [less than 2% of respondents]. Although personal security was low in peoples concerns, this needs to be in the context that the survey took place in July and interviews took place only from 7.30 am to 6.30 pm and, in some locations, only when the streets were at their busiest [that is Monday to Saturday at midday].

The next stage of the study involved looking at one pilot route in detail and two other routes in less detail with the aim of promoting a series of measures for pedestrian improvement. The main route for the pilot was Forrest Road to Princes Street via the Mound with the proposed link route vis Candlemaker Row and Victoria Street. The first stage of the work was consultation with those with shops and residential properties with frontages along the routes. The response was very favourable and design consultants were employed to identify the measures to improve pedestrian safety, including a central refuge to aid crossing and traffic signals altered to improve the cycle for those on foot. From the after survey results, the improvements have been favourably received by pedestrians as measures to improve road safety.

Key Lessons For Good Practice:

- Since the concept of a safer or priority route replicates the precautions that many pedestrians already take it is likely to be effective in addressing concerns for personal security.

- Concerns for personal security should always be addressed, even where the prime reason for identifying a safe or priority route is for greater pedestrian safety from traffic.
- Consultation with walkers will be a key factor in ensuring the route or routes chosen actually address concerns for personal security and are those which minimise risks for the pedestrian and are perceived to be safe. Improvements to enhance personal security along these routes should also be identified in consultation with pedestrians. Such improvements may include enhanced street lighting, CCTV surveillance and the introduction of Help Points.
- Publicity about and along the route will be required to ensure that all pedestrians, including visitors and infrequent users, are aware of its existence.

6.8 Safer Routes To School

Many of the local authorities responding to our survey of initiatives were in the process of developing safer or better routes to school. Sustrans were also consulted as part of our study.

Risk to their children from strangers is a particular concern of parents and a significant deterrent to independent travel. Sustrans has commented in their newsletter that *although this threat is real, the evidence is that risk of assault is no more prevalent than it was ten years ago. In fact children are far more likely to be hurt in a car accident than attacked by a stranger.* It is also said that *by encouraging more parents and children to share the streets together, surveillance is improved and a sense of community can return to neighbourhoods.* To address these concerns, it is recommended that schools should organise measures, including parental escort schemes or buddy schemes where pupils find a friend with whom to travel.

Often measures to develop safe routes to school have the support of the local police and they are involved in educating children about stranger danger. However, not all those consulted in our study were in favour of identifying and developing safe or safer routes. The North Yorkshire police have concerns that identifying routes will make children and young people more vulnerable because their natural defences will be relaxed in a place or route which they have been told is safe. Ideally, this police force would like the term preferred route used in this context.

Sustrans has identified that the use of footprints are an effective method of identifying safe routes for primary school children, although their impact does lessen with time. Experience of a specific project within the Scarborough area has led a Community Safety Officer with the North Yorkshire Police to comment that it is very unwise to identify routes in this way as it could attract an adult from whom children are at risk. Rather than developing routes, this Officer advocates a more flexible approach through education and training for young people and parents linked to the responsibilities of the Crime and Disorder legislation.

Leeds City Council

Temple Moor High School in Leeds is one of Sustrans national demonstration projects. Most of the measures, introduced in August 1998, involve highways engineering. Sustrans has carried out travel surveys at the school with pupils and parents and will evaluate the impact of the scheme. There was a strong desire to cycle to school, especially amongst younger pupils. Cycling was not permitted because no secure cycle parking was available. The project has included consultations with the young people where concerns for road safety and fear of having their bike stolen were the main concerns.

For the next stage of their work on safe routes to schools, Leeds City Council will identify families of schools [that is a secondary school with their feeder primary schools]. There are difficulties in selecting the most appropriate family of schools because the greater road safety problems tend to occur in the inner city, but the opportunities to switch travel modes away from the car tends to be greater in the outer city. It is thought that the scope for a good demonstration project may be greatest at the outer fringe of the inner city.

The Council also identify a problem with the focus on the journey to and from school when only 25% of child pedestrian accidents occur on school journeys. It is felt that measures tend to be concentrated at the school gates, but evidence shows that most accidents occur away from the school. Sustrans argue that this is why training for young people is such a crucial part of the package as it is important to use the safe routes to school initiative to affect safety and travel behaviour more generally.

For a number of years, Leeds City Council have trained Year 6 children in cycling and now wants to introduce pedestrian training for younger children. It wants to develop a package of training from pre-school on the use of child car seats and advice to parents to their first year in Secondary school. Leeds Councils road safety department have also produced an information and guidance pack for schools and a leaflet for parents on reducing the risks of school gate parking.

Personal security was a priority concern for many parents and deters them from allowing their child to travel independently to school. However, these concerns have not really been addressed. The Council will be considering and including elements on stranger danger as part of its wider strategy for safe routes to school. A road safety officer is involved and the Council will draw in expertise from the local University.

The City Council feels it will be very difficult to isolate and measure the safety impacts of the scheme. It is suggested that best practice guidance for local authorities and schools could include an evaluation pack which is simple and easy to use with questionnaires.

Edinburgh Safe and Healthy Travel To School

Surveys with pupils and parents were carried out at Bruntsfield and South Morningside Primary Schools as a first step to developing safer and healthier journeys to school. The surveys were an important means of identifying the issues for children and parents and ensuring any subsequent measures to increase walking and cycling would effectively address these concerns.

For the parents, the main concerns were about the safety of their children crossing busy roads and for personal security. The survey identified that the measures which would encourage parents to let their children walk to school are traffic calming and road safety initiatives, education for personal security and road safety, and the knowledge that more children were walking. Increased car use was associated partly with the need for children to carry heavy equipment or books to and from school. There was also evidence that the school journey was closely tied to the work journey for at least one parent.

In the survey with children, only a small minority of children mentioned concerns for personal security as a deterrent to walking to school. The main disadvantages of walking were identified as risk of traffic accidents, bad weather, makes you tired and pollution.

North Somerset Council and Backwell Junior School

Safe routes have been developed with primary schools through the Walk to School campaign. The local Parent Teacher Association is expected to take the lead and two road safety officers are

involved to give advice and help with a coordinating meeting. Personal security is a concern for many parents. The Council have commissioned two separate safer routes to school design studies, but concerns for personal security were not explicitly addressed [Allott & Lomax, 1997]. These design studies are being implemented at North Worle and Clevedon schools.

At Backwell Junior School, parents were concerned about the safety of their children crossing a busy rural road with a double bend immediately outside the school. Lorries from the nearby quarry use the road and a crossing patrol is present at the road junction with the quarry road. Highway improvements have taken place in the form of a built out pavement with the consequence that traffic has to slow down significantly and children have a greatly reduced width of road to cross. The school commented on its effectiveness in "*slowing traffic right down while children are still aware that it is a road*". These improvements have been developed in close consultation with the parents.

Concern for the personal security of their children was a significant factor in parents reluctance to allow independent travel to and from school. Such concerns were said to have been reinforced by media reports of incidents involving risks to the personal security of children. To address these concerns, the school advises that there is safety in travelling in numbers and they encourage parents to arrange for their children to call for and travel to school with friends.

A survey carried out with parents at Backwell Junior school found that the highway improvements to reduce the speed of traffic and make crossing the road quicker and safer had impacted positively on parents willingness to let their children walk to school. Among the favourable comments were:

> the walk to school has been made a great deal safer by the traffic calming measures put in place outside the school
>
> it was a conscious decision of ours to avoid use of the car walking is safer now with the improvements and slower traffic, it gives the child independence, walking is a healthier option and theres a lack of car parking anyway
>
> it has made a lot of difference to our decision to let our daughter walk to school, it is much safer immediately outside the gates, but we need the traffic calming measures extended further along the most popular routes

Many parents echoed the last comment that there was a need for new road crossings and traffic calming measures are needed not just at the school gates but further afield. Many children are still not allowed to walk because of busy roads which they still have to cross and a lack of controlled pedestrian crossings and adequate pavements.

Discussions were held at the school with two groups of children. There was general agreement from the young participants that:

> cars have to slow down and now the crossing is much shorter, its safer...but I worry about the cars, it isnt safer for them going through the one space
>
> it has made it safer, with not such a gap between the pavements we can cross the road quicker...

Most of those children who walked to school said they felt safe and secure. All walked either with other children, a parent or a friends parent. However, despite these improvements, there could still be other reasons why they were not allowed to walk to school:

Im not allowed to walk here because where I live there are no pavements and my mum says its far too dangerous

I would like to walk but some people use our road as a short cut and its not safe to walk to school

in the winter, when its dark, then our parents collect us...its much safer that way

Hertfordshire County Council

A pilot project involving two schools in St Albans [Wheatfields Junior and Sandringham Secondary] commenced in May 1996. An important element in selecting Wheatfields Junior and Sandringham Secondary was the enthusiasm and commitment of key staff at the schools. The Council place emphasis on developing safer routes as a key part of developing independence at the end of junior school "*those pupils who walk and cycle in junior school, will do the same in senior school, it is about establishing habits for parents and children*".

The intention of the pilot project is to develop good practice for other schools in the County. The aims of the project were: to improve the safety and well being of those school children who travel to school independently; to give pupils, parents and schools the confidence to make the transition away from travelling by car and towards walking, cycling and using public transport; and to improve the local environment. The project was funded and developed by Hertfordshire County Councils Environment Department in partnership with Mouchel TSC, a civil engineering consultancy.

At the start of the project, Council officers met with teachers and Governors of the schools and a survey of travel habits was undertaken with pupils and parents. The officers went out with parents, as they walked or cycled to school with their children, and obtained firsthand information on how the routes were used. Ownership is the key issue for the success of the initiative: "*parents must own the project, they are the project*". A working party was established of parents, teachers and governors, police, local authority officers, TravelWise and the young people who were involved in the initial working groups. The young people helped to design the promotion material and participated in the competitions production of posters. A local exhibition in May 1997 promoted the initiative to a wider audience "*publicity is crucial to change the hearts and minds of parents generally*".

The key issues for parents were traffic hazards; security and stranger danger; cycling facilities; public transport risks; and pupil visibility wearing dark uniforms on winter days. To address the latter, the Council purchased reflective strips and badges for the young people and high visibility jackets. These are very popular with the young people and all the pupils in the walking bus wear these jackets. Giving out these practical improvements for road safety raised the projects profile with the parents.

The schools developed their own transport plan supported by a green transport teaching pack, developed by Hertfordshire County Councils Road Safety Officers, and promotional material on walking to school. A leaflet providing information on local bus services and promoting public transport was produced because many parents were not aware of what bus services were available.

The school routes and environment have benefited from physical improvements, including new Puffin crossing facilities, improved crossing points, modifications to school access and two modern, bright and open cycle parking facilities purchased from Denmark. Physical improvements are important not just in their own right but also to demonstrate to parents that changes have taken

place which will make the journey to school safer. Designs from the pupils have been very popular additions for the traffic signs and reinforce a sense of ownership.

The schools have also developed their own transport plans and have set targets for the modal shift away from cars. As part of the project, pupils receive cycle training. The Council will be producing a safety pack for starters in schools. Pedestrian safety training is provided by Hertfordshire County Council for parents and pupils.

In addition, to encourage walking and cycling, a system has been developed which gives house points in junior school, and achievement certificates in senior school for those using green travel modes is being investigated. A loyalty card is being developed for children that use the walking bus and it may be used to gain discounts in local shops.

Postcode information on pupils home addresses has been compared with existing bus routes and identified no accessible route for some young people. A new bus route has been introduced which currently takes between 20 and 30 young people to secondary school.

A new junior school bus route has been provided and is used by 30 pupils, 25 of these children used to come to school by car. Hertfordshire County Council is looking at providing an escort service on the bus to take children to and from the playground.

The Walking Bus

The perceived risks of stranger danger was one of the most difficult to overcome. The Council have explicitly addressed these concerns through the walking bus, pedestrian training, safe havens or houses and a bus service which is almost door to door. The parent and pupil can use a number of stops and travel to school, and then the parent can take the bus for the return journey home.

There is one walking bus operating on a fixed route of about a half a mile to the primary school. Pupils are escorted into and out of the playground. The travel survey was used to plot home addresses and identify the route. There are two volunteer parents to ten children, aged 7 to 11 years of age. During the journey, the volunteers also provide the young people with road safety information. The walking bus has stops and does not call door to door and a parent usually escorts their child to the walking bus stop. The walking bus has a trolley to carry bags because one of the problems identified by parents was that pupils have a lot to carry to and from school.

The walking bus was developed in consultations with parents, police and County Council solicitors. All volunteers are checked by the police. Guidelines for parents have been developed by Hertfordshire County Council in association with parents. There have been more walking buses since Autumn 1998.

Safety Houses or Havens

In Canada, safe havens or block parents schemes have been operating since 1968 from houses and flats. There are about 85,000 safe houses in Victoria, Australia each identified with a common sign. Information is distributed to children and parents about the role of safe havens and the safeguards in place. No incident of abuse or threatened abuse involving children and the occupants of a safe house has been recorded.

Hertfordshire County Council will be establishing a small network of safety havens in St Albans, probably from Spring/Summer 1999. The police have been very supportive [sufficiently so to allow the Council to use the police logo in their literature] and closely involved in the selection and vetting. Every potential safety haven will have a home visit and the residents subject to a police

check. The houses will be monitored on a regular basis and everyone has been fully briefed about what is expected of them. Any incident involving a safety house will be reported to the police. It is not anticipated that they will be used except on rare occasions.

Other Councils have also experimented with the concept. In Reading, concerns about risks from strangers were tackled in one part of the Borough by the safe routes project working with Safer Reading to identify community buildings where children or adults who feel threatened in any way could find help and a safe haven. In addition, in seven of the Boroughs schools, maps showing common routes to school, danger points and relevant accident statistics were produced. The maps included safety advice and tips on avoiding stranger danger. The project was funded by £5000 from health promotion and £20,000 has been made available for highway and other physical improvements. A scheme in Scarborough involving safe havens or refuges in shops is being reconsidered after the Community Safety Officer with the North Yorkshire Police voiced serious concerns. Their concern is about the possible abuse of the system and the problems of vetting staff who may change on a regular basis.

Package Funding

Hertfordshire County Council successfully obtained funding for its 1998/99 Local Educational Access Route Network package bid [LEARN]. The LEARN package will help deliver a network of transport links to schools. Among its objectives was to increase the independence and road sense of pupils and give a greater sense of personal safety for pupils and parents. The package bid explicitly acknowledges that personal security is an increasing concern for many parents, with 80% of parents concerned about the personal security of their child whilst travelling to school [Hertfordshire County Council, 1997]. The package scheme measures identified as having a direct beneficial impact on concerns for personal security are enhanced street lighting and CCTV surveillance in subways as well as walking bus, escorted bus services and the development of safe havens.

Key Lessons For Good Practice:

- Although safe routes to school projects generally acknowledge that concerns for personal security exist, most only seek to address these fears through the involvement of the police on training for stranger danger and/or by the assumption that such fears will lessen as more children are seen walking or using public transport. When such measures have been established for longer, assessment of their effectiveness in allaying parents fears would be of benefit. Guidance on best practice to address concerns for personal security should be provided.

- It has been suggested that explicitly identifying safe or safer routes to school can create an environment in which children are more vulnerable and exposed to greater risks, especially from stranger danger. More information is needed from after surveys with parents and children and crime and accident statistics to identify the impact of the introduction of safe routes on incidents and perceptions of safety.

- Experience elsewhere shows that safe havens or houses can be established without creating new risks for children and young people. It also shows that they are only used very occasionally. The selection, vetting and monitoring procedures for the safe havens and their occupiers that are put in place are critical. Guidance on this needs to be made widely available.

- Training has to be a key part of the package for safer routes to school and can influence childrens awareness and travel behaviour on other journeys and not only the journey to

school. Addressing risks to personal security should be a part of such training and simple measures, such as walking in groups or with a friend, should be promoted with parents and pupils.

- Surveys with pupils and parents are a key starting point for developing safer routes to school projects and identifying the issues which have to be addressed. Throughout the process, consultation with pupils, parents, teachers and governors is key to successful implementation and the school must have ownership of the project. It is also of crucial importance that follow up surveys are conducted to identify how successful the safer routes project has been and whether all concerns [especially that of risks to personal security] have been effectively addressed. Also, the very nature of a school means consultation with parents and pupils has to be a continuous process to take account of each years new intake.

6.9 Campaigns To Encourage Walking and Other Alternatives to the Car

Business TravelWise Hertfordshire County Council

Hertfordshire County Council initiated its TravelWise campaign in 1993 as an integral part of a wider transport policy review. The campaign seeks to raise public awareness of the problems associated with ever increasing volumes of traffic and the need for a reduction in car use. The Council have defined a four stage process to the campaign:

- *awareness* raising awareness of the predicted growth in traffic
- *acceptance* increasing acceptance that individuals can contribute to the solution
- *attitudes* changing attitudes among the public towards car use
- *action* changing travel behaviour to reduce car use

Since 1993, TravelWise has developed with programmes that target the Councils own employees, schools, businesses and local residents. These programmes have used promotional events, written information, videos, theatre in education, consultancy to businesses to develop green travel plans and school based projects.

Business TravelWise is a part of the wider TravelWise campaign. Business TravelWise looks at ways in which local businesses can work together in: accepting their responsibility to reduce traffic congestion in the County; acknowledging that they can make significant changes to influence the problem; and developing initiatives such as car sharing, homeworking, telecommuting, flexible working hours, and use of the alternative modes of walking, cycling and public transport.

It was launched in September 1996. Members have appointed their own Business TravelWise Coordinator whose role is to promote good practice within their individual business. The Chamber of Commerce is committed to and involved in the Business TravelWise initiative.

As part of the Business TravelWise programme, the Council provides an information pack to businesses to raise awareness and encourage use of alternative modes of travel to the car. The information pack places great emphasis on the health benefits of alternative modes of travel, but the section of walking does not refer specifically to personal security. Council officers have commented that this was in order not to raise an issue of perceived dangers.

Other actions within the Business Travelwise initiative have included:

- helping small businesses [on a business park] to work together for the relocation of poorly sited cash points and encourage walking to and from the facility;
- providing maps of local walking routes to employees; and
- organising lunchtime walks as tasters to encourage local employees to walk more for leisure.

Glaxo is a major employer locally and is committed to the Business TravelWise initiative. The Coordinator within the company has recently organised and been responsible for carrying out a survey of all employees on their travel patterns to and from work and the scope for using alternative modes.

Since concerns for personal security was not an issue raised during its development, this is why it was not specifically addressed through these initiatives.

Walk To School Campaign Backwell Junior School, North Somerset

Many schools participate in Walk to School campaigns to influence the travel habits of children and their parents. In North Somerset, Walk to School campaigns have been in place since 1996 with infant, junior and secondary schools taking part. All families are encouraged to walk all or at least part of their journey to and from school. In the first year of Walk to School week at Backwell Junior School, the Councils Road Safety budget paid for a second school crossing patrol outside the school. This resulted in many more children walking all the way to school as parents felt the route was much safer. In the first year, the campaign was spearheaded by the school and had a high profile. In the second year, the Parent Teachers Association took ownership.

A management group of parents, teachers and governors was established for the Walk to School campaign. This group identified the benefits of walking to school as: providing regular exercise for children; giving parents the opportunity to develop road safety skills and awareness in young children; older children become more independent and practise skills learnt at an early age; social friendships develop walking to and from school; pedestrians suffer less from traffic pollution than those passengers travelling by car; and if more children walk rather than travel by car, traffic dangers are less for everyone.

Parents also identified the risks or problems which deter them from letting their children walk or walking with their children: cars parked close to the school; fast traffic; lack of safe pavements; vegetation obscuring views of the road; shortage of time; and the pavements blocked by secondary pupils moving en masse and using threatening behaviour. Interestingly, there was no mention of risks to personal security, but this may be because the walk to school initiative would only last a week and the children would either be walking in a group or with their parents. Also, the campaign newsletters publicised that the police would be in attendance.

To encourage children to walk to school during the campaign week a record card was stamped, and those stamped for all five days were given entry to a school organised disco in the first year, and were allowed a non uniform day in the second year. The schools follow up newsletter commented *what a success this week has been! The roads around the school have been completely clear of parked cars. Hoards of children and parents have been filing up the hill, chattering together and getting valuable exercise. Children have become more independent and road safety conscious.* Statistics show that over 90% of pupils walked to school in the two years of the campaign.

Although lasting only a week, the survey with parents at the school highlighted that the walk to school campaign did raise awareness of the benefits of walking and influenced future travel

patterns. The relationship between the campaign and the introduction of highway improvements for safer routes to school was also a key factor in influencing parents to allow their children to walk. The concerns for the environment and the healthy benefits of walking were emphasied in some of the parents comments:

> I am very keen for my children to be able to walk to school for both health and environmental reasons. We moved to this house as this allowed for this. Before we moved, we had to car pool the children
>
> it is so much better for children to walk to school. Its not just healthy but it builds up their friendships. Thats what is so good about the walk to school week, it shows to children and other parents what fun it can be

Some parents identified a problem with being excluded from the school bus:

> I would send my children to school in the school bus but we are excluded from this provision because our children dont attend their nearest primary school. Bending this rule would greatly cut down on parents taking their children to school by car. We have no other choice at present

In the focus group discussions with children at Backwell Junior School, pupils commented on its success:

> everyone was walking, it was brilliant!...there were only about ten people who did not walk
>
> I enjoyed it, but then I walk to school every day...but it was good to have so many children walking and mums as well
>
> I come a long way and couldnt walk it all, but my mum parked the car away from the school and we walked with everyone else
>
> it was really quiet with everyone walking...just a lot less cars...there were six groups of walkers in the road coming down to school

Key Lessons For Good Practice:

- Walk to School campaigns are popular and can be highly effective in raising the profile of walking amongst parents and children, although their longer term effect on travel behaviour may not be significant unless linked to initiatives such as the development of safer routes to school, highway improvements for road safety and addressing concerns for the personal security of pupils.
- The shorter term nature of the Walk to School campaigns [usually a week or one-off event] can mean that concerns for the personal security of children is not a significant deterrent to participation. Also, the assumption that much greater numbers will be walking in groups and the participation of parents and possibly the police is also likely to reassure the families participating.

6.10 Other Initiatives To Encourage Walking

Encouraging Walking in Rural Areas Hertfordshire County Council, Countryside Management Services

The Councils Countryside Management Service is involved in encouraging employee volunteering for environmental improvements. A Director of Du Pont Pharma, on secondment from the United States, introduced the concept to the European company of employees being offered at least one paid working day which they could use on an element of public service. In Hertfordshire, the employees have worked with the Countryside Management Service and used their Public Service days on environmental improvements. For example, at a local nature reserve, Du Pont Pharma employees worked to manage and improve wet land and build a dry wall, and improved the overall environment on a local walking route through the countryside.

A small group discussion with some of the staff from Du Pont Pharma who participated in this initiative identified the extent to which Public Service days are an integral part of the ethos of the company "*to give back something to the community where they are based*". The staff identified "*double benefits with a chance to work with colleagues and learn new skills*". From the start, the staff at the Hertfordshire offices were keen to work outside and had good links already with the Countryside Management Service. In 1997, a group of staff chose to improve facilities at a picnic site along a local walk in the countryside. Two wooden benches were built and posts and picnic tables were repaired and the site improved generally. Personal security was not an issue which was within the scope of the initiative.

Another one-off initiative involved a local group for mothers and toddlers. A mother contacted the Countryside Management Service to ask for help in identifying a short, safe route for those in the group who wanted to take part in a sponsored walk. The Service made contact with the group, health visitors and local doctors and identified there are many actual and perceived barriers to those wanting to walk for leisure, including concerns for personal security.

The Countryside Management Service gave a presentation to mothers with the key points that: the area is attractive for leisure walking; expensive equipment is not required to enjoy the countryside; it can have strong benefits for fitness and health; some paths and sites are buggy accessible; and walking is fairly safe and can be made even safer by following a few tips. Those receiving the presentation were given leaflets showing locally promoted routes and were offered escorted taster walks.

It was not possible to make contact with the mothers and toddlers group, but a similar approach had been tried successfully with a hearts rehabilitation group at the Lister Hospital. Regular walks are organised during the evening in summer and at the weekends during the winter. A group of seven men and five women was accompanied on an evening walk through the Hertfordshire countryside. Aged between fifty and seventy five years of age, many members of the group had either recently suffered a heart attack or had been in receipt of heart by-pass surgery. They were in different stages of recovery. Walking and participation in this group activity were important for rebuilding personal confidence, especially after a heart attack. One participant described, soon after the attack, he "*went out late at night because I felt ashamed at not being confident of walking...it was like being a baby again*".

Being part of a group made people feel more confident that help would be on hand should they feel unwell. The leader always pre-walked the route, carried a mobile phone and always took great care to follow the routes recommended and signposted by the Countryside Management Service. Walking in a group meant that participants, women and men, felt secure and the greatest risks were associated with rural roads with no pavements or street lighting and fast moving traffic. In particular, women members of the group said they would not feel secure walking alone in the countryside because a violent incident "*could happen anywhere*". Participants in the activity felt the initiative was excellent for better health and to safeguard personal safety and security. The walk

was "*really a social event. People are much less aware of the distance covered because they are talking and enjoying each others company*".

Other initiatives to encourage rural walking include action to tackle the problem of isolated car parks and associated theft from and of vehicles. The Countryside Management Service are developing a scheme with rural pubs whereby walkers can park their vehicles in pub car parks where the opportunities for formal and informal surveillance are usually greater. Car drivers participating in group walks for those recovering from heart attacks or surgery have arranged with a local pub to use its car park.

The Countryside Management Service have also produced a variety of leaflets promoting routes to encourage people to explore the countryside in Hertfordshire and north London. Independently, the All Saints Pastoral Centre has published a leaflet describing a prayer walk in St Albans.

Encouraging Walking in Urban Areas Edinburgh City Council

In the Dalry and Gorgie district, there is a linear shopping centre with four storey tenement housing. The shopping centre has gradually declined because of the decreased population and more popular alternatives outside the district. The City Council held local consultations and most local residents wanted the shopping centre to be revived. Although the shopping centre does not have a large catchment area, new housing is being built in the area and the population will start to increase.

The City Council wants local people to use and walk to the local shops. Consultants have been employed to identify the required improvements to the centre and identify routes to the shops which will be safer, more pleasant and cleaner. Council officers do not identify that personal security is really an issue since most users will walk to the centre during the daytime. The initiative is primarily about the environment, sustainable transport and enhancing the local economy. The improvements will be environmental and involve marketing of the shopping centre.

The City Council also has initiatives to encourage tourists to walk around Edinburgh. To that end, the Council is promoting guided trips on foot, including evening tours. The Council is currently looking at ways of marketing these more widely as a small business initiative to provide information to tourists. It will also encourage firms to set up specialist walking trips. Again, concerns for personal security are not identified as an issue. Another initiative by the City Council has been the publication of a free guide to a route linking the homes of Edinburghs most outstanding women [1997].

Key Lessons for Good Practice:

- Although these initiatives to encourage walking did not explicitly acknowledge or seek to address concerns for personal security, there was evidence that security was enhanced by encouraging groups of people to walk in rural area. The initiative with the mothers and toddlers group appears to have been particularly effective in encouraging rural walking and addressing womens concerns for personal security. This kind of relatively inexpensive initiative could be replicated as good practice.

- The initiatives to encourage urban walking should routinely assess and address concerns for personal security, including for tourists.

References:

Allott & Lomax Consultants *Weston Super Mare Safer Routes to School Design Study* North Somerset Council, 1997

Community Enterprise in Strathclyde [CEIS] *Final Report: Evaluation of the City Centre Representatives* 1996

Coupland, A [Editor] *Reclaiming the City: Mixed Use Development*, Pettersson G Crime and *Mixed Use Development* 1997

Cumbria County Council

Lake District Traffic Management Initiative Monitoring Report Elterwater Restricted Zone, February 1997

Lake District Transport Strategy Prevention of Through Traffic U5532 Under Loughrigg,Ambleside Monitoring Report, June 1997

Greenways Demonstration Project a bid for South West Cumbria, 1997

Edinburgh City Council

Hidden Figures, The 1997 Edinburgh Womens Safety Survey 1997

Walking Initiatives for Local Retail Vitality and Tourism in Central Edinburgh

Walk to the Shops Initiative in Dalry and Gorgie 1998

Edinburgh Womens Achievement Trail 1997

Edinburgh Health Challenge and Save the Children *Safe and Healthy Travel to School Surveys carried out in Bruntsfield and South Morningside Primary Schools*, 1998

Essex County Council

Guides for Teachers for Traffic Education for Children in Primary, Secondary and Special Needs Schools 1997

Pedestrian and Mobility Policy 1996

Leeds City Council *School Gate Parking, Schools Resource Pack* 1997

Lothian Regional Council *Walking in Edinburgh and the Lothians, A Pedestrian Strategy*, 1996

Ross Silcock Ltd with Llewelyn-Davies Final Report, *Scoping Study: Minor Road Networks for Informal Countryside Recreation* Countryside Commission, 1997

Short and Ditton *Seen and Now Heard: Talking to the Targets of Open Street CCTV* British Journal of Criminology, Vol 38 No 3, Summer 1998

Sustrans

Temple Moor High School, Leeds, Report on the Safe Routes to Schools Project 1997

Safety on the Street for Children Information Sheet, November 1996

The Big Issue in Scotland *Secret Police Video Beggars* July 16-22 1998

Chapter 7:
Conclusions and Recommendations

7.1 Personal Security Issues in Pedestrian Journeys

There is a sharp distinction between feelings of personal security for pedestrians during the day and after dark. On the whole, people feel safe walking in their neighbourhood during the day, although there are some places [such as some inner city high crime areas] where even this feels unsafe. During hours of darkness, however, people feel markedly less safe walking in their neighbourhood.

In general, people living in urban areas feel safer in areas which are busy with people going about their daily activities. In contrast, those in rural areas tend to enjoy a greater sense of security in quiet and even secluded areas. However, personal security is still a concern for rural residents and this concern appears to be increasing as more villages become dormitory communities where fewer residents know their neighbours.

Women feel less safe than do men. Women are more worried about being the victim of a street-based crime and worry more about sexual assault or rape and being stopped by kerb crawlers.

Younger people are least likely to feel unsafe, while people over 45 years are more likely to either feel unsafe, or simply not go out after dark. Young women are still more likely than young men to feel unsafe walking alone and they are more fearful than older women of sexual assault or rape.

Although the sample was comparatively small, and the findings should therefore be treated with caution, ethnic minority residents are more likely to feel unsafe walking alone in their neighbourhood than are their white counterparts.

The most important factors which contribute to peoples feelings of unsafety are people hanging about, poor lighting, and places for strangers to hide. Lonely places and the presence of drunks are also of significant concern, as are subways and alleyways. On the whole, these personal security issues appear to be of greater importance for many people than safety issues such as uneven pavements, fast traffic or busy roads. However, uneven pavements in particular are a major concern for older people and fast traffic or busy roads for parents with school aged children.

The most common precautions taken when going out after dark are to make sure of transport home, and to avoid certain types of people or certain places. People living in large cities or urban conurbations are more likely than others to take these precautions. More women than men take precautions against risk from crime, and older people tend to take more precautions than younger people.

Except where people have restricted mobility, there appears to be a willingness by people to walk substantial distances. Nearly half [47%] of people aged between 25 and 45 expressed a willingness to walk for over 30 minutes on a fine day.

The main inhibitor to walking on short journeys is the need to carry heavy shopping. Personal security appears to be of less importance. On longer journeys the main advantages of the car over public transport appear to be speed, flexibility and convenience. Again, personal security is of less importance.

There appears to be considerable scope to encourage walking and use of public transport on trips to and from leisure venues, especially those which are not alcohol-focused. Many people already walk or use public transport, including taxis, to travel to and from venues which are alcohol-focused.

For parents of children in urban and rural areas alike, concern about traffic accidents are the main reason for not allowing a child to walk to school. For parents in urban areas, concern for a childs security from attack is also a major consideration, whereas for parents in rural areas this does not appear to be such a significant factor.

7.2 Measures to Improve Pedestrian Security

During the last decade there has been a significant shift in thinking, reflected in Government policy with greater priority now being given to walking, cycling and use of public transport. Many measures designed to improve the pedestrian environment are aimed at increasing *personal safety from traffic*, but few are aimed at enhancing *personal security*.

One of the barriers to ensuring pedestrian strategies deal adequately with concerns for personal security is that those usually responsible for developing the strategy are highway, road safety and traffic management professionals. Rarely do they have knowledge of community safety issues and, as most tend to be male and regular car drivers, their firsthand experience and perception of pedestrian concerns may be very restricted.

By their nature, ***campaigns*** promote the positive features of walking. Not surprisingly, none appear to refer to personal security, probably because it is believed that to do so would generate concern and run counter to the campaigns aim to encourage walking. However, the success of some campaigns will be lessened or even jeopardised, if the impact of fear for personal security is not recognised and addressed.

Pedestrian strategies and audits are a means of identifying required measures and coordinating initiatives to promote walking, and ensuring that routes are established which meet the needs of pedestrians. Issues addressed tend to include safety and environmental improvements such as wider pavements, street furniture and controlled crossings, but some also relate to personal security features such as lighting and maintenance of vegetation.

A concern about focusing any measures on one area is that this displaces crime and anti-social behaviour. From the literature, there are mixed views on whether displacement actually takes place, but clearly the perception of pedestrians is that residential areas and those at the fringe of town and city centres have tended to be neglected and are thus more risky.

The planning and management of ***pedestrianisation*** in town centres and residential areas is usually traffic management led with the prime objective to increase pedestrian safety and convenience. Issues of personal security, especially after dark, are rarely addressed or given similar priority. Many pedestrianised areas in town and city centres can become very quiet and lonely when the shops close, leading to concerns for personal security and avoidance by pedestrians.

While most measures aimed at improving the pedestrian journey focus on the physical environment, ***on-street assistance*** through representatives or wardens provides a personal presence to guide, assist and reassure pedestrians, especially those unfamiliar with the area. Ironically, personal security is not generally seen by those responsible as being a substantive part of their role, and because the representatives only patrol during the day, the impact of their presence on personal security is limited.

Another form of on-street assistance is the use of CCTV and Help Points, by which pedestrians can summon assistance, and those controlling the area can monitor activity and target a response to incidents.

In rural areas, ***quiet routes and Greenways*** have been developed to reduce the volume and speed of traffic in rural areas. Measures include traffic calming and encouraging the greater use of rural roads and lanes for walking, cycling and riding. Once again, however, there is a potential conflict between the need for quiet and the fear of isolation and fewer opportunities for informal surveillance.

Partnerships between local authorities and transport operators can contribute by addressing personal security concerns across the whole journey. Most of these focus on train stations and their immediate environment.

In response to the growing trend for young people to travel to school by car, many local authorities are involved in developing ***safer routes to school.*** On the whole, these initiatives address safety concerns, by introducing measures for traffic calming and safer road crossings, and few explicitly tackle issues of personal security except to give advice to children on stranger danger.

The ***Crime and Disorder Act 1998*** places a statutory duty on local authorities and the police to produce in partnership a strategy for tackling crime and disorder in their area. It also presents an important opportunity for the personal security concerns of pedestrians to be addressed as part of this strategy.

7.3 Key Lessons and Recommendations from the Case Studies

Pedestrian Audits and Perception Surveys

1.Many local authorities only carry out pedestrian audits for new developments, mainly in town centres and for retail developments. As routine practice, pedestrian audits should be more widely and systematically applied to existing as well as new developments.

2.These audits should not only be conducted on routes leading to and within shopping centres but also to and from local employment centres [including industrial estates and business parks], and major leisure facilities.

3.In addition to data on pedestrian flows, accessibility, traffic management and accidents, the audits [conducted by day and after dark] should address concerns for personal security by including: assessment of street lighting; sightlines; recesses and other places for people to hide; informal surveillance; street furniture; pavement parking; condition of pavement and litter; and security at bus stops and shelters.

4.Involving pedestrians is a key factor for ensuring concerns for personal security are both included by the audit and addressed by the recommended improvements. Training of local people to undertake the audits can be an effective way to involve pedestrians.

5.As routine practice, street crime incident data and findings from perception surveys should contribute to the audit process and inform proposals to make the walking environment more secure.

6.As good practice, representatives from local pedestrian groups, the police and local authority community safety officers should be involved in the design of the audit and consulted on its findings.

7.Data from pedestrian audits should be used to target areas for enhanced street lighting, inform decisions to rationalise street furniture, and recommend design changes to provide clear sight lines, improve informal surveillance and avoid hidden recesses. Findings from the audits could also be used to inform the frequency of police patrols.

Pedestrian Strategies

8.Pedestrian strategies should identify specific local concerns for personal security and those places and situations where pedestrians feel most at risk. The strategy should detail ways in which these concerns will be addressed.

9.Highway and traffic professionals need to be made more aware, through training and information, of pedestrian concerns for personal security and the impact of such concerns on decisions to walk.

Town centres: Pedestrianisation, CCTV, Help Points, and Action on Begging

10.The scale and design of pedestrianised areas should not contribute to pedestrian fears for personal security. Guidance on the scale and design of pedestrian priority areas should identify how issues of personal security can be addressed and how a mix of uses can extend the hours of activity.

11.Passing traffic can make pedestrians feel more secure and less isolated. However, the suggestion that some pedestrianised areas could be opened up to traffic in the evenings should be treated with caution. Pedestrian confidence in their safety from traffic could be undermined if drivers were to become confused about the hours of access to such areas.

12.The findings from pedestrian audits and surveys should be used to identify the location of CCTV cameras. If possible, consultation with local pedestrian groups should also be part of this process.

13.Guidance on measures to improve pedestrian security needs to address concerns that siting CCTV in town centres may displace the problem to other areas.

14.The presence of CCTV and Help Points needs to be regularly and well publicised. The publicity needs to inform pedestrians of the response they can expect when using a Help Point.

15.Neither CCTV nor Help Points alone will make people feel safer. Activity and the presence of more pedestrians needs to be encouraged through land use and planning policies.

On-street Assistance

16.Uniformed people providing on-street assistance can make pedestrians feel more secure, but this is not the main purpose of their role. The job description of City Centre Reps should include their role in enhancing the personal security of pedestrians and this role should be given a higher profile in the induction and training programmes.

17.Consideration should be given to extending the hours during which City Centre Reps patrol. Pedestrians feel much less secure after dark, and the presence of patrolling Reps could help address some concerns.

18.The parallel role of the graffiti and litter cleaning squad attached to the City Centre Reps in Glasgow has had a considerable impact in reducing flyposting and maintaining a cleaner city centre. Other on-street assistance initiatives should consider the involvement of a graffiti and litter squad.

19.The development of best practice guidance would be beneficial to assist other towns and city centres who are introducing on-street assistance.

20.Lack of adequate funding for City Centre Reps often restricts their role or the scale of their activities and this needs to be addressed through the guidance.

Pedestrian Initiatives in Rural Areas

21.There is some indication that changes in the countryside [such as increased use of villages for commuter homes and the growth of new housing developments] could be increasing concerns for personal security.

22.Increased numbers of urban dwellers visit the countryside for leisure purposes and otherresearch has found that these pedestrians are more likely than rural residents to have concerns for their personal security, especially in isolated locations.

23.Measures to enhance personal security and safety, such as the presence of street lighting and pavements, are sometimes resisted as the urbanisation of the countryside.

24.There is a challenge to identify good practice which addresses concerns for personal security in a way that is appropriate to the rural setting and does not detract from the character and quality of the countryside.

25.The demonstration projects in Cumbria have not identified that the reduced opportunities for activity and surveillance with less motorised traffic has had any impact on the concerns for personal security of those living in the area. Also, if successful in encouraging walking and cycling, they should enhance perceptions of security by the greater numbers of people using them.

26.The extension of the Quiet Routes concept to areas closer to major conurbations, however, may identify greater concerns for personal security, especially from visitors. In all proposals, the impact on personal security should be assessed and be an explicit element of the consultation with local residents and other users.

Safer or Priority Routes

27.By choosing to walk along routes which they assess are likely to be the busiest, many pedestrians are implicitly defining a safer route for themselves. Since the concept of a safer or priority route replicates the precautions that many pedestrians already take it is likely to be effective in addressing concerns for personal security.

28.Concerns for personal security should always be addressed, even when the prime reason for identifying the route is to improve safety from traffic.

29.Consultation with pedestrians will be a key factor in ensuring the route or routes chosen actually address concerns for personal security. Improvements to enhance personal security along these routes should also be identified in consultation with pedestrians. Such improvements may include enhanced street lighting, CCTV surveillance and the introduction of Help Points.

30.Publicity about and along the route will ensure that all pedestrians, including visitors and infrequent users, are aware of its existence.

Safer Routes to School

31.Although safe routes to school projects generally acknowledge that concerns for personal security exist, most seek to address these fears through the involvement of the police on training for stranger danger and/or by assuming that such fears will lessen as more children are seen walking or using public transport. When such measures have been in place longer, an assessment of their effectiveness in allaying parents fears would be useful. Guidance on good practice to address concerns for personal security should be provided.

32.It has been suggested that explicitly identifying safer routes to school can create an environment in which children are more vulnerable and exposed to greater risks, especially from stranger danger. More information is needed from surveys with parents and children, and from crime and accident statistics, to identify the impact of these measures on safety and security.

33.Experience elsewhere shows that safe havens or houses can be established without creating new risks for children and young people, and that they are only used very occasionally. The selection, vetting and monitoring procedures for the safe havens and their occupiers are critical. Guidance on this needs to be made widely available.

34.Training can raise childrens awareness and influence their behaviour on other journeys as well as the one to school, and should be a key component in the safer routes to school package. Addressing the risks to personal security should be a part of such training and simple measures, such as walking in pairs or a group, should be promoted with parents and pupils.

35.Surveys with pupils and parents are a key starting point for developing safer routes to school projects and identifying the issues which have to be addressed. Throughout the process, consultation with pupils, parents, teachers and governors is a key to successful implementation and the school must have ownership of the project. Also, the nature of a school means that consultation with pupils and parents has to be a continuous process to take account of each new years intake.

36.It is of crucial importance that follow-up surveys are conducted to identify how successful the project has been and whether all concerns [including that of risk to personal security] have been effectively addressed.

Campaigns to Encourage Walking

37.The short term nature of such campaigns [usually a week or one-off event] can mean that concerns for personal security does not deter participation. Also, the assumption that much greater numbers will be walking in groups and the participation of parents [and possibly the police] is likely to reassure families participating.

38.Walk to School campaigns are popular and can be highly effective in raising the profile of walking amongst parents and children, although their longer term effect on travel behaviour may not be significant unless linked to initiatives such as the development of safer routes to school, highway improvements for road safety, and addressing concerns for the personal security of pupils.

Other Small Scale Initiatives to Encourage Walking

39.Small scale initiatives to encourage walking by addressing the concerns of specific groups [such as women and people who are physically vulnerable] can be effective and relatively inexpensive.

40.Initiatives to encourage urban walking should routinely assess and address concerns for personal security, including for tourists.

Appendix 1:
Household Survey

Response Rates By Area

A self completion questionnaire was completed by 902 households resident in the following types of locations. The overall response rate was 43%. The number of questionnaires and response rates by individual area are shown in bold:

1 suburban social housing area, mainly houses, in a Welsh city [**121 questionnaires 40%**]

2 deprived inner city area with high rise flats, large ethnic minority population and low car ownership in the West Midlands [**119 questionnaires 40%**]

3 residential area, mainly owner occupied and close to canal in small Midlands city [**122 questionnaires 41%**]

4 rural villages and isolated farms in East Anglia with high car ownership [**149 questionnaires 50%**]

5 central residential area with high population turnover and low car ownership in large seaside town in the South East [**145 questionnaires 48%**]

6 mixed tenure, suburban area with back alleys and close to busy shopping centre in major North West city [**124 questionnaires 41%**]

7 middle class residential areas in inner London adjacent to localities with high crime rates and poor reputation [**122 questionnaires 37%**]

Table 1: Profile of Respondents by area

	Area 1	Area 2	Area 3	Area 4	Area 5	Area 6	Area 7	Totals
Women	56%	51%	66%	65%	49%	61%	58%	58%
Men	44%	49%	34%	35%	51%	39%	42%	42%
With Children	20%	30%	29%	30%	10%	32%	34%	25%
Disability	34%	28%	19%	19%	14%	24%	10%	21%
White	98%	53%	92%	97%	91%	96%	63%	85%
Ethnic Minority	2%	47%	8%	3%	9%	4%	37%	15%
18 to 44 years	35%	43%	47%	35%	54%	39%	51%	43%
45 to 59 years	27%	26%	31%	28%	20%	23%	22%	25%

60 years plus	38%	31%	22%	37%	26%	38%	27%	32%
Car owning	64%	35%	77%	83%	43%	58%	69%	62%

Appendix 2:
Respondents in Focus Groups For Escorted Journeys

A focus group was held on each of five selected routes displaying different features of the walking environment. The following locations were used for the escorted journeys and focus groups:

a. a large pedestrianised area in a small city centre with a number of pubs and subways leading from the bus station;

b. a rural walk through a village with surrounding countryside, the absence of public transport was known to be a critical issue locally;

c. a walk through streets, a park, a local shopping centre and alleys in a residential area of a large city;

d. an inner city area including a busy shopping centre and edge of a large open space; and

e. a walk from an area with a high Asian population through subways and shopping area.

In total, 40 people attended the five focus groups which included escorted journeys. The number of participants at the individual groups ranged between 11 and 6. One group was held with all women and one with all Asian participants. Over all groups, two thirds of participants were women. There was a cross section of age ranges: a third were aged 25 years or younger, nearly half of middle age, and a fifth were older people. A fifth of all participants came from ethnic minority communities.

Schedule of Issues for Focus Groups, following Escorted Journeys

1. Familiarity with the area, route would they normally walk here alone after dark? would they anywhere?

2. How they think the area has changed over time has it made them feel safer or less safe, and why?

3. What they think is a reasonable time to walk does this vary with times of the day? weather and the seasons? when they are with other people or on their own? what other factors influence how long they are prepared to walk [is safety one of these]?

4. What makes them feel uneasy when they are walking? Details of why they are uneasy is it linked to times of the day?, specific locations [lonely places, pubs]? or other factors?

5. What precautions do people take while out walking in this area do they avoid certain places?, avoid certain people?, carry a personal attack alarm?, carry a mobile phone for safety?, an umbrella or stick?, always go out with someone else after dark? Anything else?

6. What do they think could be done to reduce the concerns for people who are walking? How is it possible to make it safer for people? If it was safer would they walk or would other factors still stop them [such as, convenience, carrying heavy shopping, time]?

7. What about road traffic speed, busy roads, lorries the width of the pavement or no pavement, the roads they have to cross, do they have to use subways or underpasses? Uneven pavements? How do all these influence their attitude towards walking?

8. Where do they feel safer when walking in the country: no pavement, can be isolated, trees and bushes, no lighting, but know most people; or in the town or city: more traffic, more people, pubs

and clubs, can be people hanging about, know fewer people and there are lots of strangers, but not isolated and escape routes can get on a bus or stop a taxi?

9. If they have children, do they allow their children to walk to school or use public transport? if yes, what are their concerns and if not, why not? What would encourage them to allow their children to walk to school or use public transport?

10. How many car users how regular are there trips which they need not make by car could walk or use public transport why not? What could be done realistically to get them to change from the car? How important are personal security issues within this?

11. Any experience of crimes/anti social behaviour when out walking [thats seeing it happen as well as being the victim]? when, very brief details. What effect, if any, did this have on you and your attitude towards walking?

Appendix 3:
Issue for Case Study Evaluation

Basic Elements

Although the case studies chosen are very different in content, process and outcome, each evaluation needs to address five basic elements:

1. what problem[s] or issue[s] prompted the introduction of the initiative or project?

2. what have been the aims and outcomes of the initiative or project and who has benefited and how?

3. how far has the initiative or project met its objective[s]?

4. how effective is the process as a means of delivering the initiative or project?

5. to what extent could the initiative or project [in whole or in part] be replicable elsewhere and what would be the ingredients for success?

Required Background to the Evaluation

Information on the aims of the project or initiative.

Description of the project or initiative.

Identification of key personnel involved. As well as interviewing managers involved in the project/ initiative, it is important to talk to frontline staff who have been involved or have experience of its effectiveness.

If it is possible to obtain information about the cost and where the funding came from.

Any written material on the evaluation of the project/initiative.

Issues For The Five Basic Elements

1. What problem[s] or issue[s] prompted the introduction of the initiative or project?

Broad description of the kind of problems faced by the Authority/ Company

Were the issues or problems leading to the development of this initiative mainstream or special?

Were issues around community safety or nuisance the main reason why the initiative or project was developed or were other issues [for example, revenue, road safety, environmental] more or equally important?

Is there any written material/statistics available on the kind of problems faced? Are there contacts [for example, police, bus company maintenance staff] who could provide information on the scale of the problem or its cost?

2. What have been the aims and outcomes of the initiative or project and who has benefitted and how?

3. How far has the initiative or project met its objective[s]?

Has there been adequate time to identify outcomes or changes resulting from the project/initiative?

Are there any measurable outcomes from the project/initiative? Do they show any improvement in the problem/issue? Were these changes due solely to the project/initiative or could have they been the result of other initiatives or elements of the wider programme?

What are the views of managers and frontline staff on the effectiveness of the project/initiative and how has it met expectations?

What are the perceptions of other agencies [e.g. police] on the effectiveness of the project/initiative and how has it met expectations?

Is there any information available on the views of those who have been involved in the project/initiative pedestrians, parents?

4. How effective is the process as a means of delivering the initiative or project?

How long has the project/initiative been in existence? how long did it take to set up or develop? Is the project/initiative still live or has it ended? If no longer live, are there any plans to continue or revive the project/initiative?

Are there elements of the project/initiative not yet in place or complete?

Has the project/initiative been developed as planned or are there differences changes made as it developed?

Is the project or initiative part of a wider programme or package directed towards improving pedestrian security or is it a one off?

If part of a wider programme or package, is the project or initiative capable of standing alone or does it rely/is an integral part of this wider programme? Is there any written material on this wider programme or package?

Were there problems or difficulties in getting the project or initiative accepted and/or funded? What were these problems or difficulties?

Was the project/initiative set up or supported by a multi agency group or committee? What agencies or service providers have been involved at the start and as it has been developed? How has the involvement of different agencies or service providers changed over the life of the project/initiative?

Has the project/initiative received support from a key champion within or outside the organisation [for example, politician, director]? To what extent has the support of this champion been important for the acceptance and/or the development of the project /initiative?

How much did the project/initiative cost? How was it funded? Is the funding time limited and what impact if any has this had on the success of the project/initiative?

Is there anything that should be changed about the process of the project/initiative? How would these changes improve its development or effectiveness?

5. To what extent could the initiative or project [in whole or in part] be replicable elsewhere and what would be the ingredients for success?

Was the project/initiative designed to tackle issues or problems which are known to be more than local?

Are there aspects of the project/initiative which relied exclusively on local circumstances which are not more widely available?

If the project/initiative has been successful or effective, are there key reasons for this and to what extent could these be replicated elsewhere?

If there are ways in which the project/initiative did not work, how could these be avoided elsewhere?

Would replication of the project/initiative rely on the introduction of a wider programme or package?

Personal Security in Pedestrian Journeys:
Report by Social Research Associates

Acknowledgements

With thanks for help to:

The Suzy Lamplugh Trust, Leicester City Council, Wolverhampton Borough Council, Southend Borough Council, North Kesteven District Council, Washingborough Parish Council, Nottingham City Council, Centro, Travel West Midlands, Nottingham City Transport, Prism Rail Plc, LTS Rail.

Personal security issues in pedestrian journeys Executive Summary

Introduction

This report presents the results of a series of case studies designed to provide insights into the concerns that people have about walking, both as a mode in itself and as a means of access to public transport. The objective was to understand what are the key deterrents to walking and to determine ways of tackling them.

The Case Studies

The case studies were chosen to encompass a range of measures taken to promote walking and a sense of personal security. The first case study was Highfields in Leicester, an inner city area with a rich ethnic mix, which has good housing and local amenities, and which traditionally has had a high crime rate with prostitution a particular problem. Leicester City Council, working with the community, introduced traffic calming, "safe routes to school" and better street lighting, whilst at the same time working to reduce prostitution. A survey and focus groups in 1998 found that local people consider the area to have improved and that walking is the main mode of transport, with bus second. There is a high level of confidence about walking even among former victims of crime, which is partly attributable to a sense of a good local community.

The second case study was in Wolverhampton Town Centre, where a ring road system with only subway crossings had created a sense of pedestrian isolation and vulnerability. The Borough Council renovated the subways, removing shrubs and other potential "hiding places" and also provided at-level crossings as an alternative to some of the subways. Walking has increased significantly as a consequence, though there remains great reluctance to use either the subways or the crossings at night. In this case study, the joint action of traffic fear and crime fear is seen very clearly and it is evident that both fears have to be removed to encourage walking.

In Southend, a relatively simple scheme was found to have a marked effect. The CCTV systems of the railway operator and the town centre management have been linked to form a continuous safe walking route. Rail use has increased and people reported more confidence about walking in the town centre. The partnership working has been effective, though the research suggested that more impact could be achieved if the system was marketed and if it extended to bus links.

The largest of the case studies was in Birmingham, where 430 interviews were carried out in the area of "showcase" enhanced bus routes, among frequent and infrequent or non-users of the buses. The objective here was to get a more general picture of the factors that encourage and discourage bus use, with a particular view as to whether safe walking and waiting would make a difference. The survey showed that upgraded bus services generate travel, but that the walk to the stop remains a deterrent for a substantial proportion of people, especially those who currently travel by bus infrequently or not at all. Particular groups, such as people with disabilities, are especially disadvantaged if walking is unpleasant or dangerous. Again, there was a clear message in this survey that fears about personal security and fears about road safety are inextricably linked and that the walk to and from the bus stop is not seen as separate from the in-vehicle journey, so it can determine mode choice even where other desirable service features are provided.

It was important that one of the case studies should be rural. The range of answers to the problems of walking is often less broad in rural areas, but this also means that when conditions for walking are difficult, the range of solutions are also constrained. In the North Kesteven District of Lincolnshire, success in encouraging walking and public transport is being frustrated by a range of

problems, but (as elsewhere in the study) encouragement of significant change requires holistic action. This case study also raises the need for a more participative public debate about how priorities are decided in relation to transport spending.

The final case study was a review of the Safer Bus Routes project in Nottingham. This scheme was introduced in 1996/7, and contemporary research reports and interviews with the bus company and City Council were used to evaluate the scheme. Safer Bus Routes was a full package of improvements in the experience of walking to and from and using the bus. It included lighting and environmental improvements, traffic calming, and service enhancements such as regularised bus times, new bus shelters located away from trouble spots and driver customer care training. It produced an increase of 6-8% in patronage, which has been sustained over the two year period. This suggests that treatment of the whole journey does produce a shift to public transport use.

Conclusions and the broader picture

Although taken in different areas and under different circumstances, these case studies show a consistent pattern of pedestrian concerns. Essentially, the pedestrian considers the whole journey and does not distinguish between walking and other parts of the journey when evaluating the experience of the trip. Equally the case studies show that people do not make distinctions between fears relating to personal security and fears relating to road safety. The whole journey is affected by the experience or perception of walking both as a main mode and as a link between modes. Within the activity of walking itself, specific considerations are connected with the physical environment or the social environment.

The physical environment which suits the pedestrian requires new techniques of design which create good quality environments and influence perceptions in favour of walking. These involve well understood experience in design areas such as lighting, surfacing, signing and highway engineering. However, additional skills are also required for new approaches to pedestrian planning. A distinctive advantage of walking as an urban mode is that it is easy to switch routes and to make sudden detours. This very flexibility presents a challenge to the designers of good walking routes. Recognition of the special quality of pedestrian movement may thus require design skill sets which are currently under-developed, especially amongst those now faced with this task.

It is also clear from our research that the social environment is an integral part of perceptions of the physical environment. A sense of community, with local amenities present, generates walking behaviour even when crime is high. The impediments to walking also impact on different social groups differentially and is in addition an equal opportunities issue.

Our final conclusion is that it is not possible to prioritise individual pedestrian concerns. The best priority is holistic treatment. If one link in the journey is wrong the whole journey may be cancelled or replaced by a car trip. It is better to get a few key routes right than to attempt piecemeal change spread too thinly. This is the Quality Walking Route approach which involves new professional and management challenges compared to those used in developing traditional vehicle based transport plans.

Introduction

The Report

"Personal Security Issues in Pedestrian Journeys" aims to identify pedestrian concerns through investigating a range of schemes designed to improve conditions and encourage walking. The report breaks down into three sections. This chapter presents the objectives and methodology of the study and the background thinking behind them. The next chapters present the case studies that Social Research Associates (SRA) investigated, monitored and evaluated to reach an understanding of pedestrian concerns and how walking and public transport use can be promoted by addressing those concerns. The final chapters bring out the lessons learnt through the case studies and the implications for walking policy and for good practice.

Objectives of the Research

The wide objective of the study is to draw out general lessons from a range of local walking and public transport project experience. The specific objectives are:

- To examine personal security issues for pedestrians both as part of the "whole journey" and as discrete walking and in-vehicle journeys.
- To establish and prepare good practice on providing a secure pedestrian environment.
- To consider the implications of the results for encouraging walking and use of public transport.

Methodology

The Learning Curve

In order to meet the objectives it is important to build on existing understanding of attitudes to personal security for pedestrians. We are already part of the way up the learning curve on pedestrian issues, and it would be a mistake to start from the beginning again.

In recent years a considerable amount of knowledge has accumulated about the nature of concerns which people have in relation to personal security outside the home and recent work commissioned by the Mobility Unit has added to this. SRA has also contributed to this knowledge by carrying out survey and attitudinal research in a wide variety of settings and amongst different groups, especially women and people with disabilities. Our view is that there now exists a substantial amount of information about the importance of concerns about personal security and that the time has come to move on and determine what are the best things to do about reducing these concerns.

Key to our understanding of pedestrian issues is the idea of the whole journey. When people make journeys they judge the experience as a whole rather than in terms of the different stages. Thus, for example the on-vehicle stage may be of excellent quality, but if the walk from the bus stop to home is perceived as dangerous the assessment of the experience of the journey as a whole (including the bus trip stage) will be downgraded.

Within the concept of the whole journey, the perception of personal security is bound up in a raft of anxieties about walking; as well as fear of attack, pedestrians are nervous of traffic, of tripping over broken pavements in the dark, and even comfort factors such as being splashed by passing vehicles on the walk to the bus stop. Although fears about personal security are very commonly expressed, it is difficult to decouple these concerns from physical design aspects of the environment, so it is

important that research goes beyond asking people whether or not they feel safe, to tease out what it is that they feel unsafe about.

The whole journey, of course, requires delivery from end to end. One of the interesting things we are learning is that perceived variability in journey times by car and bus are making walking a real alternative for many trips. Among people who are able to walk, some are choosing to walk for fifteen or twenty minutes or more, rather than drive or wait for a bus which might take half the time or twice the time.

A gap repeatedly identified by our research is the lack of knowledge and appreciation of the health benefits of walking. Better marketing of this, coupled with the perception of low variability in time of the walking journey, could help to provide real incentives to walk.

This research is designed to understand the relative importance of perceptions of danger and objective features which add to danger. Another aim is to establish the extent to which physical design improvements reduce perceptions of fear and increase the propensity to walk and use public transport instead of the car.

The Case Study Approach

To understand this complex issue a number of case studies have been selected which illustrate different aspects of the link between walking, use of public transport and concerns about personal security. The case studies were chosen to represent a range of initiatives which were specifically aimed at encouraging walking and the use of public transport.

We aimed to investigate, monitor and evaluate each scheme both as a whole and in its component parts. Each scheme had its own set of objectives, not all of which related to walking, and it is important to know what success or failure meant for the scheme as well as evaluating it in terms of this study. In each case, we have tried to understand the extent to which the perception of fear, and the design of the physical environment, were seen to affect the decision to walk or use public transport before the scheme and how changes in the environment actually generated walking and public transport use. Partly from evaluating existing evidence, and partly through surveys and focus groups related to the schemes, we have been able to identify and prioritise pedestrian concerns and gauge what can really be achieved in the knowledge that reasons for not walking and using public transport extend over a wide range, from carrying heavy luggage to time constraints, laziness and status.

The following six case studies were chosen to meet the objectives of the research:

Traffic Calming in Highfields, Leicester

Subways and At-Level Crossings in Wolverhampton

Southend Central Station Town Centre Link

Birmingham Showcase Bus route

Lincolnshire villages

Nottingham Safer Bus Routes Project

In the proposal for this study, SRA set out a summary table of the proposed schemes, with brief details of each scheme and what we hoped to learn to guide good practice in walking policy.

Overleaf is an updated version of that table, with a column added to show the headline outcome of each investigation.

Table: 1 Summary chart of the schemes selected

Scheme details	*In co-operation with*	*General Output*	*Specific Output* *Identification of pedestrian concerns:*	*Headline Output*
The Highfields area initiatives In the past two years, the Council have carried out a number of initiatives designed to improve community safety and encourage walking in the Highfields area of the city. These include improved lighting, the reduction of prostitution and the design of safe routes to schools. The area is of particular interest since there is low car ownership and a high proportion of residents of Asian and Afro-Caribbean origin as well as students. An additional issue of concern is the perception of personal security in local parks.	Leicester City Council	4 focus groups 160 user interviews 100 non users informal discussions with Asian women	poor lighting, crime & kerb crawling, traffic danger, dog dirt	Council initiatives to improve walking infrastructure and community safety have encouraged walking. The sense of community and a wide range of local activity over-rides fear of crime and walking is common. Tend to go out in groups e.g. for Mosque. Extensive traffic calming
Wolverhampton	Wolverhampton	4 focus	The relative	Environment

Subways As a result of a public perception study in Wolverhampton, subways were redesigned to reduce fears about personal security. In addition partnerships were developed between public transport operators and leisure providers to reduce violence and rowdiness in the city centre.	Borough Council	groups 160 user interviews 100 non users	impact of removing subways and improving the design of subways; attitudes towards the management of travel home from night-clubs	treatments and policy initiatives can generate a sense of community and positive attitudes to walking and the use of public transport.
Southend Central Station - Town Centre Link Prism Rail Plc and Southend Town Centre have developed CCTV systems simultaneously and there is now coverage throughout a walk between the station and the town centre. The two control centres are in touch with each other.	Prism Rail Plc	160 user interviews 100 non users	attitudes towards improvements to physical urban design along routes to public transport access points	The improved walk route from the station has resulted in increased train use and town centre trade.
Birmingham Study The study was designed to study the use of new	Centro & Birmingham City Council	200 public transport user interviews 200 car user	attitudes towards both improved pedestrian environments and linked bus	The enhanced bus routes resulted in greater use of public transport but difficulties

high quality accessible bus routes and the extent to which they resulted in greater use of public transport		interviews	and linked bus infrastructure changes	but difficulties in the walk to bus stops reduced this rate.
Lincolnshire Rural Village Study People living in North Kesteven have conducted safety audits of their village including lighting and road safety needs. There is growing demand in villages for traffic calming and a debate about priorities.	North Kesteven District Council &Parish Councils	2 focus groups & interviews with community leaders	attitudes towards pedestrian facilities in a rural context including personal security & road safety measures	The clear need to improve the walking environment on a holistic basis
Nottingham Safer Bus Routes This project enhanced bus routes and related features such as lighting, information, bus shelters and driver training in the St Anns and Sneinton areas of Nottingham	Nottingham City Council & Nottingham City Bus via a City Challenge Programme	Study of records and research Site visits Interviews with local people Interviews with project officers	Attitudes towards improved bus infrastructure and working with community in designing bus stops	Working with partners, improving and refining existing schemes resulted in increased bus use including at night.
SUMMARY **A wide range of initiatives designed to encourage walking and the use of public transport**	**Working with partners and existing schemes**	**Total:** **10 Focus Grps** **1,180 interview surveys**	**A wide range of attitudes studied and good practice identified**	**Strong evidence of ways in which it is possible to increase walking rates** **Better understanding**

selected		**Interviews and discussions**		**of main deterrents.**

Case Study 1:
Highfields (Leicester)

Introduction

Highfields is an established area in Leicester close to the city centre and railway station. Much of the housing was originally built in the later part of the nineteenth century, and is of good quality, characterised by sound, attractive two and three bedroomed terraced houses. Partly because of its proximity to the station, the area became notorious as a red light district, but following an intensive campaign in the last two or three years much of the prostitution has moved out of the area. The area is extremely diverse. There is a racial mix of Asians (both Hindu and Muslim), a smaller Afro-Caribbean population and a white population. Housing is relatively cheap and there has been an area wide programme of grants for renovation.

The area is within walking distance of both the universities in Leicester, so there is also a large resident student population. There is low car ownership and even in car owning households many women do not drive. The area is also under stress from parking by commuters who do not live in the area.

In recent years Highfields has been the focus of a number of initiatives to encourage personal security and walking in the area. These include a blitz on prostitution, improved lighting, traffic calming and safe routes to destinations throughout the area including schools. Some of the pedestrian routes have been planned with local people, including children.

Action

- A survey of just over two hundred people was undertaken in July 1998 using a team of interviewers who spoke a variety of Asian languages to ensure that the views of all residents were canvassed. Although most of the interviews took place in the streets, some took place in houses, or on doorsteps, as some of the women in the area do not go out for cultural reasons, and it was considered important to represent the views of men and women in the various ethnic groups in Highfields.
- Four focus groups and discussions with informal groups of Asian residents to explore attitudes in greater depth.

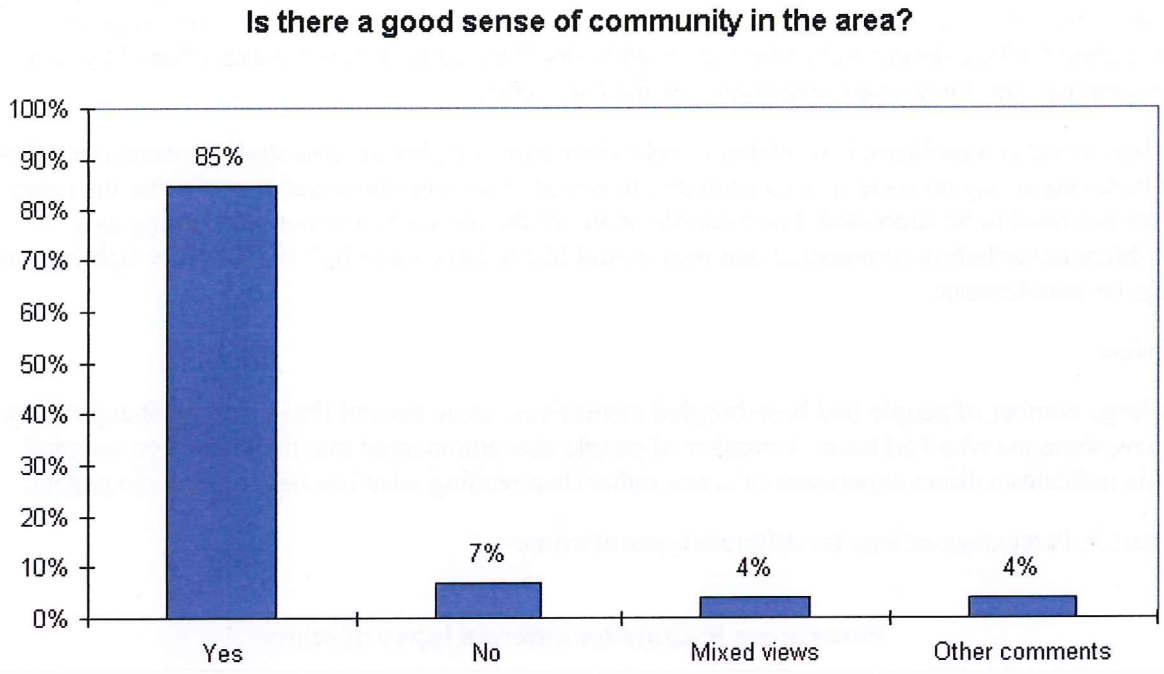
Results

Views on the area

There is generally a positive perception of the area. Over three quarters of those interviewed had lived in the area for more than five years. There was quite a strong perception that the area had improved. 20% thought that the area had got worse. Many commented favourably on the decrease in prostitution, though opinion was divided on whether or not crime had increased. Most people feel that there is a good sense of community and said that Highfields is a good example of various cultures living together in relative harmony.

Local facilities and housing are generally perceived as good. The majority liked the provision of schools, shops, mosques, temples and leisure amenities such as parks and community centres. Others would like better shops and more facilities and activities for young people.

Chart 1: Is there a good sense of community in the area?

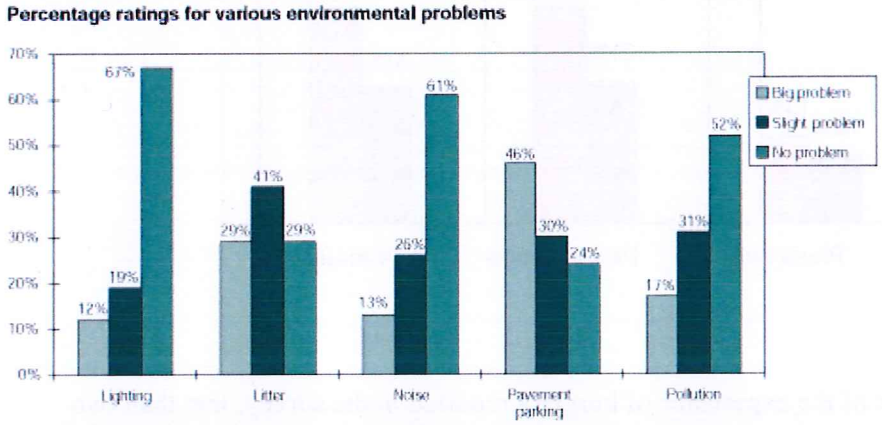


Overall, change in the area in recent years is also rated positively (less than a quarter felt it has got worse and half felt it had improved). Two thirds thought local housing and leisure facilities were good.

The environment

For an inner city area, Highfields does not seem to suffer severe environmental problems. The biggest single problem was litter, with dog mess, and pigeon mess also commented on unfavourably.

Chart 2: Percentage ratings for various environmental problems



People felt that there were not enough bins, that they were not emptied often enough, and that the population needed educating about their use. The Council also came in for criticism in its supervision of the bin service we put out our green recycling bags and they arent collected. They get ripped up and the litter goes everywhere.

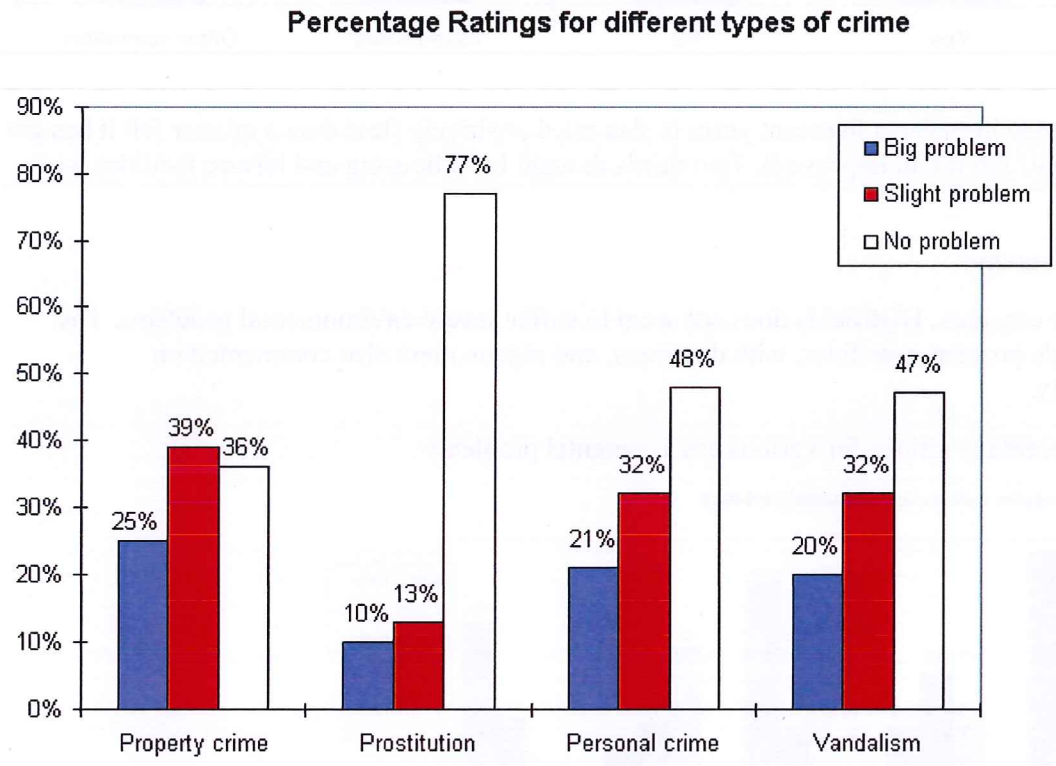
Traffic problems exist with speeds and pavement parking. There is a perception of speeding on main roads and of young people driving too fast, even Joyriding. The solutions were seen as extending traffic calming and enforcing speed limits. Parking problems are exacerbated by non-resident parking for access to the station or the City centre.

Where noise is a problem, it is related to behaviour pubs, neighbours and students were singled out. Where people say an issue is not a problem, however, it does not necessarily mean that the issue does not need to be addressed. For example, many of the 69% who did not see lighting as a problem nevertheless commented that they would like to have more lighting, brighter lighting, and regular maintenance.

Crime

A large number of people had been burgled themselves, some several times, and most appeared to know someone who had been. A number of people also commented that they had been mugged. This indicates a direct experience of crime rather than reading what has been said in the papers.

Chart 3: Percentage ratings for different types of crime



Property Crime

Rather surprisingly, in view of the experience of burglary reported in the survey, less than two thirds saw property crime as a problem. One quarter thought it a big problem, and a further 39% thought it a slight problem. A number of people said that crime had improved, and that Neighbourhood Watch had made a difference. Although some people thought that crime was now a greater problem than previously, overall people were optimistic about future improvements, or philosophical about what was going on.

Personal crime

Almost one half of those interviewed thought that personal crime was not a problem in the area, although many added that strangers would be more vulnerable than known residents. Asian women wearing gold jewellery were thought to be at risk, and a number of people reported having been mugged, but in spite of this, only 21% thought personal crime a big problem, and a further 32% thought it a slight problem. There was a feeling that gangs hung around outside the Post Office to mug people who had just collected money.

Vandalism

This was seen as a big problem by one fifth (20%) and a slight problem by a further third (32%), although the main comment was that it was telephone boxes that were the main target. Some people reported crimes against cars and property, and there was also some graffiti.

Prostitution

Prostitution was not considered to be a problem by 77% of the sample. Only 10% thought it was still a big problem, and a further 13% thought it was still a slight problem: Its nothing like it was there are still a couple of girls working our street, but nothing like the numbers there were, or all the crime and muggings that went with it

Transport and Activity in Highfields

Opinions about local traffic calming

Traffic calming received mixed comments, for a variety of reasons. People who liked it welcomed the reduced speeds, and increased safety for children. A number of people said they now allowed their children to visit local shops and parks as a result of lower traffic speeds. Many also thought that it discouraged crime, as fast get-aways were now more difficult. A number of streets, including some of the main thoroughfares as well as side streets, have not been calmed, and so the effect is not universal throughout the area.

Other people do not like the type of calming installed. Speed humps are perceived as damaging to the exhaust systems of cars, an incentive to joy riders to increase speeds, although there are also chicanes, which interestingly were not mentioned at all. Traffic calming is also perceived as reducing available parking, which in this type of high density urban setting, with rows of terraced houses and narrow streets, is at a premium. Some people thought that the calming added to noise, congestion and pollution in the area.

There was much interest in the effects of the traffic calming on accidents in the area and a desire for more feedback about this in terms of a reduction in accidents, speeds and traffic volumes. The Council did circulate a leaflet to all in the early stages of the scheme giving detailed feedback on these issues, and also the survey results that indicated residents anxieties that proved to be unfounded. Since completion the scheme has been reported in the local paper, but the feedback exercise has not been repeated.

Walking and use of buses

The overwhelming majority walk in the area 89% walk to the local shops often, and a further 9% do so sometimes. Only 2% do not walk in the area. Almost half use buses often, and a further quarter use them sometimes.

Getting to school

Of those respondents with children, 70% reported that the children often walked to school, and a further 5% sometimes did. The pattern tends to be that younger children are accompanied, either by an older child, or an adult. In practice older children often go to school in groups.

The safe routes to school were developed by the Council with the local people, and therefore tended to reflect the frequent patterns of usage. One feature of the scheme was marking the routes with paving stones incorporating drawings designed by the children. The objective was both to encourage more children to walk to school, and to make the journey safer. Both objectives are considered to have been achieved by the Council.

Visiting local parks

Parks are an important feature in Highfields where individual gardens are very small. The research found that there was a mixed response from the residents of Highfields about visiting Victoria Park. This is a large open area on the border of Highfields, with space to play cricket, football and tennis, as well as marked cycle tracks. 27% said they used Victoria Park often, and a further 42% used it sometimes (mainly when there were events on, such as fun fairs). Most of the people who did not use it said it was too far to walk there, or they had no time to use parks. Others suggested that there was a lack of adventure/playground or other features which made the park quite boring. However the majority of the residents (87%) felt that the Park was safe, and this was reported both by people who used the park and those who did not.

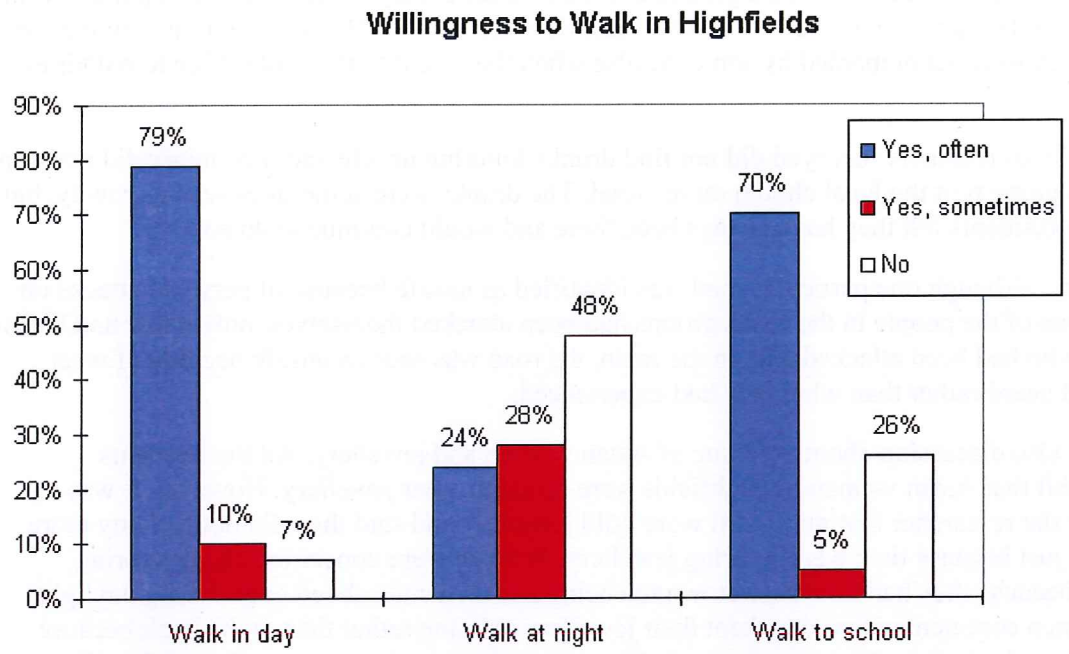
There are also other parks in Highfields nearer to where people live, one big one Spinney Hills and a number of pocket parks which usually have a few childrens play equipment and seating. The results showed that the majority of Highfields residents (80% of the sample) visited Spinney Hills. On the other hand, when asked if the park was safe to use only 45% of the respondents felt that Spinney Hills was safe to use and 55% of the sample felt that it was unsafe to use. The most frequently mentioned problems with using Spinney Hills was that there were gangs of youths or older boys who were thought to be intimidating to youngsters and women. The gangs were also seen as trouble because they were perceived to be dealing with drugs in the park. A small minority of the sample felt that personal security was an issue, which deterred them from visiting the park as they had heard about people being attacked in the park. In contrast with Victoria Park, Spinney Hills was seen as more dangerous due to the enclosed nature of the perimeter and internal design.

As very few of the houses have more than a small back yard, the pocket parks are an important part of the social fabric of the area. Just over half those interviewed used local parks often, and a further third did so sometimes. However, the parks were criticised as being dirty, ill kept, and dangerous for children (because of bullying, drugs pushers and broken glass). Many people said that better parks upkeep was required, and that wardens were needed if children were to play safely. There were also suggestions for improving the amenities in the parks to make them more accessible all year round cafes were suggested and supervised play areas

Confidence about walking in the area

Most people had no anxieties about walking in the area during the day only 10% were worried about walking in the area during daylight. In contrast, almost half the sample expressed anxiety about walking in the area at night, although a number of them qualified it by saying You just avoid certain streets or Its OK until midnight. Others said that they would only go out at night with a friend, or if they had to. However, 24% had no real anxiety about going out at night, and 28% were only anxious sometimes.

Chart 4: Willingness to Walk in Highfields



Concern about personal security was overwhelmingly given as the factor that discouraged people from walking more. This reply was generally qualified by the comment only at night There is little evidence that people are worried about walking in the area in the day time. The other major deterrents listed were time constraints, carrying things, and the weather. Very few people said that they didnt like walking, or were concerned about road safety or pollution. Even amongst those who did not feel confident about walking out in the area at night, there were many suggestions about what could be done and an interest in seeing improvements. The desire for improvements was also linked with ideas about the need for more activities in the evening.

As mentioned above, in order to understand the views of the residents of Highfields, some of the Asian women were interviewed in their own homes. Most of the responses showed no significant gender split, and interestingly almost as many women as men felt confident about walking in the area at night. The only striking difference between men and womens responses to all the questions was that when asked about the main reasons for not walking more, women were three times as likely as men to answer Concern about personal security. This should be placed in the context of a fairly small number of positive responses to this questions.

Perceptions of Residents about Unsafe Areas In Highfields: Results of Focus Group Discussions

A number of specific areas were identified as unsafe by 90% of the sample. Some of the local shops and a post office were seen as potentially dangerous places. The health clinic was reported as unsafe because of its close proximity to a housing estate, and the problem council houses situated there. The particular problems reported here were of youths congregating, drugs and prostitution. The majority of the sample said they would not walk on their own at night near the clinic.

One road in the area was singled out as particularly unsafe because of the high number of muggings that were thought to take place there and because of the reputation of the residents who it was reported were known drug dealers and prostitutes. A number of the residents felt that they would feel unsafe in a particular area where there were gangs of youths present. In addition, although the

majority of residents had identified a particular road as unsafe, they did not let this stop them from going there in the daytime on their own. The exception was some of the women in the sample who reported they were accompanied by someone else when they went to the Post Office to withdraw money.

The majority of residents surveyed did not find drunks loitering unsafe and it certainly did not stop them from going past the local church on the road. The drunks were sometimes seen as rowdy, but overall the residents felt they have always been there and would continue to do so.

In summary, although one particular road was identified as unsafe because of personal attacks on people, none of the people in the focus groups had been attacked themselves, only a few had known someone who had been attacked and, in the main, the road was seen as unsafe because of what people had heard rather than what they had experienced.

There was also discussion about the issue of Asian women and jewellery. All the residents surveyed felt that Asian women in Highfields were afraid to wear jewellery. However, it was noticed by the researcher that many still wore gold jewellery and said they did not feel any more frightened just because they were wearing jewellery. Women were concerned about wearing jewellery because they had heard about women being attacked and robbed even during daylight. Many women commented that they kept their jewellery at home rather than at the bank because they could not be bothered to go to the bank. The precautions some women took with jewellery were not to wear it at night and to be accompanied when wearing it. Some of the Asian men felt women were in danger from gangs of both Asian and Afro- Caribbean boys who were thought to be collaborating with each other and then reselling the gold to local shops.

The Perception and Status of Walking, Cycling, Car and Bus Travel Amongst the Asian Community: Focus Group Discussions

Half the residents in the groups identified the use of cars as a symbol of high status in Highfields. Both men and women felt that this was highly applicable to Asian and Afro/Caribbean young males who were thought to be "showing off". However the survey also found other reasons which also explained why cars were used for short distances instead of walking. Most residents (including those from the Asian community) felt that Asian people were too used to cars and it was more convenient to drive than to walk, even to local places.

There was no consensus about the perception and status that Asian people attach to walking. There were frequent suggestions that the Asian community did not like to walk, or were "lazy" and did not understand the health benefits of walking. Some respondents suggested that walking was a sign of low status because car ownership demonstrated wealth. On the other hand many people did walk around the area and women in particular enjoyed the social activity of joining others whilst walking to the mosque or to collect children from school.

There was universal agreement in the groups that cycling was not seen as favourably as cars and buses or walking. Many of the respondents felt that they would look odd if they cycled, and the prevalent attitude to cycling seemed to be that "Asians dont cycle" either because they were lazy or felt uncomfortable with it. Amongst the women, cycling was even more unacceptable as Asian women felt "there would be problems" if they cycled. Cycling therefore had low status attached to it as people felt that it looked cheap (as opposed to cars) and was also dangerous.

The attitude to bus travel amongst the Asian community was much more positive as it was highly used and was thought to be a convenient way of travelling and also cheap.

Conclusions

Leicester City Council aimed to improve community safety in Highfields through a range of initiatives including lighting, traffic calming, safe routes to school and the reduction of prostitution. The result is a widespread perception that the area has improved in recent years and particularly that prostitution has fallen. There is a high level of confidence about walking in the area, as well as specific results, for example, over 70% of children walking to school.

The indication from the survey is that people are staying in Highfields because it has improved. There seems a virtuous circle in which the community initiatives led by the council have generated an environment which itself has led to a strong sense of community among the residents. The strong sense of community in the area leads to a very positive attitude to walking, despite a high level of personal experience of crime.

Problems which remain in the area are general perceptions of litter and dirt, high traffic speeds on roads which have not been traffic calmed, parking by non-residents and a still high level of property crime, muggings and vandalism.

The fact that many respondents had experience of property crime and some had been mugged or knew a victim of crime, did not appear to discourage walking in Highfields. This finding suggests that fear of crime may be a more potent deterrent than actual knowledge or experience of its effects.

This case study suggests that traffic calming, improved lighting and "safe routes" are effective ways of giving people confidence to walk, when combined with crime reduction measures. The success appears to be from the combination of measures and there are indications that treating the whole area and all types of crime would be yet more effective.

The improvements appear to have been more effective by virtue of having been developed in consultation with the community. "Safe routes to school" has been very effective and was designed with the help of the children. Tackling crime has been done partly through active Neighbourhood Watch schemes and other community led initiatives.

Case Study 2:
Wolverhampton Subway Study

Introduction

In Wolverhampton, subways under the main ring road formed important access routes to the town centre, in the absence of at-level crossings. A 1992 study showed high levels of concern among local people about personal security and a dislike of using the subways on the part of both users and non-users. Many people who would otherwise have walked to the town centre drove instead. Others visited the centre less often, especially at night. All groups expressed fears, but they were especially high on the part of women and older people. The research added impetus to local concern, and Wolverhampton Council decided to introduce at-level crossings. It was also decided to improve security in the subways by a refurbishment programme including better lighting, the demolition of derelict buildings, cutting back bushes, anti-graffiti treatments and colour changes. This programme was completed by 1997.

During the same period, a number of changes took place in Wolverhampton town centre. Security in the town centre in general was improved via a number of initiatives including CCTV, radio circuit between retailers, and public transport schemes to take people home in the evening from night clubs. The town centre was traffic calmed. Economic activity grew rapidly, with social and economic activity in the evenings boosted by the Councils efforts to attract leisure investment.

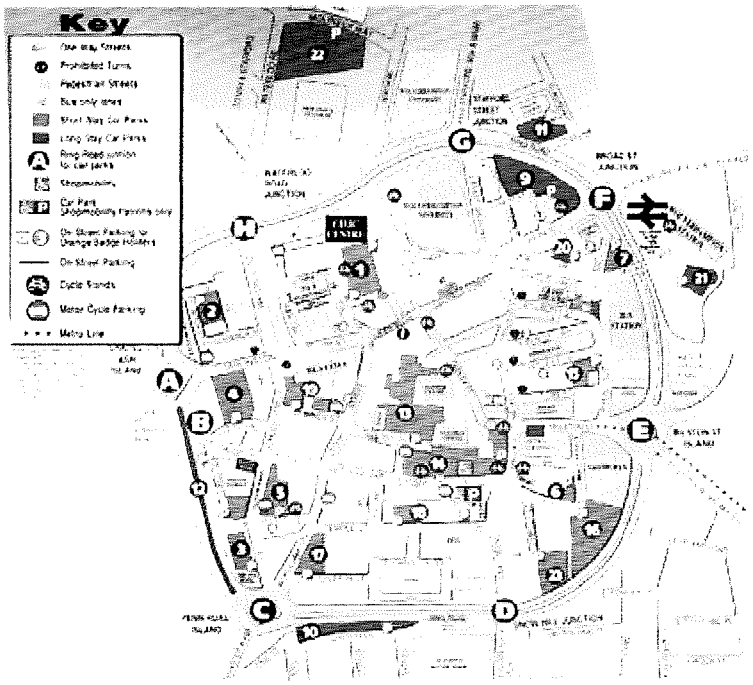
Action

- A survey of people walking in the area 160 interviews spread over two days at different times of day and night.
- A survey of residents who were reluctant to walk in the area (a) in the day and (b) at night 100 interviews
- Four focus groups to explore attitudes in greater depth
- Discussions with the Town Centre Manager, Director of Wolverhampton Community Safety Partnership, traffic engineers, and night bus operators.

The interviews covered a wide range of ages, employment, car ownership, ability to drive and types of family background. Just over half were female. The four group discussions were held with local people who either lived or worked in the residential areas on the non-town side of the ringroad.

SRA returned to the original sites to gauge the effects of the changes. These are shown on the map below. Interviews were carried out at the Bilston Street Island (E), Snow Hill Junction (D), Penn Road Island (C), the Market subway (12) and at subways and at-level crossings in these areas. In addition, interviews were carried out amongst residents in surrounding residential areas. The aim of the work was to gauge whether the changes to the crossings had resulted in improvements to perceptions of security. A further objective was to study whether the changes had also resulted in greater willingness to walk.

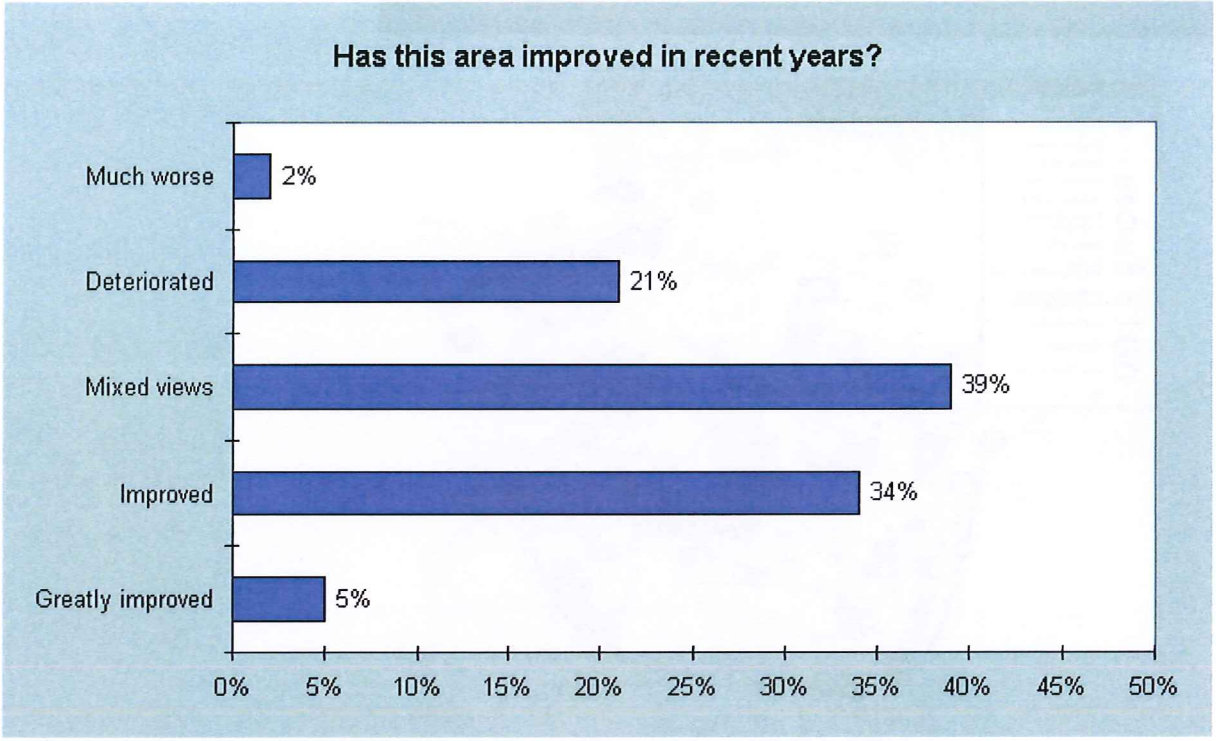
Map: Wolverhampton town centre



Results

There was a marked sense that Wolverhampton town centre had improved in many ways in recent years. Over a third felt the town centre had improved, a further third whilst expressing mixed views felt the improvements outweighed the negative aspects. Only a fifth felt things had deteriorated. In general, there was very little significant difference in responses between men and women: perhaps most strikingly the perceptions of personal security in the town centre at night were almost identical for both sexes. Men were a little more likely to walk frequently in the area in the evening and slightly less concerned abut using subways than women. The only striking gender split was over concerns about personal security which figured substantially more as a reason given for women not walking more, particularly at night.

Chart 5: Has this area improved in recent years?



People cited the growing deterrent value of CCTV, good management of night life, refurbishment and investment in buildings, improvements to car parks and other aspects of refurbishment. Although crime, vandalism and unruly behaviour were still seen as problematic, there was greater confidence that these were under control and being tackled.

There is still more fear at night than in the day. Five times as many people thought road safety a problem at night, because of speeding and other driving offences. Perceptions of crime are also worse at night. Seven times as many people felt personal security was problematic at night compared to the day ratings. This view was especially strongly held by those who did not visit the town at night, so may have been based on hearsay or outdated experience.

Chart 6: Ratings for road safety in town centre: Day and night

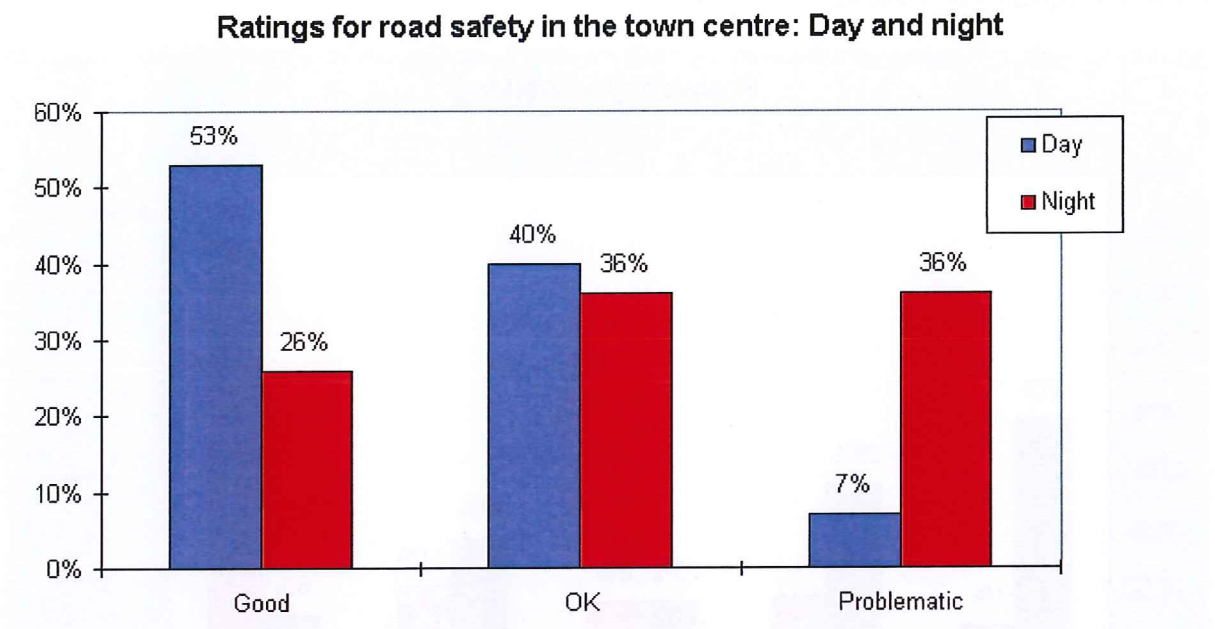
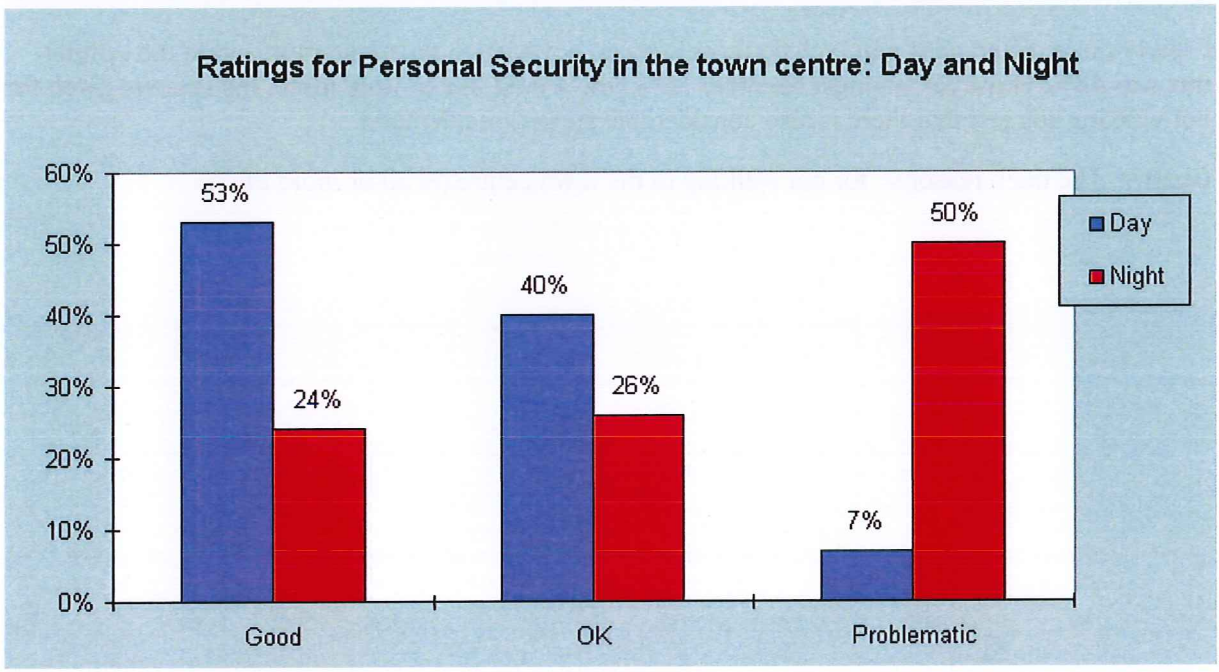


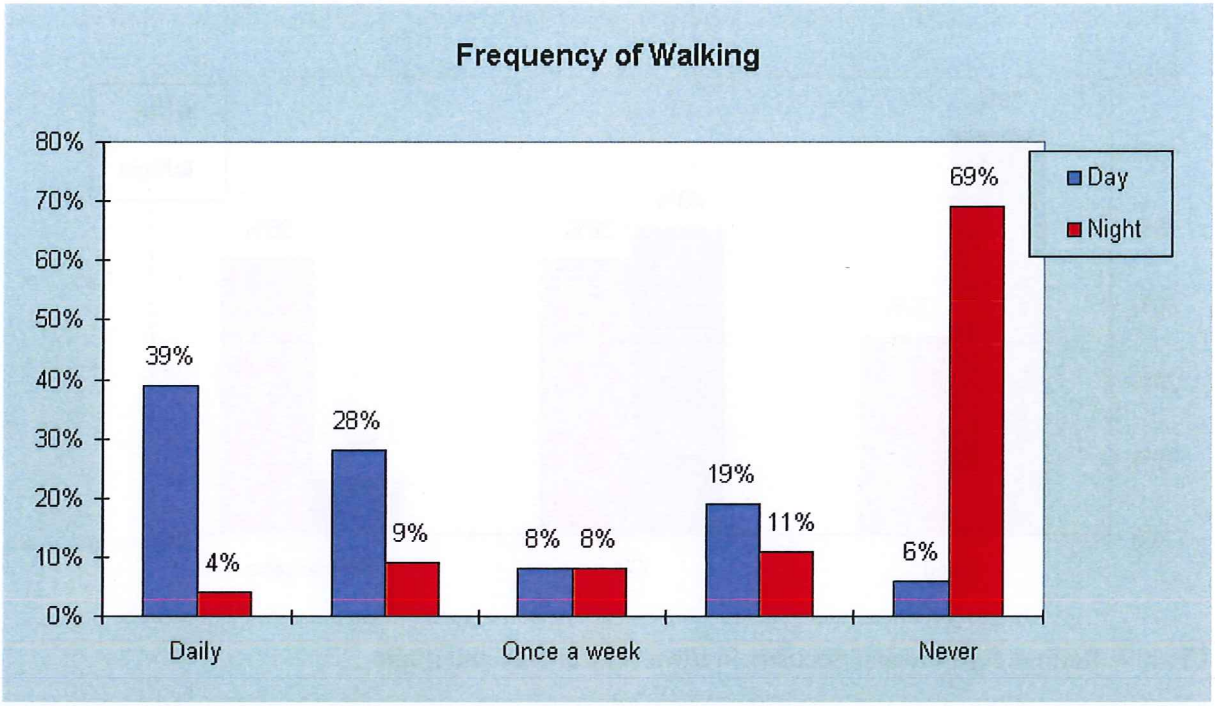
Chart 7: Ratings for Personal Security in town centre: Day and night



Views about safety when crossing

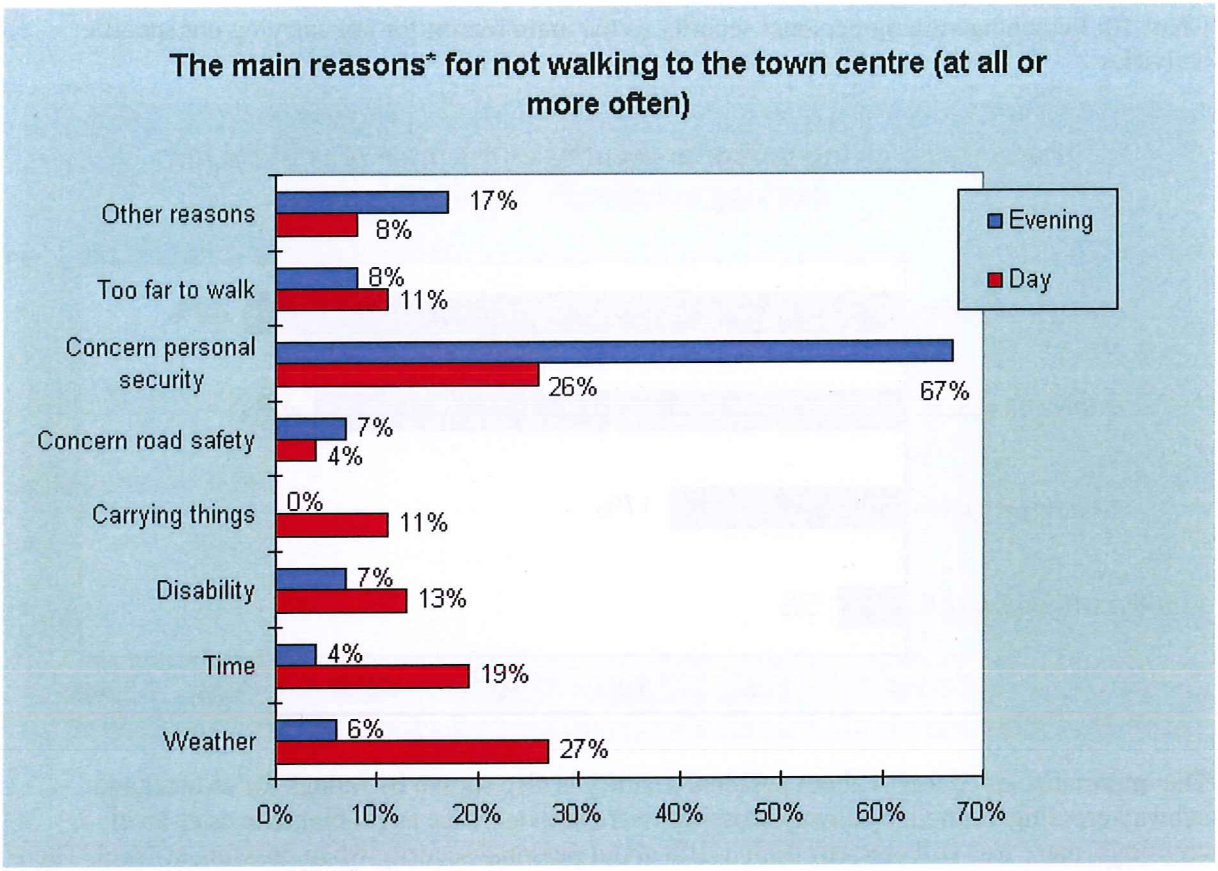
There appears to have been a significant improvement in attitudes to walking to the town centre since 1992. Two thirds of those interviewed walked one of the routes daily and only 6% never walked there. There are still problems, however. People said they are nervous about walking from residential areas and crossing the ring road and such concerns were a deterrent to both walking and using public transport. In particular, over two thirds said they would never walk to the town centre in the evening.

Chart 8: Frequency of Walking



Clearly these differences will include those who do not wish to go out at night and in the sample this was 48%. However amongst the other 52% who would like to walk more, the reasons given for not walking suggest that there is also considerable suppressed demand.

Chart 9: The main reasons* for not walking to the town centre (at all or more often)



* (up to three reasons requested)

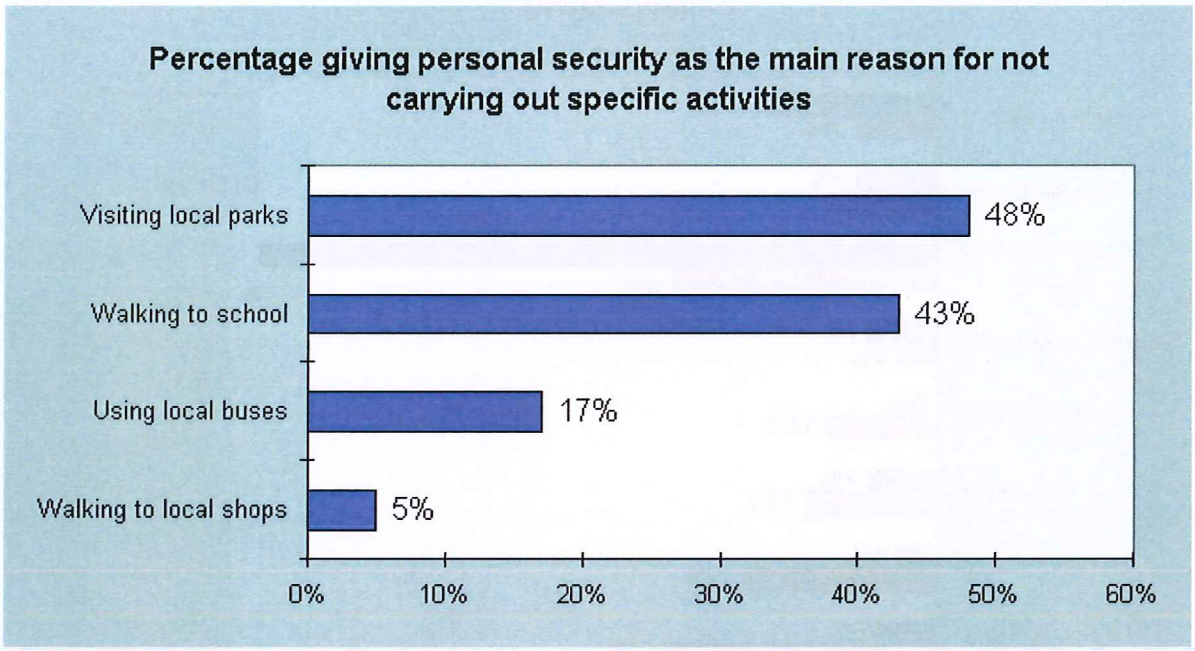
In the evening, reasons for not walking are completely dominated by concern about personal security. One way of addressing such concerns was to walk into the town centre early on and take a taxi or bus home. However, evening bus services were seen as infrequent or non existent especially for those visiting night-clubs. Taxis too were difficult to obtain when night-clubs closed due to huge demand. (It is estimated that there are more people in Wolverhampton town centre at 2 a.m. on a Friday evening than at 2 p.m. on a Friday afternoon.)

One initiative to meet this problem is the operation of a circular bus service which calls at the town centre night-clubs between 11.30 p.m and 2.30 a.m. This provides a service which enables the use of public transport without fear of walking and waiting at night. A particularly interesting feature of this service is that the night-clubs provide the bus with "bouncers" the clubs security staff who travel on the buses to ensure that there is no trouble.

Another concern about walking to the town centre in the evening is that some of the subways and areas nearby are used for drug dealing and prostitution. This can lead to women especially being approached inappropriately. In addition, condoms and used needles are left around the area which add to a sense of danger, even in the daytime.

Reasons for not walking in the day are more varied and include the influence of the weather and time constraints as well as concern about personal security. Nevertheless, a quarter mentioned concern about personal security in the day as a deterrent and for specific purposes this was much higher. For example, over half of the 48% who did not visit local parks gave concern about personal security as a main reason and a similar proportion mentioned this as a main reason why they did not allow their children to walk to school.

Chart 10: Percentage giving personal security as the main reason for not carrying out specific activities



The importance of concerns about personal security is also shown by ratings for at-level and subway crossing. Although subway crossings were seen as twice as problematic as at-level crossings, there was still concern from a fifth about personal security when crossing at-level. There was also concern about road safety, although in this case twice as many people were concerned about this when crossing at-level in comparison to crossing by subway. For many this meant trading off one concern against the other, often resulting in different decisions about how to cross in the day and evenings. Others began to walk into town in the early evening (rather than drive both ways) due to the option of going home on the nightclub bus at the end of the evening.

Chart 11: Ratings for crossing at-level and by subway: Road Safety

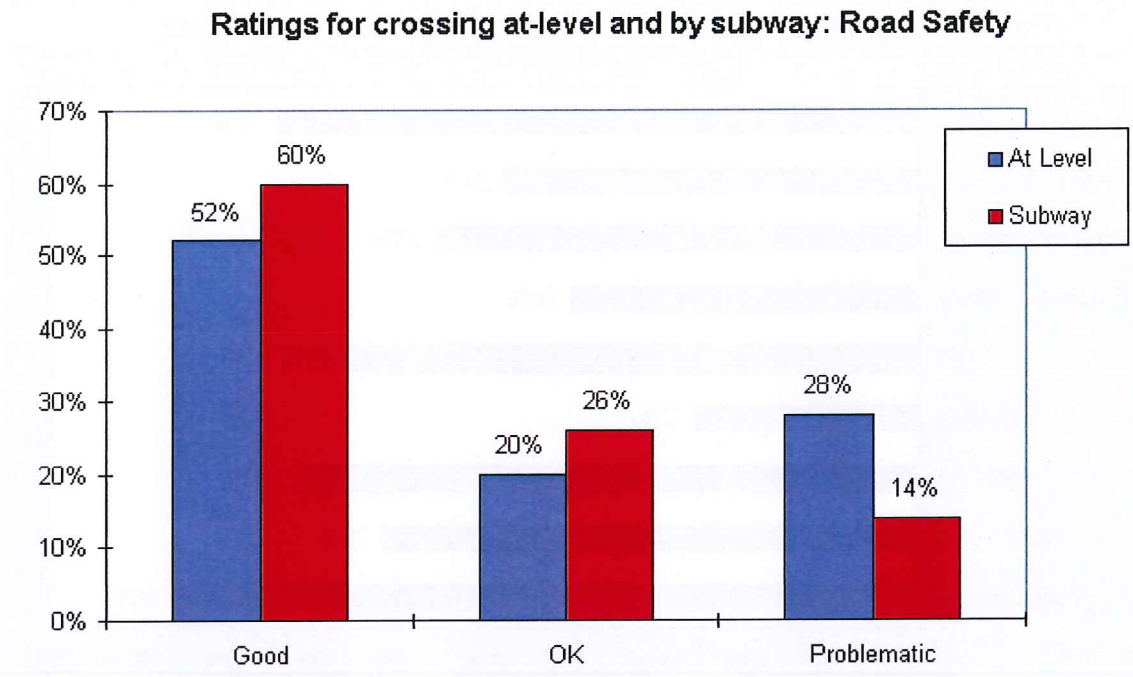
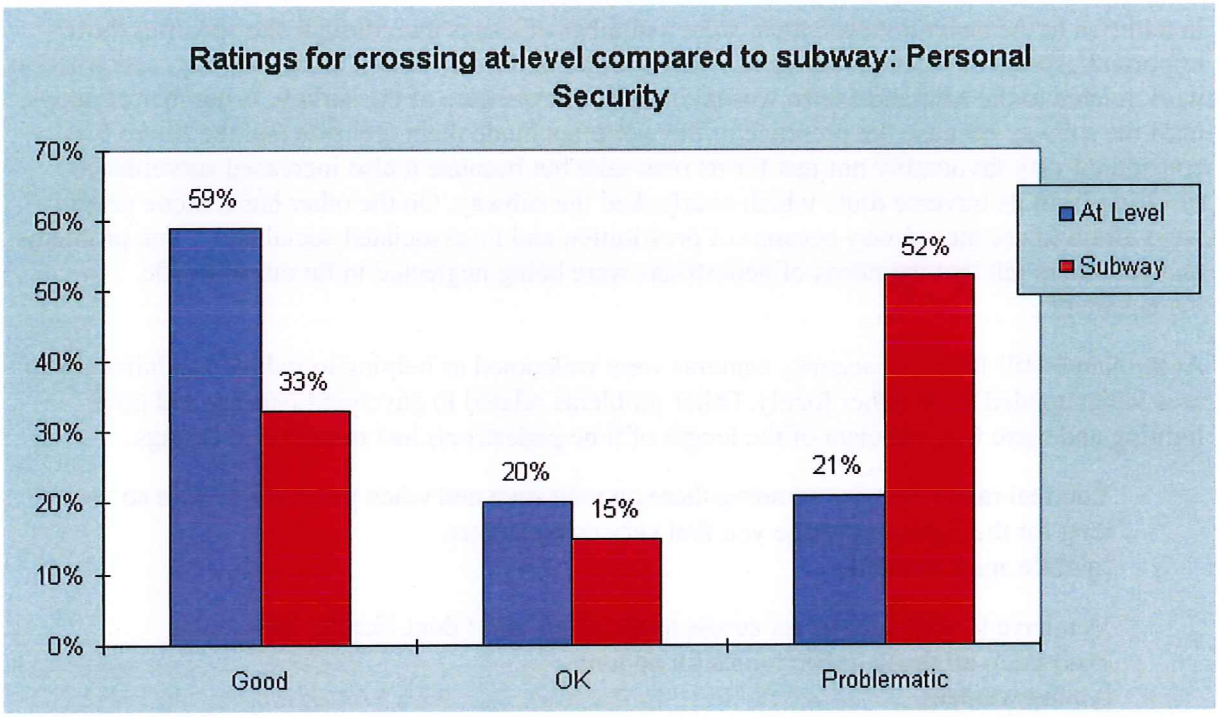
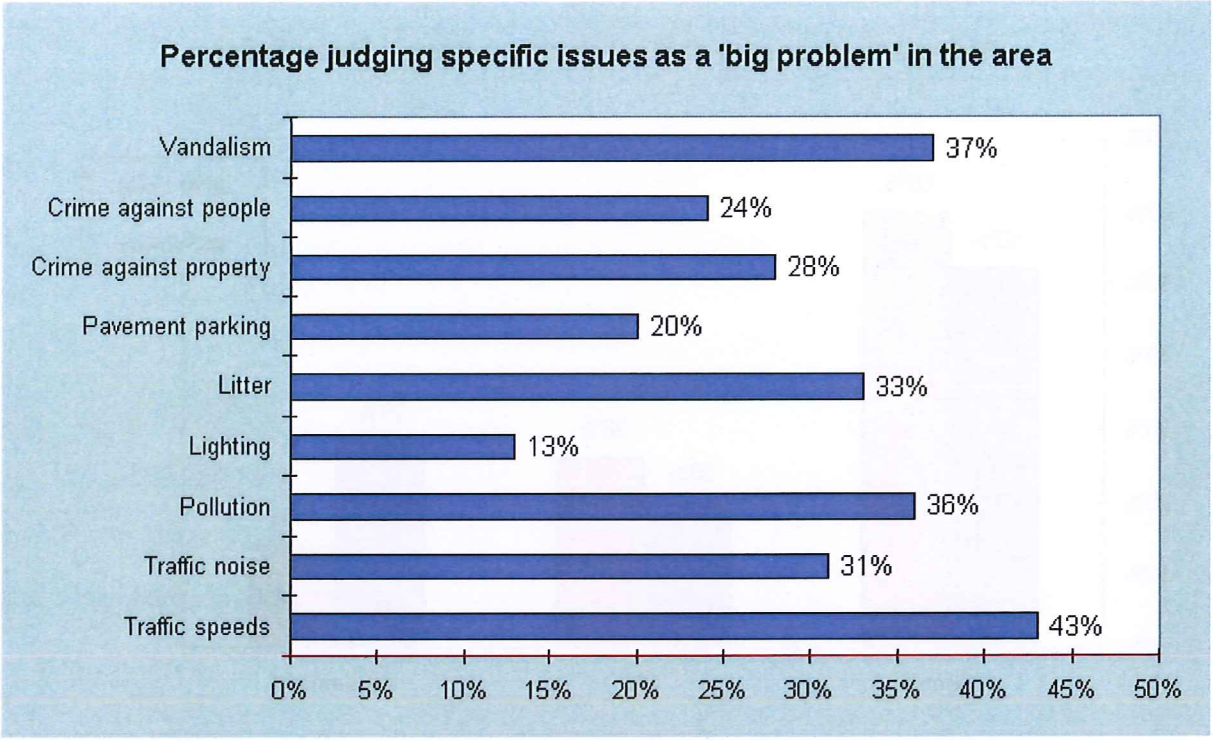


Chart 12: Ratings for crossing at-level compared to subway: Personal Security



The reasons for making trade-offs are also demonstrated by ratings for a broader range of environmental problems. The table below shows considerable concern about speeding, pollution and traffic noise, as well as vandalism, litter and crime.

Chart 13: Percentage judging specific issues as a big problem in the area



Site Specific Issues

In addition to the general views, there were a number of issues that, though site specific, show important aspects of what encourages or deters walking. In the Bilston Street subway, construction work related to the Midland Metro was taking place at the time of the survey. A number of people used the subway because the presence of the workmen made them feel safe and the Metro was considered very favourably not just for its own sake but because it also increased surveillance resulting from its traverse route which overlooked the subway. On the other hand, some people were afraid to use the subway because of prostitution and its associated social and crime problems and yet others felt that the needs of pedestrians were being neglected in favour of traffic management.

At the Snow Hill Junction, security cameras were welcomed as helping to reduce vandalism in an area which tended to be rather lonely. Other problems related to pavement parking and poor lighting and there was criticism of the length of time pedestrians had to wait at crossings.

> You feel rather nervous standing there on your own and when you have to wait so long for the lights to change you feel very conspicuous.
> [middle aged woman]

> You have to wait ages to get across to the shops and I dont like the baby being exposed to all those traffic fumes for so long.
> [young woman]

Crossing the road was especially difficult at night when higher speeds were seen as a threat to pedestrians.

> Its not an area I want to hang about in but the lights take ages to change and even when they do, quite a lot jump the lights so I dont trust the traffic.
> [middle aged man]

I go that way to work but I get a lift back most nights especially after the clocks go back.
[young woman]

I walk with the shopping in the day but I always take the car in the evening or if Im working lates.
[middle aged woman]

The Penn Road subway had been refurbished, but was still seen as very threatening and many people were reluctant to use it, citing vandalism, litter and lack of users as reasons. Others mentioned the difficulty of getting pushchairs up the steps. Road safety on the at-level crossing in the area is seen as particularly bad, so the alternatives are both deterrents.

At the Market Subway , there was widespread agreement that the layout of the new at-level crossing was better and that walking was safer. The wider improvements in the area also contributed to feelings of improved security and a number of people reported that they went out at night more often since the at-level crossing had been installed. On the other hand, some people still used the subway on the grounds of road safety and others insisted that their unaccompanied children did so.

Conclusions

Upgrading subways and providing at-level crossings over the Wolverhampton ring road has had some success. There is increased confidence in personal security and some people now walk more often or (particularly in the case of those without cars) go out more, especially at night. On the other hand, some people do not feel safe from traffic when using the at-level crossings and continue to use the subways albeit reluctantly. At sites where there are still no opportunities for at-level crossings, people have no choice but to use the subways. This leads to a feeling of lack of control and entrapment, especially at night. At some sites this concern is exacerbated by prostitution and drug taking.

Overall, many people (whether crossing at-level or by subway) give concern about personal security as their main reason for not walking more, although concern about road safety is also a deterrent. In the case of at-level split crossings, where people are forced to wait in the middle of the road perceptions of danger for personal and road security are inextricably linked.

The encouraging lesson from this case study is that improving subways and providing at-level alternatives can both be effective in reducing fear and increasing walking. Improved subways have to be maintained, cleaned and kept free from crime; crossings have to give the pedestrian a sense of priority over the traffic. CCTV, or a sense of surveillance from people being around, will increase confidence.

Again, the successful walking measures are part of a package, which in Wolverhampton even extends to the town centres regeneration as a night spot. The willingness to walk is affected by both road and personal security issues and many people trade-off one against the other. If one or both are seen as problematic, the willingness to walk is reduced.

Case Study 3:
Southend Central Station Town Centre Link

Introduction

Southend town centre has been refurbished and the pedestrianised High Street area links the Royal and Victoria centres (both with anchor tenants) at each end of High Street. There are 6,000 parking places in the town and parking space is not a major problem. Estimates suggest that modal split is two thirds car and one third public transport, walking, taxi or cycling. Store performance in the town centre is increasing, and there is a growing Sunday trade. There is also an Odeon 8 Screen in the town centre and a Tesco Metro which is open until 8 p.m. every night. In the evening there is also a range of activities including a number of family pubs.

Prism Rail Plc and Southend Town Centre have worked in tandem to improve security on the pedestrian route from the station to the town centre. The CCTV system was installed in 1996 with heavy publicity and prominent signing. The initiative was also supported by the Town Centre Liaison Group which includes the police and the town centre manager. There is now continuous CCTV coverage along the route and the two control centres are in radio contact with each other to monitor security. On several occasions they have worked together to deal with potentially dangerous situations.

Apart from the improved security system, Southend Central railway station has been refurbished and has a well kept and pleasant appearance. In contrast the bus station is shabby and there are no plans for refurbishment partly due to long standing plans to resite it further away from the town centre, although there is no imminent prospect of such a move.

Action

- A survey of women walking along the route from the station to the town centre 160 interviews spread over two days at different times of day and night.
- A survey of 100 women, living in nearby residential areas some of whom did not visit the town centre very frequently.

Results

Awareness of the surveillance system

More than half (56%) of all respondents were aware of the new security system.

However, 44% were not, and curiously this was not related to frequency of visit as might be expected.

> I walk along here every day and Ive never noticed the cameras but I definitely like the idea and I wont be so worried when I work shifts now.
> [middle aged woman]

> I usually go to Basildon so I havent been shopping in Southend for months but Im pleased to see theyve put in the security cameras you expect that when you go shopping these days.
> [older woman]

When details of the system were explained, 78% of respondents felt it either did or would encourage them to walk around the town more often. Most, 56%, felt encouraged to walk more both during the day and at night, but 23% would still only walk in the daytime. These proportions did not vary significantly according to frequency of visit.

There was also a need for more reassurance that the CCTV system was working and information about what would happen if help was needed.

> CCTV is good but you need to have faith in someone above watching. I like bobbies on the beat someone you could run to for help.
> [younger woman]

It was also significant that many respondents with children saw the main benefit of CCTV as helping to keep their children, rather than themselves, safe.

The impact of the surveillance system on the use of public transport: bus and train compared

64% of respondents thought the town centre security system was encouraging them to use public transport more. However, there was a marked distinction between a willingness to use the rail system and a reluctance to use buses. This was due both to the physical environment and to the fear that is generated by the perceived unreliability of bus services. There was a clear difference in perceptions of the two modes with the former seen as far safer and better quality. Twice as many respondents were willing to use rail at night as compared to bus.

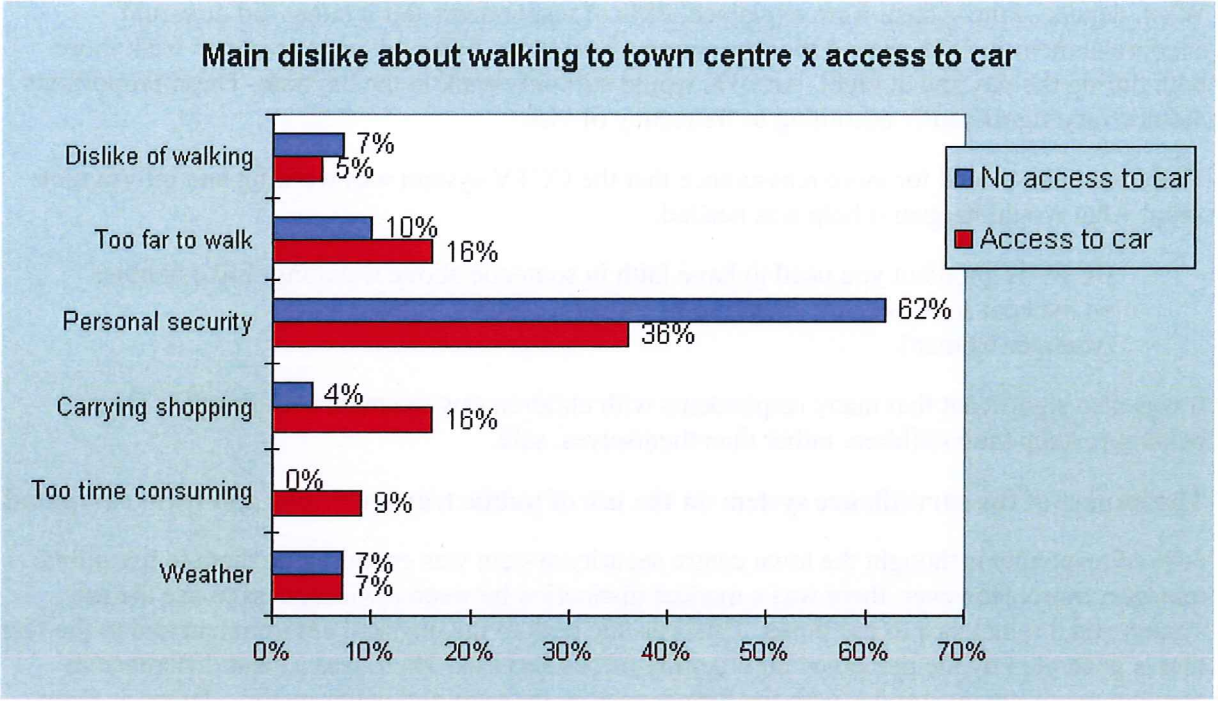
In an unprompted question, respondents were also asked to comment on why they did not use public transport more often. The results show that apart from car ownership, concern about personal security was the most important deterrent (mentioned by 17%) and rated higher than cost (5%) or inconvenience (10%).

An important factor is that when asked to say why personal security was the reason they would not use public transport, most people gave explanations relating to the journey after arriving or leaving the town centre, in particular the walk from work or home to the bus stop or local railway station. Issues included personal security in the streets, road safety, the unreliability of bus services, and the fear attendant on a long wait in the hostile environment of the bus station. There was very little concern about waiting at Southend Central Station or whilst travelling on buses or trains.

Attitudes towards walking: car users and non car users compared

When respondents were asked about what they most disliked about walking to the town centre, concern about personal security was rated higher than other factors by all groups. However, there were marked differences between those with and those without access to cars. 62% of those without access to cars gave concern about personal security as an aspect of walking they disliked compared to only 36% of those with access to cars. People who do not have access to cars worry more about security issues when walking. Car users can avoid or opt out of certain aspects of journeys. Thus car users gave higher dislike ratings to the time it would take to walk and carrying shopping compared to those without access to a car.

Chart 14: Main dislike about walking to town centre x access to car



In the survey as a whole, there were no significant differences in findings based on age, number of children or employment status. However, the results show that access to cars was the most significant explanation for differences between the samples. Respondents with access to cars were less likely to visit the town centre, but also felt themselves to be less at risk when they did visit. Once again the level of concern by bus passengers was especially high.

Conclusions

The survey results show an increased willingness to walk both to the town from home and to the town from the railway station as a result of enhancement of security on an area wide basis in the town centre and at the railway station.

There is also evidence of a bandwagon or critical mass effect whereby the larger numbers of new users later in the evening and on Sundays are providing additional security and surveillance in previously quiet periods in the town centre.

This process has also been encouraged by good town centre management, the encouragement of later and longer opening hours, the encouragement of family pubs, cinemas and safe high quality urban design. Retail trade is up.

There is also an increased willingness to travel by rail, especially later in the evening. Fare revenue is up.

In contrast, the bus station (although near the town centre) is not perceived as part of the safe area scheme. The environment around the bus station is seen as isolated and dangerous and many people are reluctant to continue their train journey by bus or to use the bus, preferring to use cars, taxis or be met. There are also difficulties related to the walk from home to the bus stop and this often results in driving to the local station, or all the way rather than use buses. Others who do not have this choice visit the town less often than they would like to.

The results also show that access to cars was the most significant explanation for differences between the samples. Respondents with access to cars were less likely to visit the town centre, but also to be less concerned about personal security when they did visit. In contrast, people without access to cars rely on public transport which is based on radial routes to the town centre. Thus if demand from this group is depressed, town centre amenities lose potential customers disproportionately. Such concerns depress activity rates, and lead to reduced bus use and levels of walking, especially in the evenings.

This case study shows that joint agency working can be very effective in improving perceptions of personal security and thus encouraging walking and public transport use. It suggests that service quality is an important part of the decision to access public transport by walking. The number of respondents who were not aware of the CCTV, but said it would make them more likely to visit the town centre by public transport, suggests that marketing safe walking schemes could also be valuable in generating travel.

Case Study 4:
Birmingham Showcase Bus Route Attitudinal Study

Introduction

The objective of this study was to obtain insight into why people currently do or do not walk and use public transport to get to a major urban centre. To study this it was decided, after preliminary research and consultation with Centros public transport and community safety officers, to focus on two showcase bus routes, one which serves a lower income and student area with a high proportion of minority ethnic groups (Line 33) and another which serves a more affluent area as well as the hospital and university (Line 44).

Both routes feature low floor buses and, in addition, the 33 route also utilises the latest advances in bus travel technology, including real time information and enhanced space for buggies and other luggage. There is level boarding and space for a wheelchair. Services are frequent, the buses low on pollution and the route has extensive bus lane and traffic priority provision. The Line is advertised Step into the future of bus travel Today. Information from Centro shows that patronage on Line 33 has increased by 19% and that 2% of total users are former car users.

The aim was to understand why some people do not use such good bus services in spite of such features and how perceptions of walking to the bus stop might influence demand.

Action

- A survey of users of the two showcase bus routes in the catchment areas of the two routes 200 interviews spread over three days at different times of the day and night mainly conducted at bus stops.
- A survey of non or infrequent bus users interviewed in residential catchment areas of the two bus routes 230 interviews. (Frequent users were people who used the bus at least once or twice a week. Infrequent users were people who used the bus once or twice a month or less, half of this group never used the bus.)
- Discussions with the Manager of the Newtown Safety Partnership and information from Groundwork about the community gating scheme.

The frequent and infrequent bus users had different socio-economic profiles. Frequent bus users were more likely to be female and younger or older, and less likely to be car drivers or live in car owning households. There were also differences between the routes, with those in the catchment area of Line 33 being more likely to be unwaged than those in the Line 44 area and this economic difference was reflected in higher car ownership in the Line 44 area. In the Line 33 area there were more people from minority ethnic groups. The proportion of people with disabilities was similar in all areas.

There was little significant difference in responses to various questions relative to the gender of the respondent. The infrequent female users of the Line 44 routes had a greater perception of being unsafe in the area, both during the day and at night, but the subsample sizes that give this result are small and should be treated with some caution.

Results

Knowledge of enhanced features of the bus routes and services

When respondents were asked to rate various enhanced features of the bus routes, there were marked differences between frequent and infrequent or non users. Between a third and half of the infrequent users had no knowledge of features such as low floor vehicles, increased space on buses, bus priority lanes, electronic information signs, new bus shelters or improved frequencies. On the other hand there were high ratings overall and a lot of interest from this group when informed of the new features.

> I didnt know about all this Ill certainly try it out if I can just wheel my shopping trolley on and off.
> [older woman]

> We had no idea you could get wheelchairs on the bus.
> [older man]

In comparison, frequent users were aware of the features and rated them highly. Passengers on the Line 33, which has more enhanced features than Line 44, gave particularly high ratings. The low floor steps and increased frequencies were rated especially highly by frequent users and infrequent users alike.

> I think the signs telling you when the bus is coming are great especially at night I often go in the shop until a minute before it comes now.
> [young woman]

> Ive stopped driving into Birmingham since the new buses came in theyre very frequent and the service is great.
> [middle aged man]

Chart 15: Ratings for Low Floor Steps

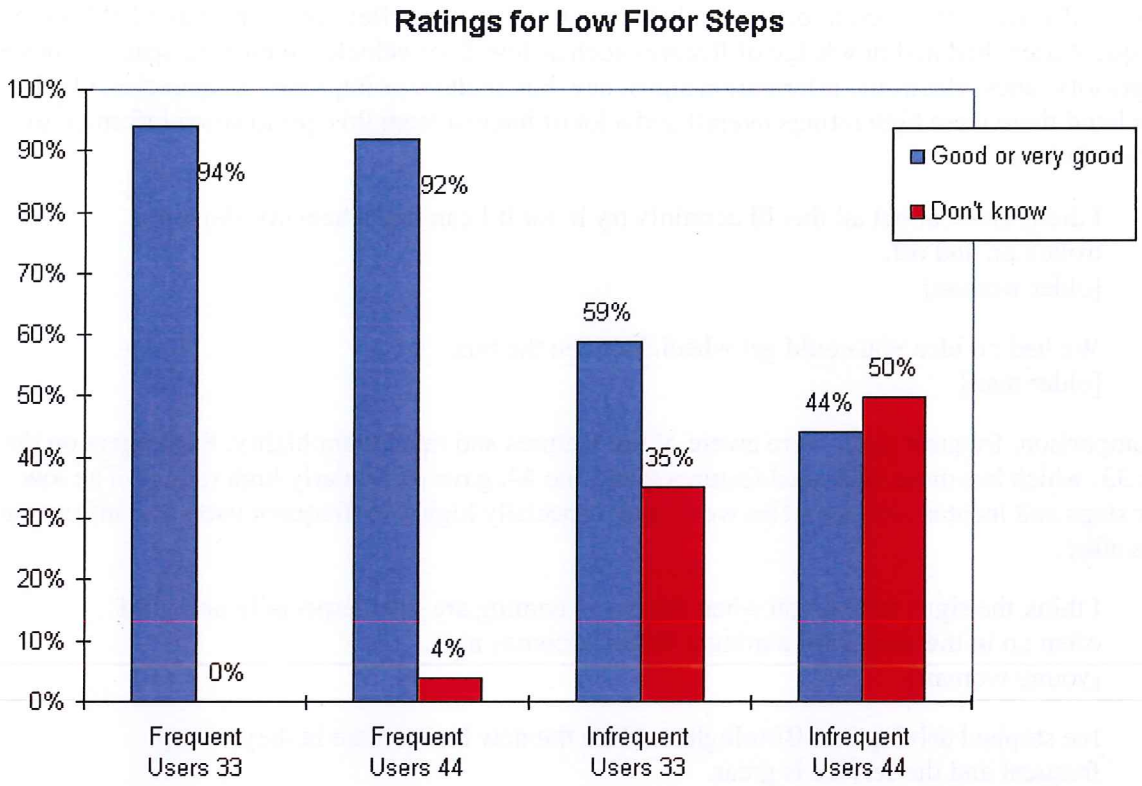


Chart 16: Ratings for increased space for shopping/buggies and wheelchairs

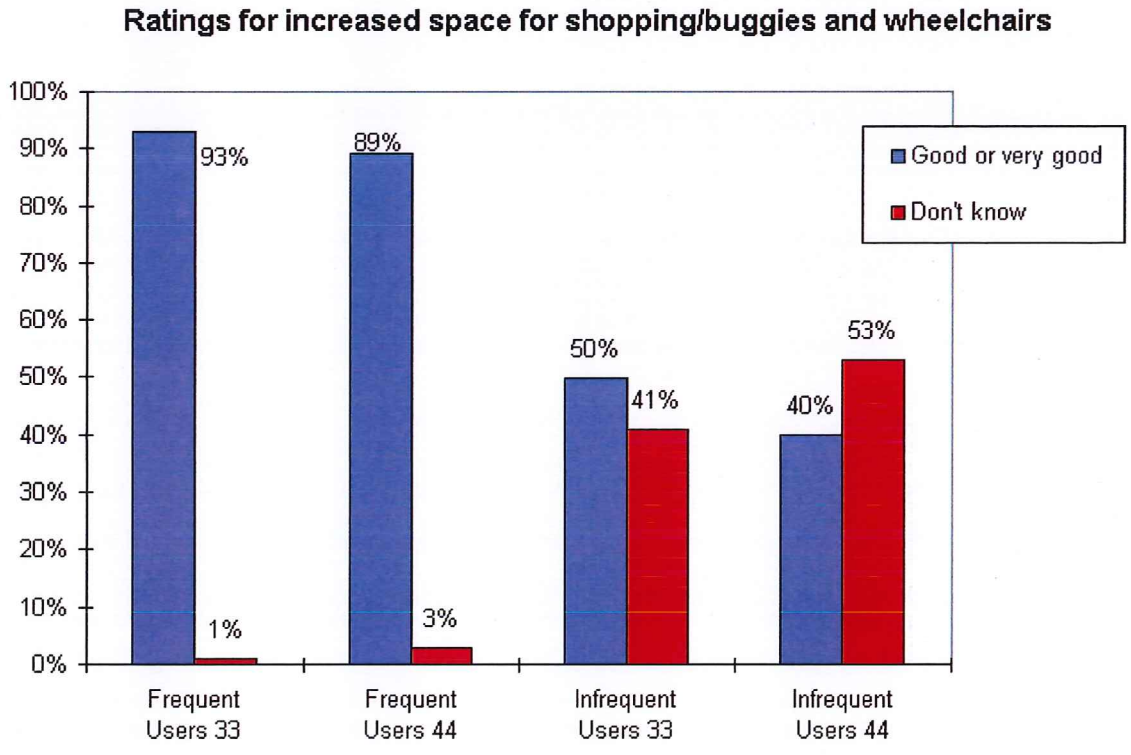


Chart 17: Ratings for Bus Priority Lanes

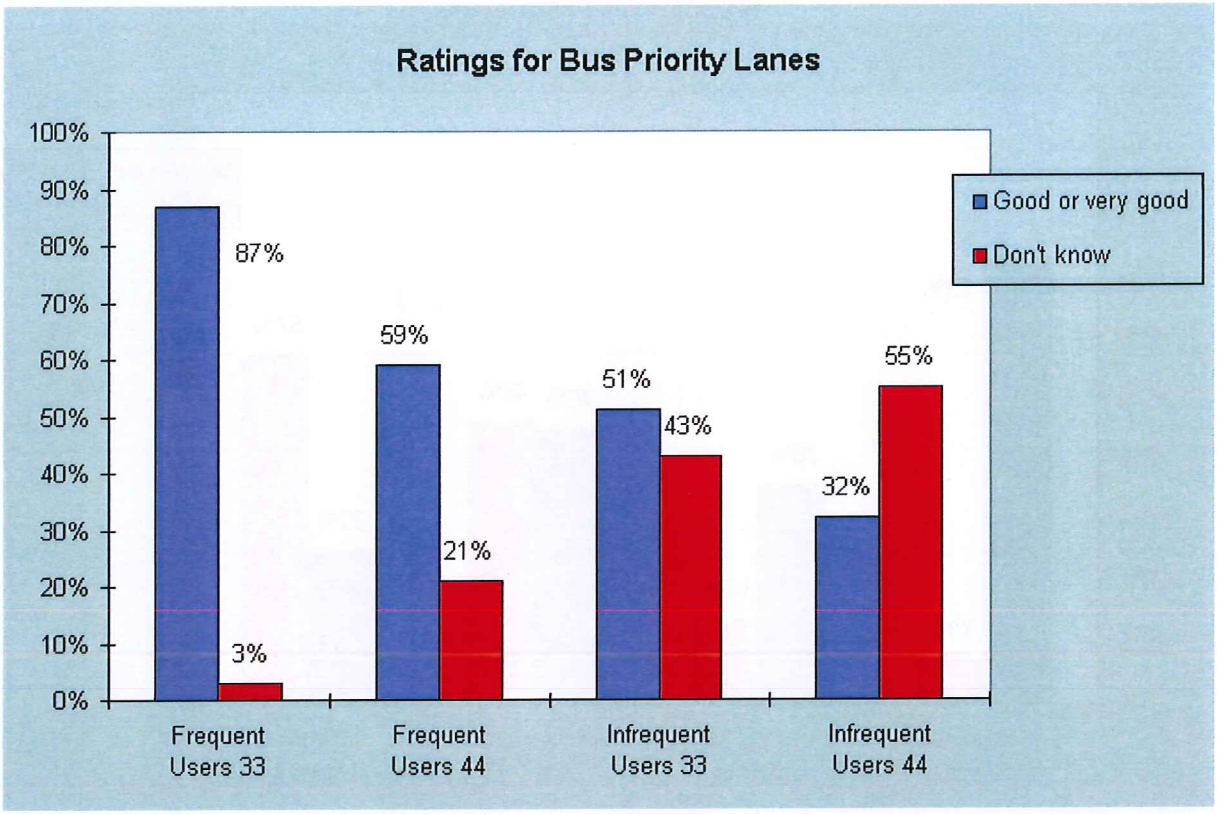


Chart 18: Ratings for electronic information

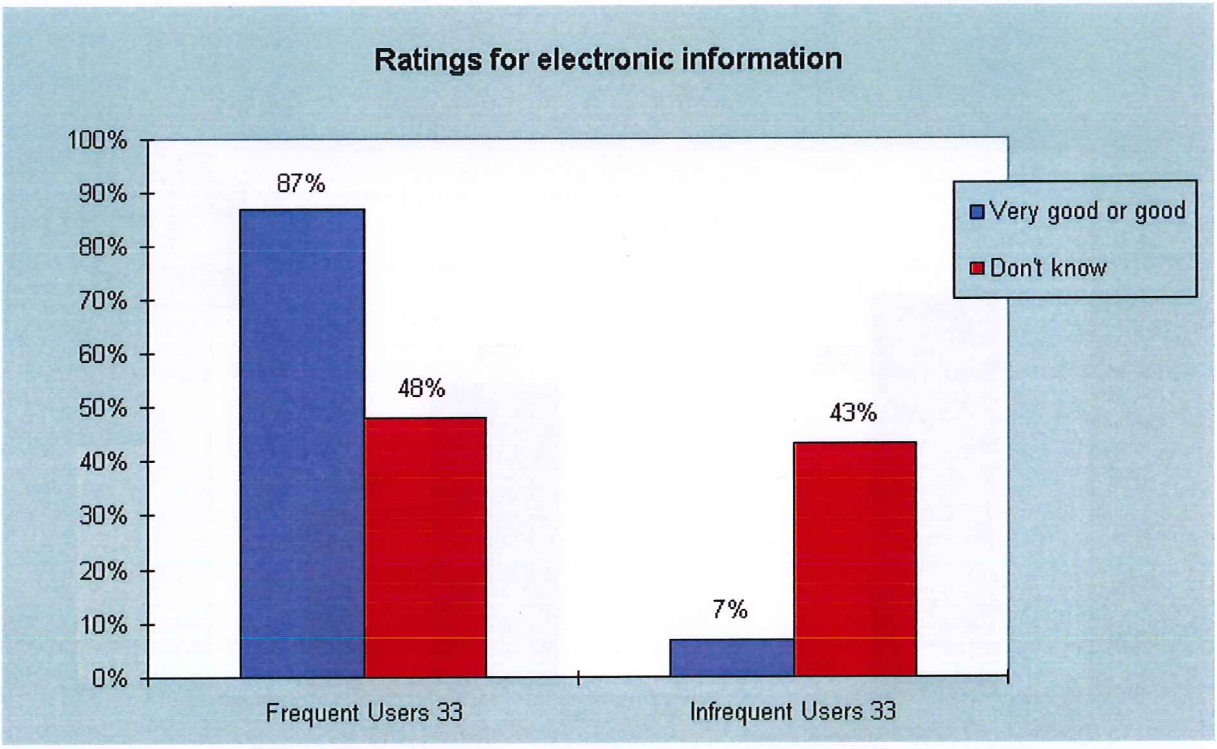


Chart 19: Ratings for Frequency

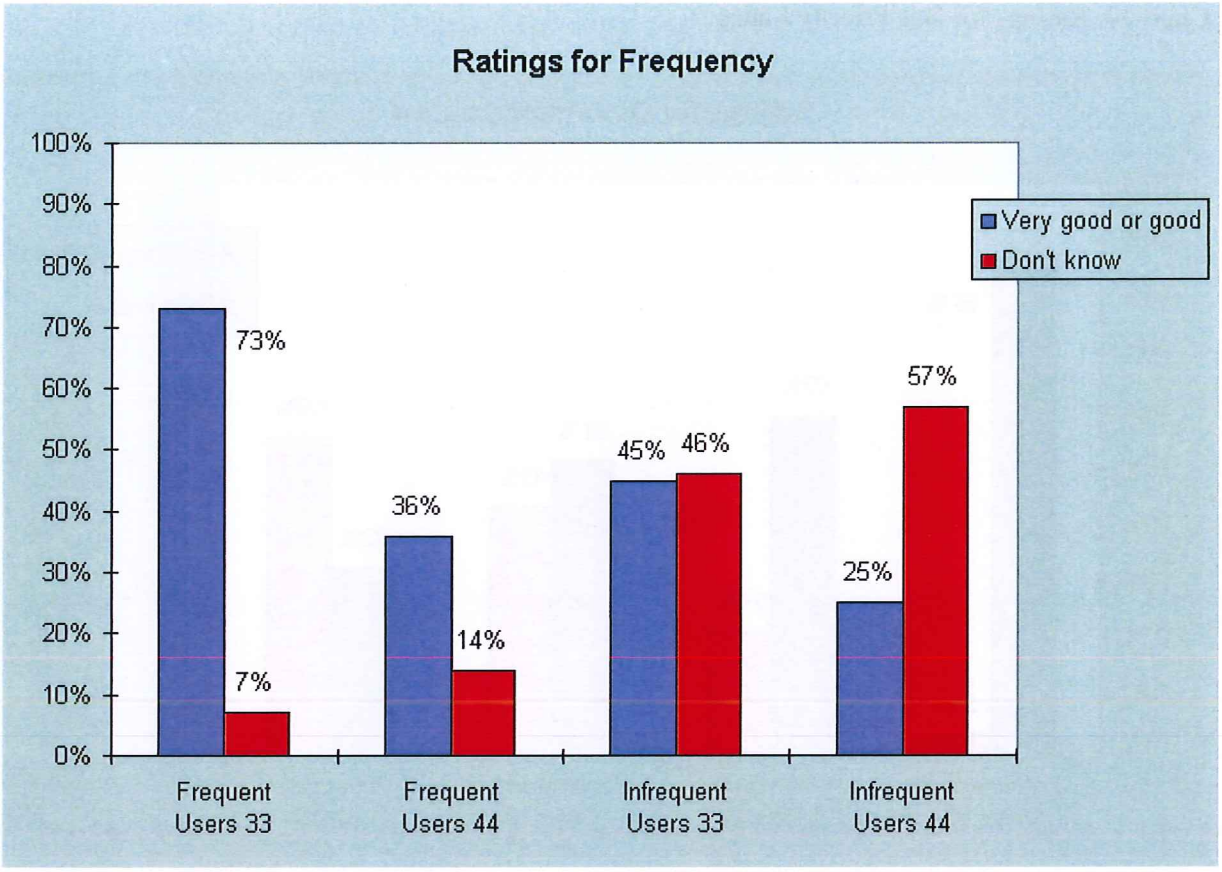


Chart 20: Ratings for new bus shelters

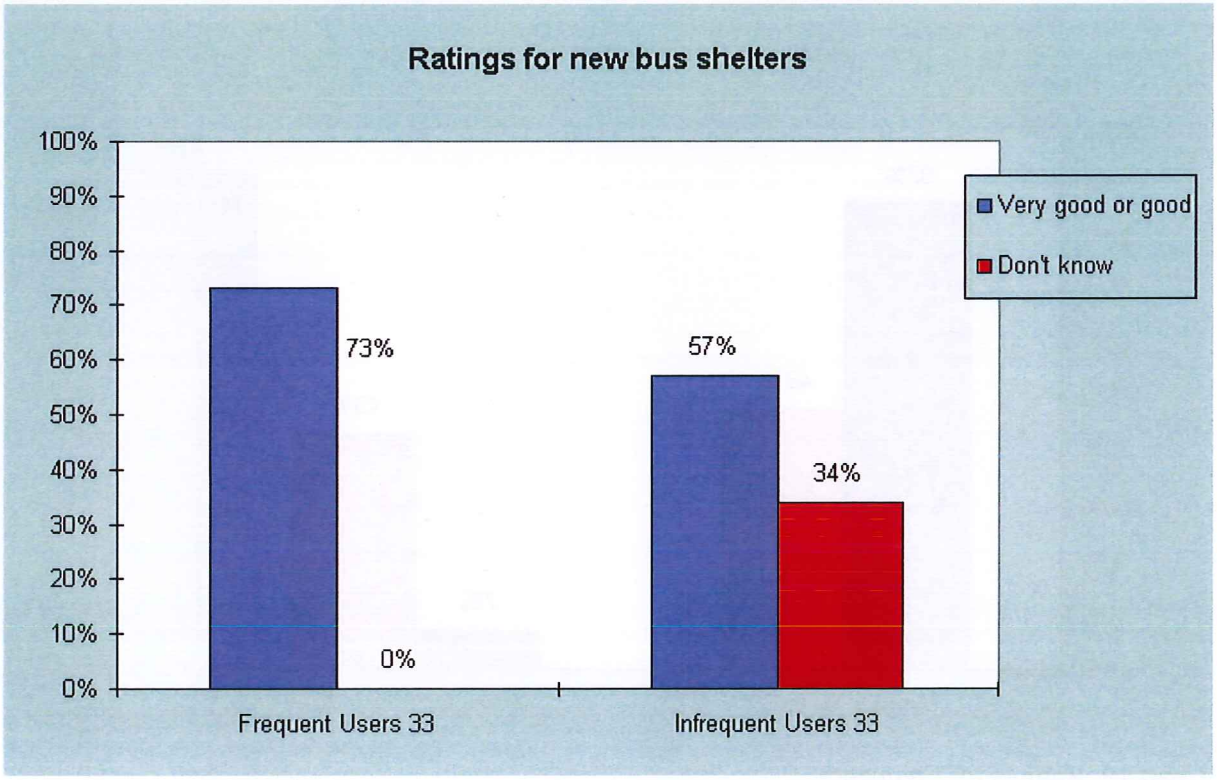
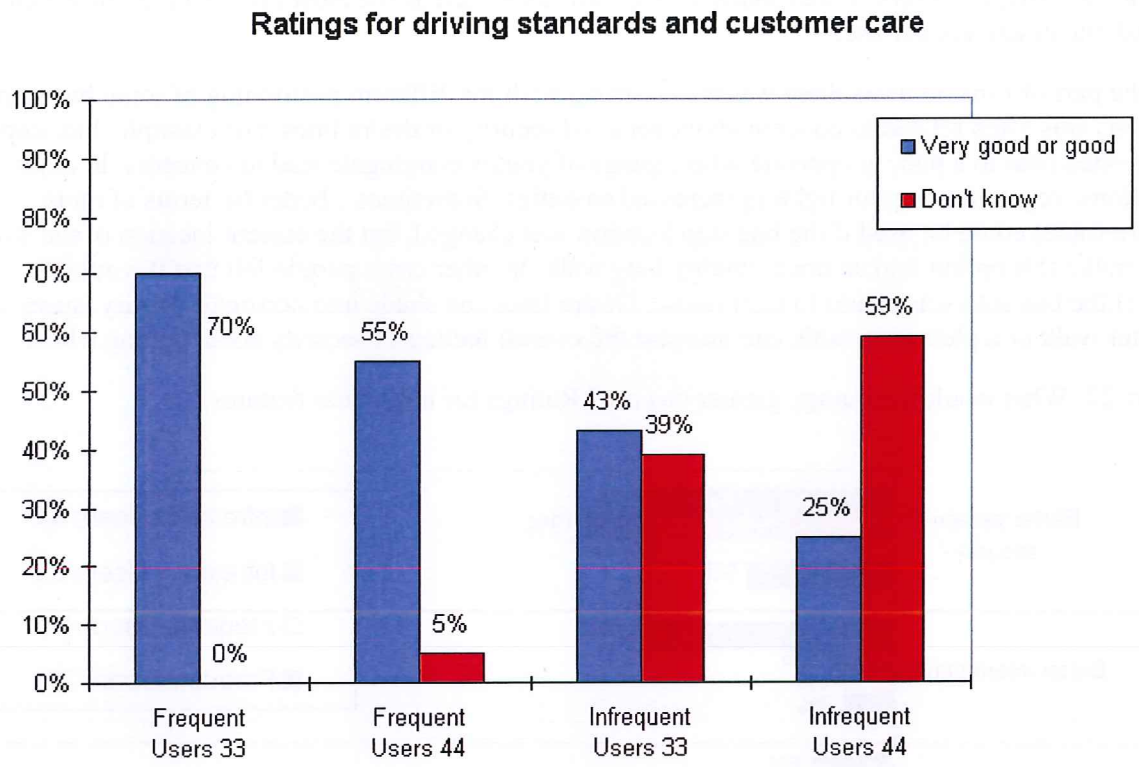


Chart 21: Ratings for driving standards and customer care



One group of bus users who were especially concerned about driving standards and customer care were people with disabilities. There were higher levels of concern amongst this group about poor driving standards and also driver attitude. Although all Line 33 drivers have been trained in customer care and disability awareness, it appears that operating difficulties, some of them due to the success of the route in attracting people with disabilities, continue.

> The bus pulled up about twenty yards away from the bus stop and when we tried to get on the driver told us he had pulled up there because he already had a wheelchair on board and couldnt take another one.
> [middle aged man]

> When we got to Corporation St the bus couldnt pull up to the kerb because there was a post office van parked at the bus stop. As a result I simply couldnt get off in my wheelchair and the driver got very nasty and said he wasnt a f...ing ambulance driver.
> [older woman]

> The lower step is great but the driver doesnt wait until Ive sat down I know I dont look disabled but if I fall over I probably wouldnt get up.
> [middle aged woman]

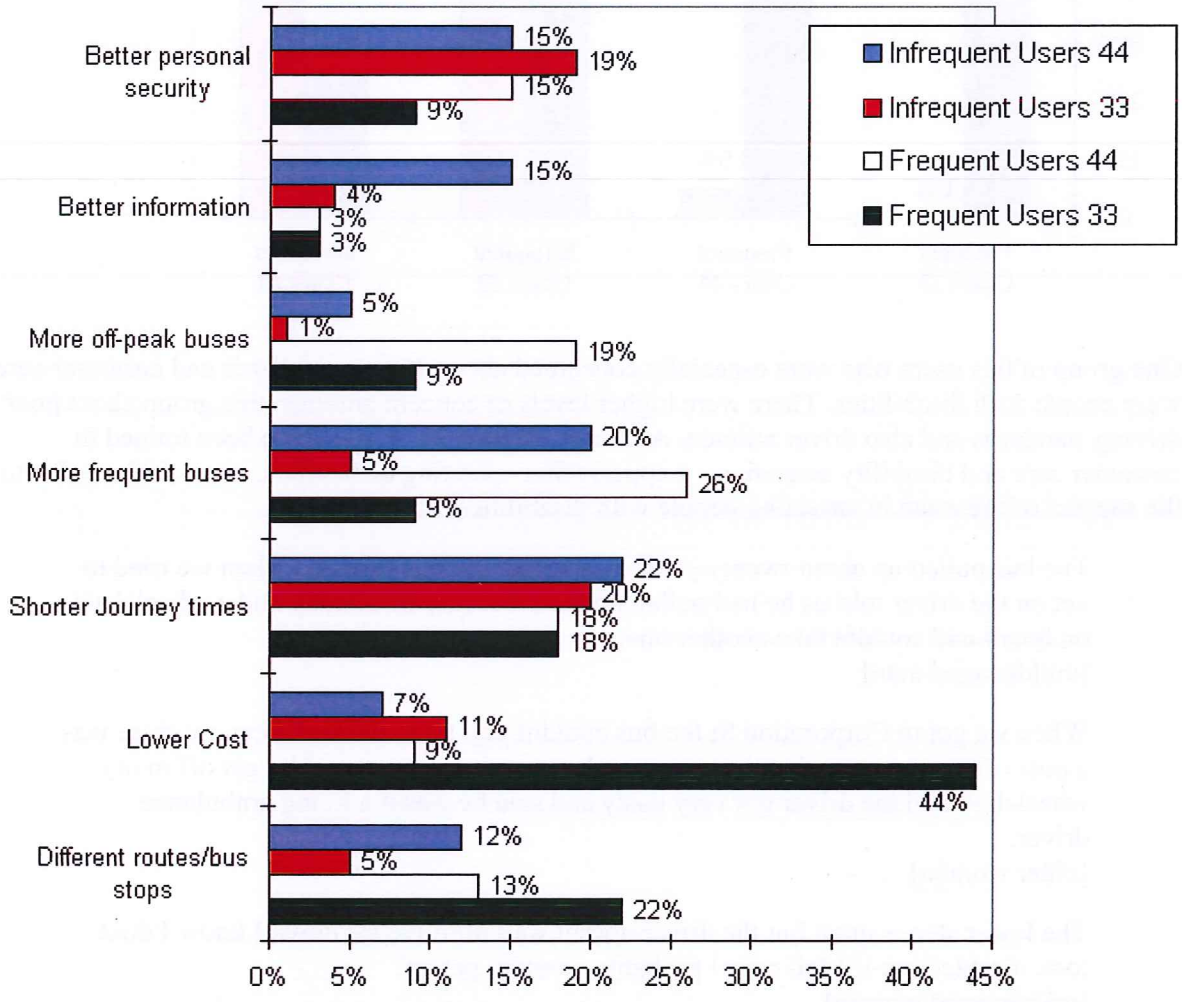
What would encourage greater bus use?

Respondents were asked to discuss what would encourage them to use buses more often and here there were marked variations by area as well as frequency of bus use. Amongst frequent users, on the Line 33 lower fares were the single most important factor (44%), whereas on Line 44 increased

frequency was judged to be most important (26%). This reflects both the difference in the socio-economic catchment of the routes and the fact the Line 33 has very high frequencies already. Amongst infrequent users shorter journey times was identified as the most important factor which would encourage greater use.

On the part of Line 33 users there was also a strong wish for different positioning of some bus stops and this was often related to concern about personal security or desire lines. For example, bus stops positioned near to a pub, or opposite where gangs of youths congregate lead to concerns. In other positions, vegetation or poor lighting increased anxieties. Sometimes a better (in terms of more secure route) could be used if the bus stop location was changed, but the current location of the stop may make this option into an unacceptably long walk. In other cases people felt that it would be nice if the bus stop was nearer to their house. Desire lines can shade into personal security issues: a shorter walk or a pleasanter walk can increase the overall feeling of security about talking a bus.

Chart 22: What would encourage greater bus use? Ratings for individual features



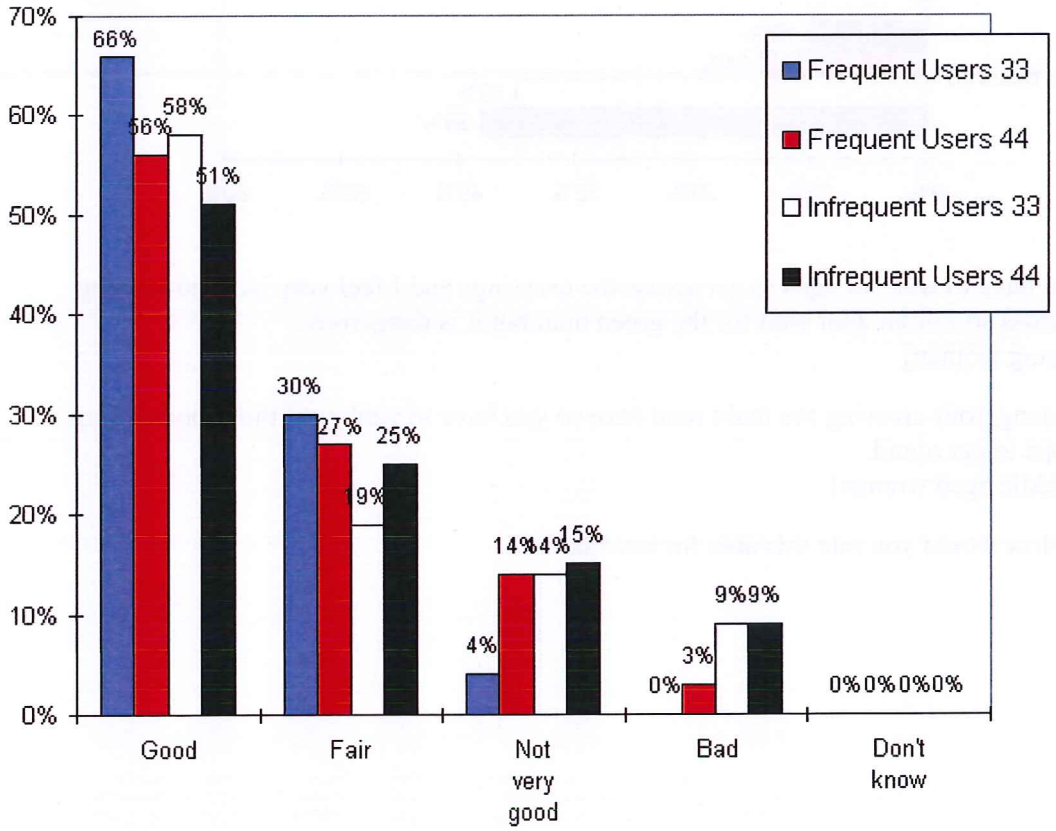
Perceptions of personal security

A finding of particular interest to this study was the proportions who considered better personal security would encourage them to use buses more. Although this was raised in response to the

question about increasing bus use, the comments made in expanding the point showed that concerns about personal security were related far more to waiting at bus stops or walking to bus stops than to the actual on-vehicle journey itself. This was also apparent from ratings for the walk from home or work to the nearest bus stop. 15% of both frequent and infrequent users on the Line 44 were concerned about personal security, and it was the second most important improvement for infrequent users of Line 33 (19%). Frequent bus users in the Line 33 area gave higher ratings than infrequent or non users. In the Newtown and Perry Bar areas in particular there was concern about the walk route to bus stops, including the necessity to use subways, pass graffiti and litter, drug dealing areas and dark footpaths. Indeed, during our research, these problems were already being tackled by the Newtown Safety Partnership working with Groundwork Birmingham via an alleyway closure programme and by Birmingham City Councils plans to close the underpass at Perry Barr.

> My dad always meets me from the bus I would be very reluctant to walk home on my own even in the day.
> [young woman]
>
> I hate waiting for the bus you get some really dodgy people joining the queue.
> [young man]

Chart 23: How would you rate the walk from your home/work to the bus stop?

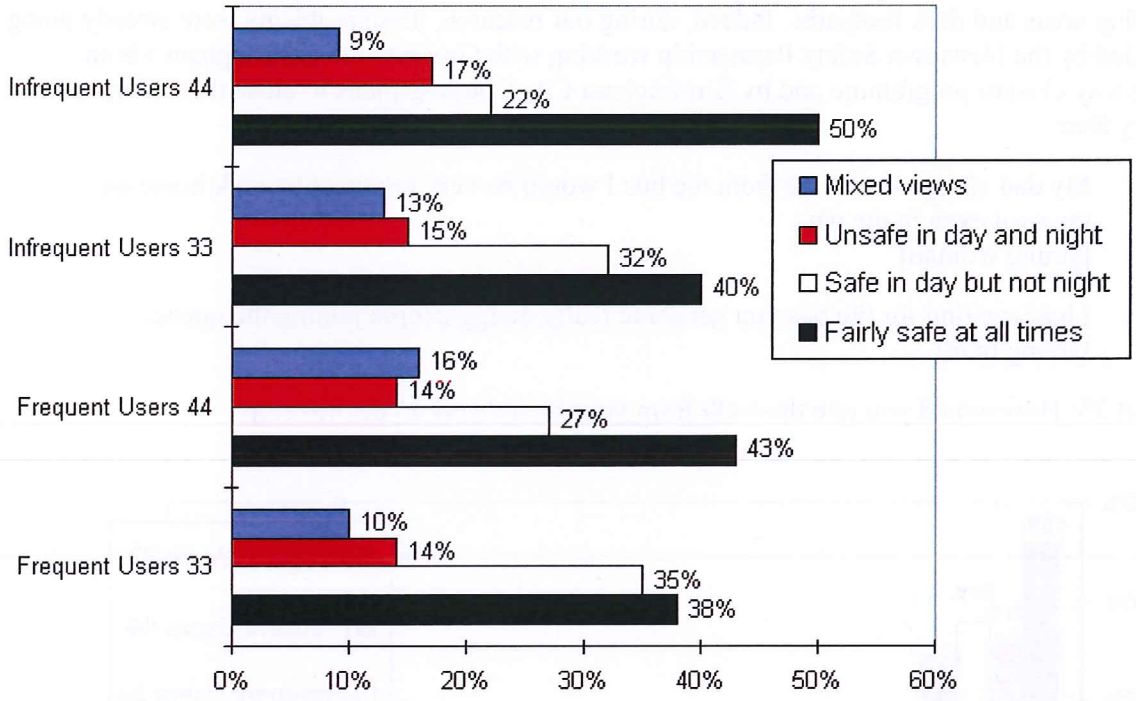


Concerns about personal security were also demonstrated by ratings for general personal security in the areas surveyed. These showed that concern about personal security at night was especially high

in the area served by Line 33. However there were similar proportions in all areas (14% 17%) who felt unsafe both in the day and at night.

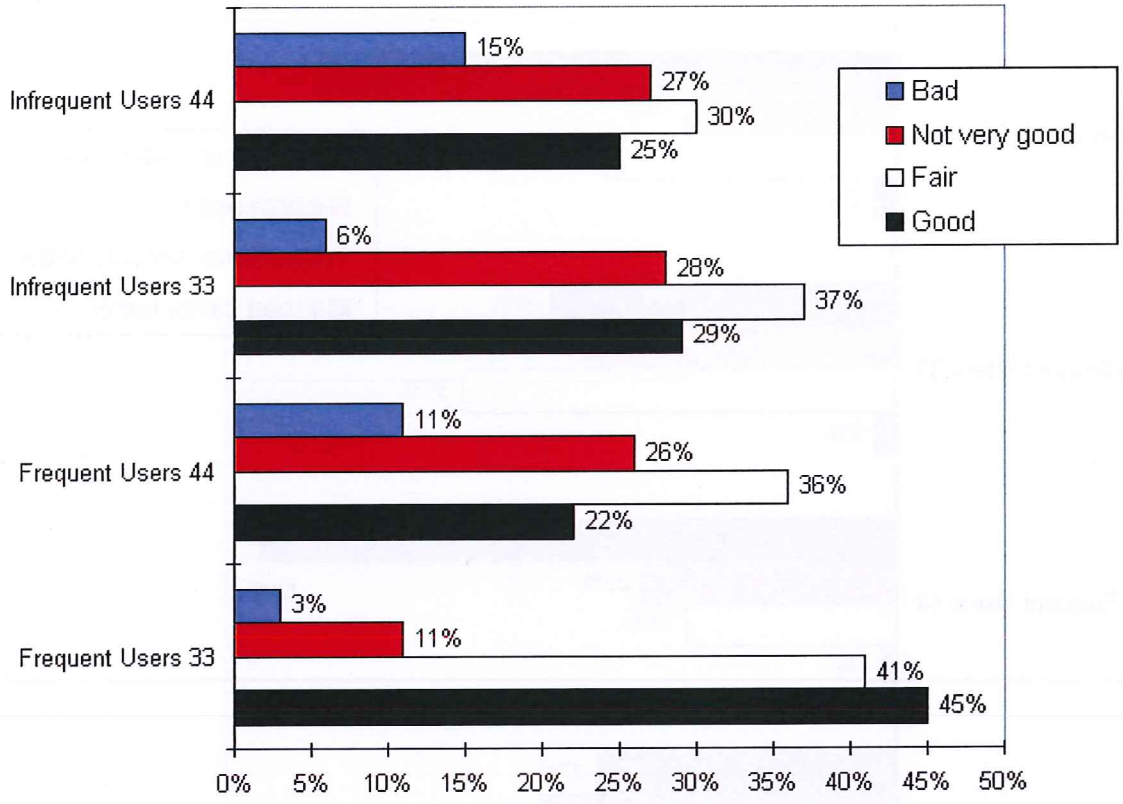
One aspect of walking to the bus stop was a tendency for some people to walk further in order to access the Line 33 service, thus increasing the role of walking as part of the whole journey.

Chart 24: How would you rate this area for personal security?



> You have to wait for ages to get across the crossings and I feel very isolated waiting to cross so I often dont wait for the green man but it is dangerous.
> [young woman]
>
> Its dangerous crossing the main road here so you have to walk past those boarded up shops to get round.
> [middle aged woman]

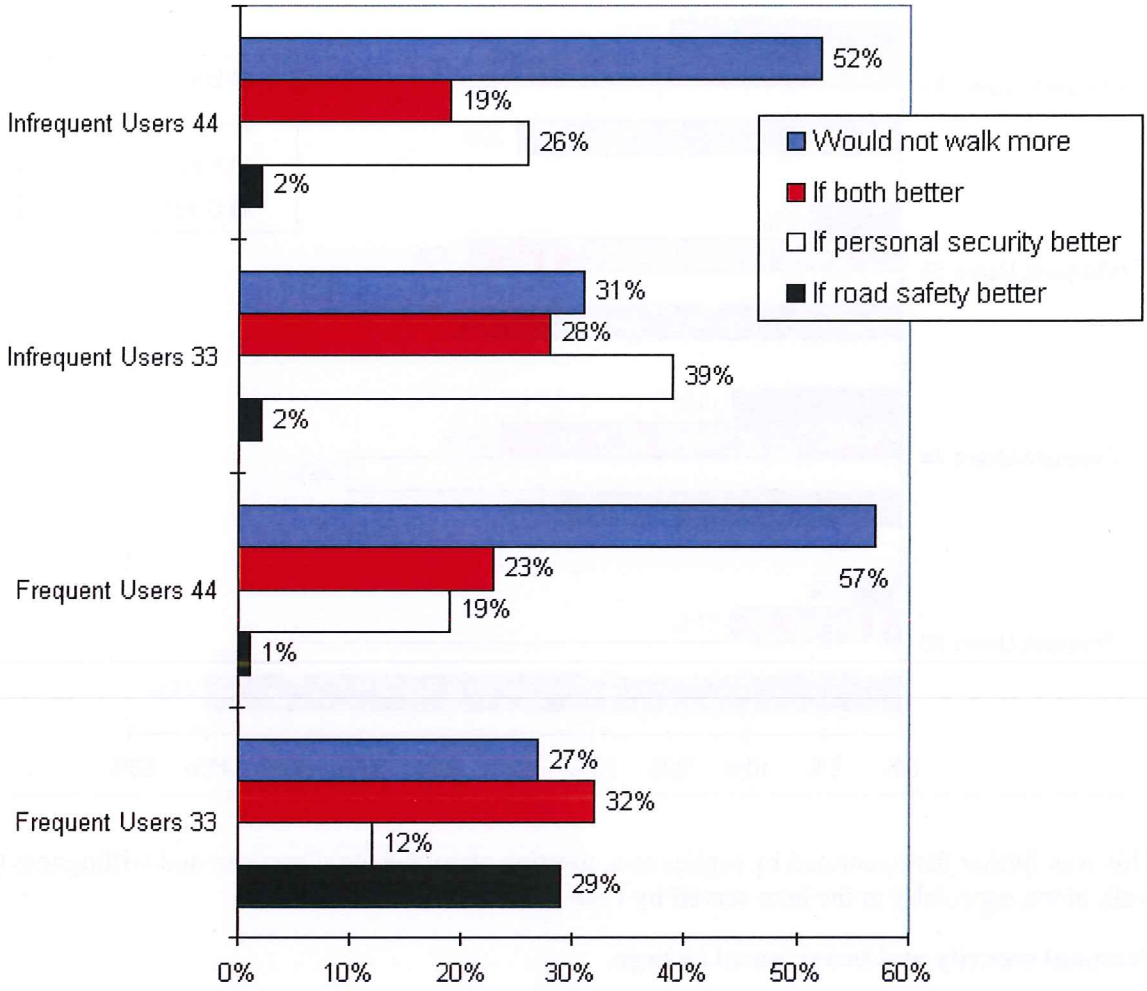
Chart 25: How would you rate this area for road safety?



This was further demonstrated by replies to a question about personal security and willingness to walk more, especially in the area served by Line 33.

Personal security and behavioural change.

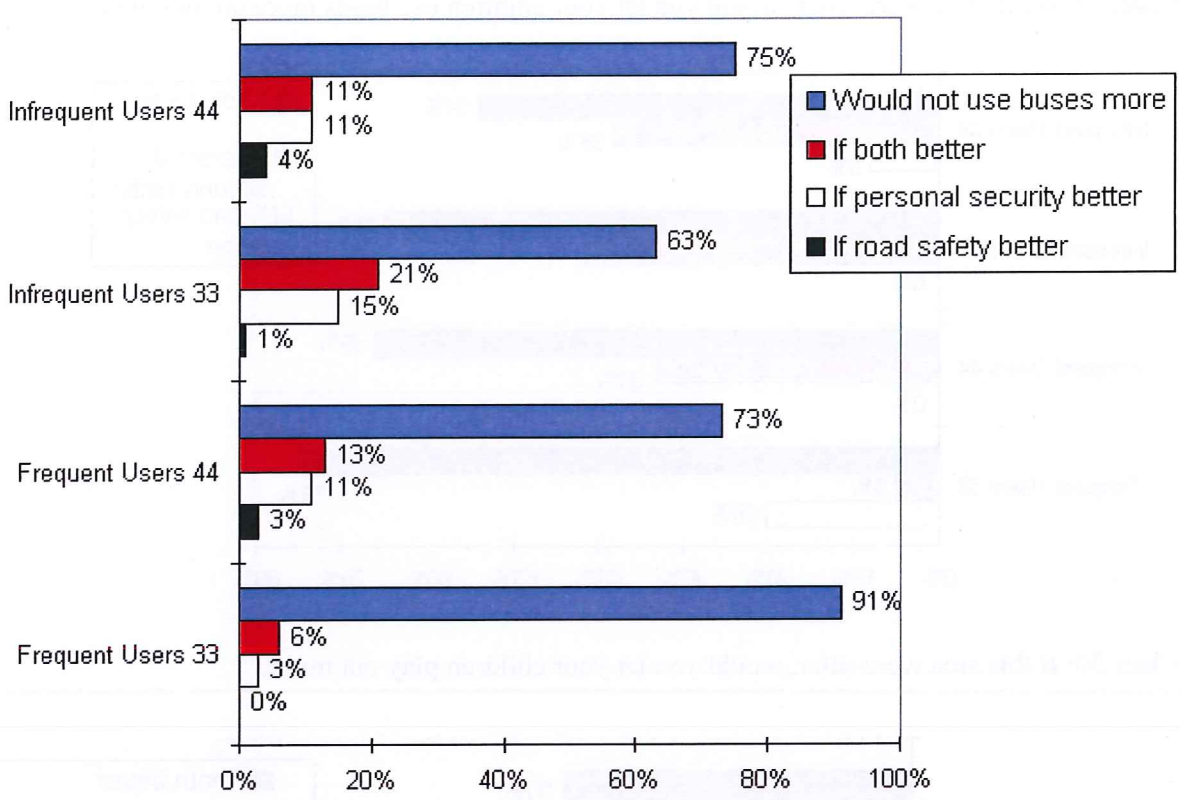
Chart: 26 If this area were safe, would you walk more?



One group of people who were especially concerned about both road safety and personal security were those with disabilities. Many examples were given of difficulties encountered in travelling from home to the bus stop.

There was also some evidence that improved area safety would encourage people to use buses more.

Chart 27: If this area were safer, would you use buses more?



The potential for greater walking and bus use by children was also discussed and once again the necessity to address road and personal security jointly were apparent from responses.

Chart 28: If this area were safer, would you let your children walk more on their own?

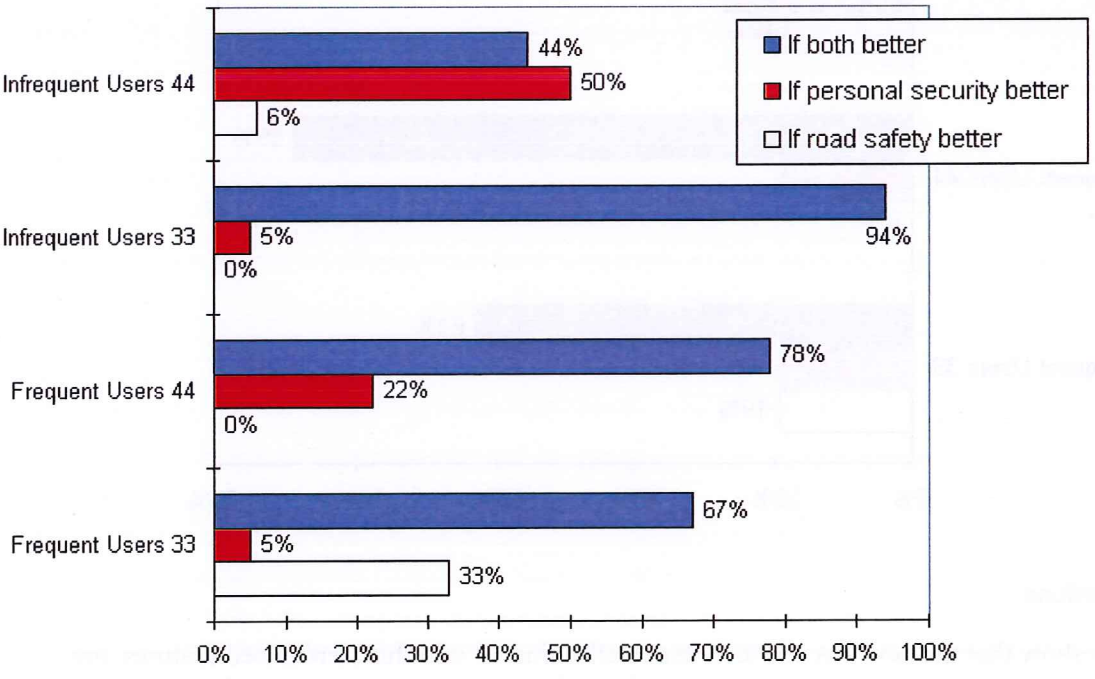


Chart 29: If this area were safer, would you let your chidlren use buses more on their own?

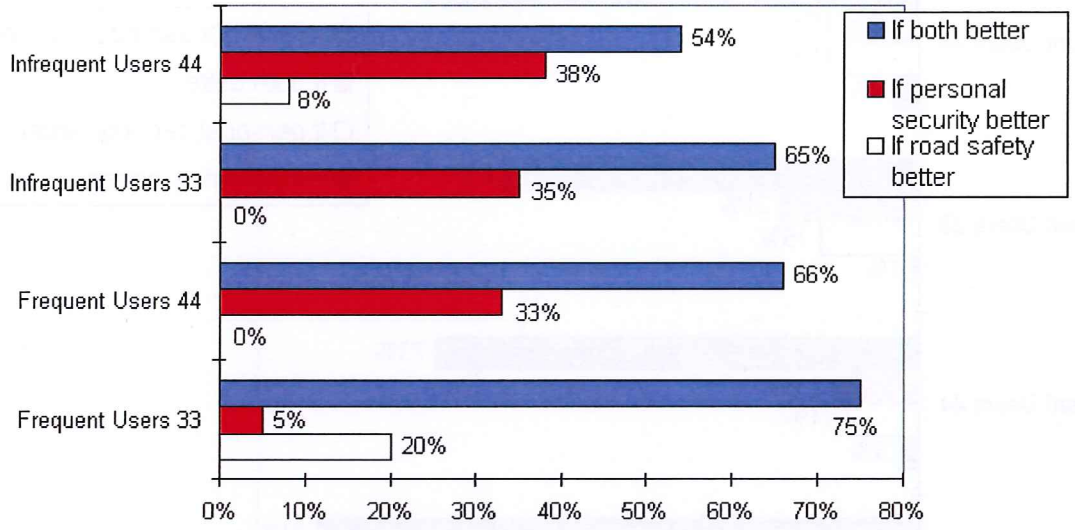
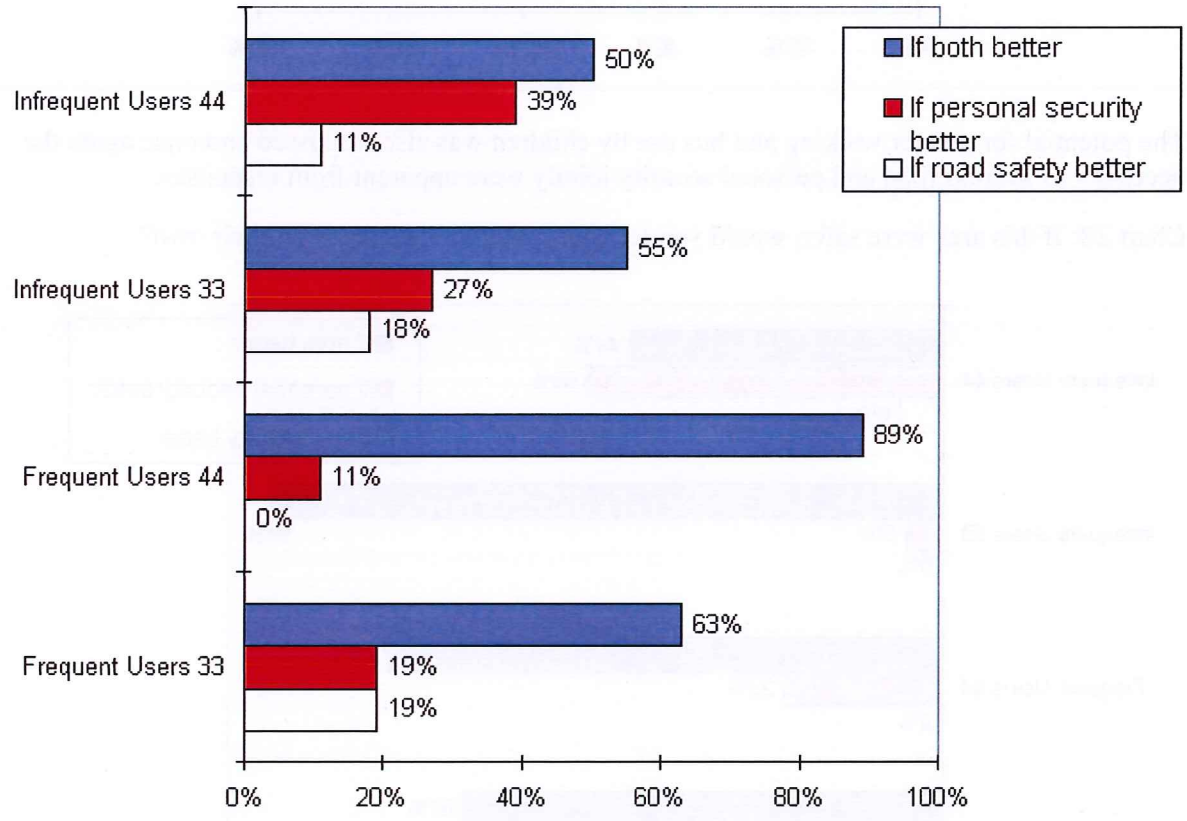


Chart 30: If this area were safer, would you let your children play out more?



Conclusions

Results show that the new bus services, especially Line 33 with fully enhanced features, are attracting many new customers. Some are existing bus users who go out of their way to catch the

enhanced service, but others are new bus users. These include wheelchair users, older people and people with children. There is also evidence of considerable scope for increased use from the significant number of infrequent or non bus users who do not know about the enhanced features.

On the other hand, there are still a significant number of people who do not use the bus because the walk from their homes or from the shops is seen as dangerous on grounds of road safety, convenience and personal security. There are a number of examples of very poor quality subway crossings for which there are no surface level opportunities or estates with few security features in the catchment areas. As a result, many people are deterred from walking to local shops and other neighbourhood facilities, including bus stops. Consequently, potential use of the enhanced bus services is depressed especially by women and children. Members of ethnic and minority groups also experience particularly high levels of concern due to perceptions of danger when walking and such fears also affect choices of destinations.

The results also show that perceptions of road safety and personal security are inextricably linked and that both need to be tackled simultaneously if either walking as a main mode or as part of a bus journey is to be encouraged.

There is also a need to plan bus services in conjunction with the walk to the bus stop, including the siting of crossings, lighting, security, pavement and kerb design and the location of the stop itself. This is especially important as the survey evidence suggests that some people, especially those with disabilities or buggies, are walking further in order to use enhanced bus services.

Case Study 5:
Lincolnshire Rural Village Study

Introduction

In 1997, a Citizens Jury (facilitated by SRA) identified poor pedestrian facilities, including lighting, as a problem in rural villages in the North Kesteven district. Via the parish council, torch walks have been held and audits carried out. These have resulted in a number of improvements, including Neighbourhood Watch schemes which incorporate the use of rapid response telephone links between villagers and the police.

Action:

- Two focus groups to explore the effects and attitudes both to the improvements and to establish what other factors both deter and encourage walking in the village environment. The focus groups included a number of community representatives, and included representatives from the church, senior citizens activity groups, guides, scouts, brownies, under-16 football, rambling associations, people who had been parish councillors, mothers with young children, local business people, and those who lived in the village but worked elsewhere. As is often the case in community focus groups, people spoke for more than one constituency: most were parents with children of varying ages, many both drove and walked. Those whose children were now adult were still concerned with the overall life of the village and had active concerns for the security of other groups.

Results

Background

Washingborough is village of approximately 3,800. It is bordered by the B1190 which serves as a main road into Lincoln and intermittently carries quite a lot of heavy traffic, mainly agricultural, especially at the time of the sugar beet harvest. Although much of the newer village lies to one side of this road, there is ribbon development along its length

There is a primary school with about 290 children on the roll, and the senior children go to Branston Community College mostly by bus, but some cycle

The village has a degree of self sufficiency with a chemist, a vet, a newsagent, florist, butcher and several pubs. There is a Post Office where Council tax can be paid, and the active Parish Council acts as a link to the County Council. There is also a mobile bank. There is a community centre which is well used, and runs a variety of classes including line dancing and tea dancing. There is also basketball, bowls and football in the village, Guides, Brownies, Cubs, and active church. The restoration project for the church bells raised the required £30,000 very rapidly. There are nine under-16 football teams in the village which use the playing field adjacent to the Community Centre.

It is both a self contained community and a commuter village. The majority of the employment is in Lincoln (about 85%) and there is a clear recognition that such villages cannot create enough employment for those who live there. It therefore follows, in spite of some evidence of telecottaging, that most people need to travel for work. Lincoln City Council has a clear policy of encouraging commuting by bus and a growing number of people in the village commute by bus, including a local solicitor who participated in a focus group. However most people drive.

Crime

The problems related to crime in the village are mainly vandalism, opportunistic theft and juvenile crime. It is perceived as a nuisance more than a real threat. There are vague rumours about drugs: certain people are thought to sporadically supply others with cannabis, but there was not concrete knowledge about the extent of this. It was not thought to be carried out on an extensive scale.

More significant from the point of view of walking in the area, especially at night, are the gangs of youths who hang around in the village centre, some said to have air rifles. People feel very intimidated. They are not committing offences, but their presence is seen as threatening and some of them shout remarks at passers-by.

Traffic Issues

The main road is busy and lorries speed through the village, creating a reluctance to allow children to walk and cycle into the village centre. There was widespread agreement that traffic speeds along the main road deters people from walking there are problems with both cars and lorries. Traffic calming would be very much welcomed and so would crossing points.

Getting to school: the primary school in the village

The school provides an early morning club, and an after school fun factory (at the community centre). The children are escorted from school. There is 8 am-6 p.m. care for children.

There was a feeling in the groups that habits of walking are started young and that parents tend to drop their children off at school by car as a matter of course. There have also been one or two scares which have acted as further deterrents: a child followed by a youth on a bike, who terrified her, and persistent rumours of a man in a red car being seen, particularly in the vicinity of the school. He does not appear to leave his car, but it is felt that he watches the children.

Getting to school: the local community college

Children do cycle to school along the track that is provided and also into Lincoln. Buses that serve local needs are also used.

Buses

There are three bus companies. The service following de-regulation is considered better. It is now thought to be very good in the morning and early evening, but the late evening service is poor.

The number of bus users is increasing, and some employers (e.g. Alsthom) offer discounted travel with Lincolnshire Road car.

Many children do not know how to use a bus. There is a perceived lack of customer care, especially for young and inexperienced bus users that might make parents unwilling to let their children use a bus. However, one driver was singled out for particular praise and various people commented that there was a good relationship when this driver was on the route. The buses offer no reduced fares to school children.

The smaller bus companies were seen as being under threat and people were worried about the reinstitution of the Lincolnshire Road Car monopoly

Factors that discourage people from walking more

It was agreed that it is difficult to get people to walk: one example given was that people dislike coming to church because there is little parking nearby and in order to get to church they would consequently have to walk. It is the walking, not the visit to church that is given as the disincentive There was a feeling that some of the reluctance to walk might be due to inertia. Some members of the group (including someone who had a heart attack a year ago) wondered whether more could be done to promote the positive benefits of walking from the health point of view. The British Heart Foundation have a leaflet, but it is not well known unless you have had the misfortune to have suffered a heart attack.

Some of the local walks, including a previously well used footpath into Lincoln, have been ruined. Anglian water do not take good care of the sewage pans, and the walk into Lincoln is ruined by flies and smells. Walking on the road is not really an option because of lack of good paths, fumes and pollution.

Walks that people would undertake in the day time are not considered feasible at night due to poor lighting. Poor lighting is generally considered a deterrent, but one of the focus group members raised the question do the British have an obsession with lighting, compared with Europeans: i.e. that dark = dangerous. Other people didnt particularly like the urbanised feel of bright lighting, but thought that it was a sign of the times that you no longer felt secure unless you were in a well-lit environment.

Walking in and around Washingborough is not seen as particularly safe or pleasant, although people do walk around the village in the day-time. However it is also recognised that positive incentives may be needed to get younger children to walk to school, such as a walking bus scheme and some safe houses.

There is a walking group in the village with 60-70 members, but this is recreational. People drive somewhere and then go for a walk!

One of the problems in getting people to walk more is the fact that the community centre and adjacent playing field are on the other side of the main road from most of the rest of the village. The community centre is used less in the winter evenings by all groups, due to both the dark nights, and the poor road crossing.

The parish council have repeatedly petitioned for a crossing, both to slow traffic down coming through the village, and to provide safe access to the community centre and playing field.

Cycling

There is an excellent and well used cycle track utilising a disused rail line into Lincoln, built by Sustrans. There is also a cycle track to Branston which is used by many of the children who go to senior school there. It is well lit.

The cycling facilities to key destinations in the area are very good and widely used

Other transport modes that might encourage walking as part of the journey

Trains

There was great support for the reinstitution of a train stop at the village and a belief that it would be used to get to and from Lincoln.

Park and ride

There was a belief that Park and Ride would be used if it was instituted.

Walking and the use of buses

Severance is created by the main road and the need to cross the main road to board or after alighting from the bus was seen as potentially dangerous, especially for older people, people with buggies and children. One mother described how she felt she had to meet her children from the bus for this reason.

Conclusions

The discussions in the focus groups reinforced the view that people are discouraged from walking by poor lighting, traffic speeds, difficulty in crossing the road, lack of good footpaths, and intimidation of groups of youths hanging about.

There was also a clear recognition that many people were reluctant to walk anyway and therefore it was easy to discourage people from walking if there was any perceived disincentive.

It was further acknowledged that habits of walking were probably established early on in life. Therefore, it was particularly important that parents were encouraged to feel confident about allowing their children to walk more and to use other modes of transport that would make them less car dependent as they grew up.

The car and other forms of motorised transport make possible the continuation of village life. As such it is seen as a lifeline and dominates much of the thinking on access. Walking is both an activity within the village, to local facilities, and may also be part of longer journey involving public transport.

The dominance of motorised transport in rural settings has perhaps been less questioned because of its role in the continued viability of the rural economy. [The lorries thundering through the village laden with sugar beet were accepted as inevitable for precisely this reason.] When good cycling routes are put in rural settings like Washingborough they are used. There is no reason that measures encouraging people to walk more wouldnt work, but (as in the urban setting) there is little scope for a piecemeal approach all the issues affecting a particular route need addressing if there is to be a substantial change effected.

The Parish Council have repeatedly petitioned for a crossing to the community centre across the B1190. This is both to slow traffic down and to provide safe access to the community centre and playing field. Until recently they have been told that they did not meet the criteria, but the revised criteria for crossings are such that this may no longer be the case. However, the example demonstrates both the problem of severance created by having facilities on the other side of the main road away from the residents, and the difficulties that can be encountered even by determined and well organised residents groups in doing anything to improve pedestrian access. One of the problems is that there is pressure from many villages in Lincolnshire for traffic calming and/or crossings and the local authorities do not have funds to meet all requests. In addition, there is debate about resource allocation and there is a clear case for a public debate about the criteria for rationing as well as the relative priority to be given to traffic calming and crossing provision. A related issue is the extent to which villages should be allowed to raise funds privately for such expenditure.

Whatever the outcome of such debates, it is important that local authorities recognise that in addition to road safety needs, there are broader issues which relate to community development and social needs of villages springing from obstacles to walking.

Case Study 6:
Nottingham Safer Bus Routes

Introduction

This case study considers the impact on bus use of safe walking and waiting routes in Nottingham. The scheme was introduced in winter 1996/7 as a response to City Challenge work with local groups that identified a level of fear walking to and waiting at bus stops and travelling on buses, particularly at night. A partnership, led by the City Council, put in new bus shelters, each named and with a clear stop pole and flag and a current timetable. The shelters were located close to new street lighting and away from areas local people feared. At some shelters, pay phones were installed, to give people confidence that they could get help if they needed it. Buses were retimed slightly, to provide a reliable timetable that was easier to understand. Timetables were delivered to households. Bus drivers on the routes were given customer care training.

"Safer Bus Routes" treated two areas Sneinton Dale and St. Anns Well Road. Both are busy roads, serving dense residential areas directly and providing some alternative to main radial routes. Both were City Challenge Areas, with high unemployment, low car ownership, and high bus use, as would be expected.

Funding

The partnership provided:		
Nottingham City Council (Capital)	Shelters, telephones	£50,000
Nottinghamshire County Council (Capital)	Junction improvements, environmental works	£25,000
Nottingham City Challenge (Capital)	Lighting	£42,000
European Regional Development Fund	Contribution to capital works	£35,500
Nottingham City Transport	Bus stop poles and flags	£7,000
Nottingham City Challenge (Revenue)	Safety and maintenance budgets	£21,000

Monitoring

There was extensive attitudinal work before the scheme; including a residents survey of 196 women in Sneinton and St. Anns, and travel surveys before and after implementation.

Review of the Scheme: two years on

In the before survey, walking was the main mode for 32% during the day and 18% at night and 76% and 64% had no concerns about travelling into Nottingham by day and evening respectively. Some fears related to personal security at the destination or drunks on the street. Many people complained of service issues such as frequency, vehicle design, fare levels and exact fare policy. The main single reason for not using the bus was not wanting to travel to the City. Many older people said they had no wish to travel at night and felt safe in the day. Fear was not always an

issue: some people often walked into the City centre, especially late at night when buses and taxis were fewer.

Nonetheless, there were reasons to address fear of walking. Many of the service issues had a fear component people worried more if they thought the bus was infrequent and unreliable and in the before survey over half the respondents felt it was not safe to walk to and from bus stops and to wait for the bus in the evenings. The attitudinal report concluded that: "Fear of crime is a significant deterrent to the mobility of many people, especially women, older people, the physically disadvantaged and ethnic minorities".

Suggestions for addressing fear

The groups suggestions to address fear included conductors on the bus, even if only on late night buses, police patrols in the area of bus stops and police to be encouraged to use buses, perhaps as part of their journey to work. The idea that the police used the bus system could both reassure people and give the police some insight on the types of behaviour that people found intimidating. There was fear waiting at stops. Almost all the groups suggested better lighting at or near shelters and several suggested telephones, though one group was concerned that phones would attract vandals. Some groups suggested more frequent buses, and timetables at stops and in large print.

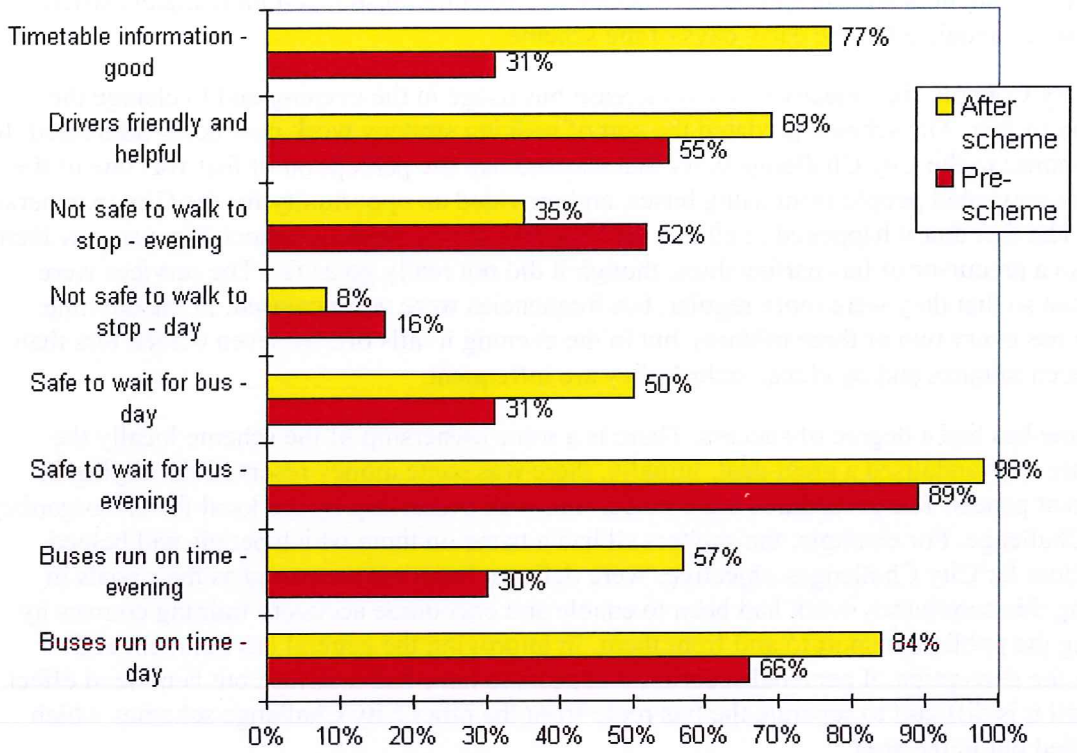
Driver attitudes

Drivers were seen as impatient with slow boarders and people who are hesitant or have little English, and as hostile to older people and wheelchair users, but helpful to blind and partially sighted people. Male bus drivers admitted to those attitudes. A separate report gave advice on pedestrian routes where people were afraid and suggested bus stop relocations.

The before and after surveys

The before and after surveys each interviewed around 150 people, 65% women and over 60% not working or retired. Bus was the main mode for travel into the City Centre. To a direct question in the after survey "are you using the bus more now than before?" 8% said yes. However, 84% said they were not aware of the "Safer Bus Routes" project and that they had not received a leaflet at home, and 72% did not recognise the leaflet when shown it. The most marked success was a positive change in the response to all of a series of value statements.

Chart 31: Before and after surveys



Review of the Scheme: two years on

Two years after the introduction of the scheme, SRA spoke to Nottingham City Council and Nottingham City Transport about the scheme.

The operator could understand fears about walking to and from and waiting at bus stops, but was surprised by the perception of fear when travelling on the bus, as all buses were fitted with radio, the police responded to incidents quickly, and the level of incidents was in any case very low.

All the partners worked hard on the infrastructure and bus drivers were given a customer awareness training course. The bus company would have liked more police involvement. The company offered free travel for police officers in uniform, so that people would feel safer on buses and at stops, but the offer was not taken up. Parked cars were not moved off bus stops as had been promised. A link was arranged through bus radio control with police traffic warden control, but the police just put it down as a normal call and came to it as and when they could, so over time it fell out of use. The bus company would now like the City to take over traffic enforcement.

The after survey showed no recognition of the Safer Bus Routes Scheme or the information, though it suggested an increase in patronage. Despite the fact that local groups had been involved, a lot of local people had not been aware of this. The companys own receipts show that patronage on the route, after a while, increased by 6-8% on the two routes. The only similar increases in patronage have been on "commitment to quality" routes, with new vehicles and service levels. The increase has been maintained to date, although it is accepted that there is a need for a new marketing impetus.

For similar schemes, the launch is vital. In the early days, there was no noticeable change in patronage, but over time word of mouth brought the increase. A commitment to maintenance is also

important. The shelters are currently secure because the Council responded immediately when shelters were vandalised in the early days of the scheme.

For the City Council, the objective was to increase bus usage in the evening and to change the perception of fear. The scheme predated the sort of walking strategy work now being addressed. It was a response to the City Challenge work that showed that the perception of fear was one of the things that prevented people from using buses, and provided an opportunity for the City to generate funding. The fact that it happened at all is a success; this sort of funding partnership was new then. It was also a precursor of bus partnerships, though it did not really go as far. The services were rationalised so that they were more regular, but frequencies were not increased. In the daytime, there is a bus every two or three minutes, but in the evening it tails off, by seven oclock less than every fifteen minutes and by eleven oclock they are infrequent.

The scheme has had a degree of success. There is a some ownership of the scheme locally the shelters are not vandalised a great deal. Initially, there was some money reserved for buying in replacement panels. The procedures were successful, with ownership by the local forums organised by City Challenge. For example, the shelters all had a name on them which people had helped choose. How far City Challenges objectives were delivered was not measured as their goals in supporting this community work had been to enable and encourage access to training courses by improving the public transport to and from them. In improving the general environment and changing the perception of personal security, it appears to have had a diffuse but beneficial effect, and overall it is difficult to separate the bus route from the other City Challenge schemes which were carried out in the area.

Lessons from the Initiative

The City Council would not want to do another single scheme. It would be part of a co-ordinated programme within bus quality partnerships. New estate based partnerships are being developed with bus operators and with considerably more knowledge. The local groups work was City Challenge led. The new walking and cycling strategy is being done through a forum. The strategy sets out with a set of well defined objectives, in terms of both policy health, equity, environment and delivery mainstreaming, action plans, monitoring. Consultation will give local ownership, but it starts with the advantages of being City-wide and co-ordinated, with maintenance built into the action plan.

The main components of the infrastructure are still in place. On a tour of the routes, the quality of the shelters was evident, even two years after installation. The glass faces the road, protecting passengers from spray from the traffic. There are side panels at both ends, with glass so that the passengers can see the bus coming. There are seats, which passengers were using, though in the busy road environment on a wintry day the seats were damp. The glass is intact and unmarked vandalised glass is replaced quickly. Each stop has a clear stop pole and flag and every shelter has name boards at each end (one name plate was missing). The telephones were taken out early on due to constant vandalism and there are no longer timetables at the stops.

In stops where telephones were installed, the gap can give an impression that the shelter is vulnerable, but nevertheless provides a standing area well protected from the elements. Another such scheme might try harder with the phones. The street lighting is of a very high standard and the glass roofed shelters are generally placed close to lights so that passengers wait in a relatively secure environment. The heavy traffic was not causing delay to the buses during the day, and on St. Anns Well Road the traffic calming gives the impression that buses and pedestrians have priority. Parking on Sneinton Dale is said to be a problem during the evening, preventing buses from pulling into the shelters.

Conclusions

Success for "Safer Bus Routes" could be measured by the level of confidence in walking and waiting for buses, especially at night and the level of bus use. On these criteria, the scheme was a success. Other aspects are more problematic: the telephones in shelters did not last; the local people had not heard of the scheme. It is not known whether fear of walking in the areas generally has decreased, and it would be difficult to assess that at this distance of time, since other factors might have contributed to any change in perception. Perhaps the greatest testament to the Safer Bus Routes scheme is that two years on the shelters are still intact and the increase in bus patronage is currently steady.

There are some useful points to come out of Safer Bus Routes. The scheme design was linked closely to concerns identified in the work with local groups, such as stop locations. The swift replacement of glass in the shelters in the early days seems to have deterred vandals. It takes a lot of work to get a high local profile for the scheme despite the group work and a door-to-door leaflet drop, most people had not noticed the scheme and it took a little time for the patronage to be generated.

As has been noted with other schemes, the co-ordinated effort was important, the willingness of the bus company to alter timetables and undertake a major driver training effort and the willingness of the local authorities to invest comprehensively in infrastructure, with lighting and environmental improvements as well as shelters. To keep the impetus, such schemes would benefit from being part of a co-ordinated programme. Most of all, it is clearly worth paying attention to the concerns of what seems a minority of people; an increase in patronage of 6-8% rewards the investment and effort.

Conclusions:
Issues of Concern to Pedestrians

Introduction

Although taken in different areas and under different circumstances, these case studies show a consistent pattern of pedestrian concerns. Essentially, when evaluating the journey, the pedestrian does not separately consider walking and other parts of the journey. Similarly, nor do they consciously separate fears relating to personal security and fears relating to road safety. The whole journey is affected by the experience or perception of walking both as a main mode and as a link between modes. Within the activity of walking itself, specific considerations are connected with the physical environment or the social environment.

The Physical Environment

Walking is fundamentally a flexible mode of transport. People can decide to change direction, cross the road to a shop, or go away from the main road on footpaths, cutting across parks, choosing where and how to travel. The management of walking as a traffic problem often frustrates this, removing one of the main incentives to walk. Urban design should not assume that the obvious way to walk is the way people do walk. In addition, perceptions of distance are influenced by the quality of route.

In all the case studies, respondents highlighted concerns with the physical environment around them. Street lighting is often the most consistent pedestrian concern. Nervousness caused by traffic extends to traffic speeds, noise, pollution, segregation, delay and the general feeling that cars are more important than pedestrians in many of the case studies, people said that not only traffic safety but traffic convenience seems to be given priority, particularly where pedestrians are required to use subways or split crossings. Parked vehicles cause problems with crossing streets and in some areas pavement parking makes walking difficult or hazardous.

In addition, the pedestrian is increasingly competing for space with buses and cycles. In many areas, the pedestrian has already lost footway width to the car. More recently, bus lanes and shared pedestrian and cycle routes have encroached on pedestrian space. Unlike provision for cars which provokes a debate in part on equity grounds provision for buses and cycles is seen as a benefit to the environment. Consequently there is little consideration of the impact of bus and cycle lanes on the pedestrians space and comfort. For example, to make room for the new bus lane, the central pedestrian refuge may be removed. If urban design is to provide for walking, the pedestrian needs a well organised environment in which space is a critical feature.

Pedestrians make ongoing demands on the physical environment, even where schemes have been implemented to promote walking. Maintenance and cleaning of facilities, street cleaning, graffiti removal and repairing vandalism are needed to give people the confidence to walk. A broken paving stone under a failed street lamp is a deterrent to walking it is of no use to say "as much as" or "more than" or "less than" fear of attack; if the environment stops someone walking, it is not a matter of degree.

The Social Environment

It is clear from our research that the social environment is an integral part of perceptions of the physical environment. A sense of community changes walking behaviour. Thus even in areas with a high crime rate, people are unafraid to walk in places where they feel they belong. A sense of

community generates activity which creates opportunities for walking and reinforces the sense of community. Similarly, local amenities generate walking activity. If there is nowhere to go in the evenings but pubs and fast food outlets, many people will stay indoors. Even in the day, without shops, community centres, libraries, council offices, etc. there will be little activity, and that will inhibit the growth of a sense of community. Land use planning can provide in-built potential for a sense of community.

The case studies give us clear examples of the link between walking and crime. They also show that different types of crime have different impacts on walking. Our results show that the crimes with the highest deterrent effect are those which are ever present in the locations; for example prostitution, drug dealing, gang presence. We heard again and again how ordinary people are intimidated by the litter of drugs and prostitution and the threatening presence of people involved in these activities. In contrast, people are less put off walking by the perception of crime against the person or the possibility of burglary while they are out.

Another social aspect is the lack of understanding of the potential health benefits of walking. To the extent that people perceive the health effects of walking, they tend to be negative pollution, road danger and noise. Where people do associate walking with fitness, it is as a sports activity and not a method of transport.

The impediments to walking also impact on different social groups differentially. Making walking easier is an equal opportunities issue. As long as walking is disproportionately carried out by people on lower incomes, women, children and older people, it will be seen as a lower status mode of transport. Similarly, kerb heights and other access features exclude people with disabilities. For example, in Birmingham, people with disabilities can now use the bus, but they still cannot get to the bus stop in many places.

The Whole Journey

The purpose of this research is to help us understand how to encourage walking. The strongest point that has emerged from the work is that people see a walking journey as an holistic experience hence the well used phrase "the whole journey". A disincentive to walk at one stage is a deterrent to the whole trip, including any potential use of public transport. In our research there are many examples of generally good walking and public transport routes which were devalued by one unsatisfactory element. Sometimes this was related to the physical environment, sometimes to road safety and sometimes to the personal environment.

The counterpart to that is that, where public transport is part of the whole journey, it has to meet reasonable expectations. Even if people are confident about walking and waiting, they will not do so if they perceive the bus as unreliable or too expensive. For bus operators, walking must become a consideration in service planning. The Birmingham study showed that even with outstanding service quality, people will not use the bus if they are afraid of walking to and waiting at the stop.

Ways of Tackling the Issues

One of the original objectives for this research was to prioritise pedestrian concerns. What comes out of these case studies is that the priority is holistic treatment. Nevertheless, we recognise that local authorities are cash strapped and that provision for walking will not be transformed in the short term. The task of prioritising, then, becomes twofold: first, there is a range of measures that can be taken using imagination rather than big budgets. Where money is available, the priority should be tackling key routes holistically, one at a time, rather than, say, treating lighting over a

wide area whilst leaving other features to remain a deterrent. In effect, we are advocating the quality bus route philosophy for walking.

The partnership approach, as in bus quality routes, needs to underpin tackling the walking issues. Different bodies provide the lighting, the services, the shelters and information and the cleaning and maintenance. The partnership will include several of: bus operators (often two or three on a main route); rail operators; City, Borough, or District Council; PTE or County Council. The police are key to success: their roles include advice on designing out crime; leadership in the community for Neighbourhood Watch etc., and providing a presence, whether personal or through CCTV. Road safety designers are also crucial, but their plans should not concentrate on safety at the expense of pedestrian convenience.

The operational management of implementing walking quality partnerships will require new ways of working, along the lines of the Community Safety Partnerships set up by some local authorities. A co-ordinated programme will help with some of the important features maintenance, marketing, and building on success.

The distinguishing feature of walking quality partnerships is that they must be built from the community up. The investment of time and resources in developing the scheme through the community pays dividends in the take-up. The case studies show that in a partnership of bodies accustomed to leading, the conspicuously successful component has been willingness to yield ownership to the community. Local involvement in design has led to the take up of walking routes to school, walking and waiting at bus stops, identifying safe sites for bus stops, and most important, creating the sense of community that generates the walking culture. There are many ways of achieving partnership with the community, such as direct design involvement, as in Nottingham, or ongoing neighbourhood groups, as in Leicester. In other communities, market research may be more suitable to assess need and provide an input to design and implementation. (Suitable techniques include community consultation, including citizens juries.) The Best Value approach can be invoked here: understand deliver monitor continuously improve.

The case studies also indicate a number of detailed ways to provide incentives to walking and ideas for disseminating good practice as well as some examples of poor practice sometimes in combination with good practice. Some examples of this were spending money on improving access to bus routes, but failing to implement the appropriate driver training, or spending money on infrastructure and then expecting that it will automatically remain self-sustaining. Other examples would be failing to orchestrate fully all the parts of the package, which is only as strong as its weakest link. Finally, personal security improvements need to be publicised in order to attract people out to reclaim their environments, both urban and rural.

The overall and most important conclusion of this research is that it is possible to increase both the propensity to walk and the modal share of walking. This bodes well for meeting the forthcoming national targets as set out in the National Walking Strategy.

IN THE HIGH COURT OF JUSTICE

QUEENS BENCH DIVISION

No: CO/1211/88

The Lands Tribunal
Chancery Lane
London EC4

Friday, 3rd February 1989

Before:

SIR GRAHAM EYRE Q C
(Sitting as a Deputy Judge of the Queens Bench Division)

- - - - - -

Crown Office List

- - - - - -

K C HOLDINGS (RHYL) LIMITED

-v-

THE SECRETARY OF STATE FOR WALES

and

COLWYN BOROUGH COUNCIL

- - - - - -

(Transcript of the Shorthand Notes of Marten Walsh Cherer Ltd, Pemberton House, East Harding Street, London, EC4A 3AS. Telephone No: 01-583 0889.)

- - - - - -

MR N WRIGHT (instructed by Messrs Kerfoot Owen & Co, Denbigh, Clwyd) appeared on behalf of the Applicants.

MR J LAWS (instructed by The Treasury Solicitor, London SW1) appeared on behalf of the Respondents.

- - - - - -

J U D G M E N T

(As Approved by Judge)

- - - - - -

THE DEPUTY JUDGE: This is an appeal by way of an application under section 245 of the Town and Country Planning Act 1971 against the decision of an inspector appointed by the Secretary of State not to confirm an order submitted by the second respondent, the effect of which, if confirmed without modification, would be to stop up public footpath number 40 running between the Promenade and Southlands Road, or Avenue, across a camp site at Foryd, Kinmel Bay. The inspector held an inquiry into various objections made to the order by the local Ratepayers Association, the local branch of the Ramblers Association, the local branch of the Labour Party and others.

The matter arose as a result of a planning permission granted by the second respondent in relation to the land over which the footpath runs for the use of that land as a touring caravan site. Planning permission was granted on 16th July 1987, subject to two relevant conditions:

> "2. Means of vehicular and pedestrian access to the site shall be via the existing Sunnyvale Caravan site only.
>
> "3. Before the land is first used as a licensed caravan site, the existing gateway to Southlands Road shall be closed by the erection of a permanent 1.7 m high fence."

At present the way onto the site, and indeed onto the footpath, from Southlands Road or Avenue is blocked and it was the intention of the authority when granting the permission that, indeed, it should be blocked. It is common ground that, unless that footpath was closed, the condition I have just read (condition 3 of the permission)

cannot be complied with and, in consequence, the development to which permission relates cannot be implemented.

Powers to make such an order are contained in section 209 of the Act:

> "(1) The Secretary of State may by order authorise the stopping up or diversion of any highway if he is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of this Act ..."

There is no doubt (and it is common ground) that, by virtue of the effect of that condition, the making of the order and its confirmation was necessary to enable the development to be carried out in accordance with the planning permission.

It transpires that the local planning authority, when they considered the application, knew something of the footpath although it is apparent that there was little information as to the extent to which it was used or its importance in the general pattern of highways and footways in this part of Wales.

When the application for planning permission was being dealt with, some 36 local residents were consulted and apparently supported the application because the continued blockage of the projection of Southlands Road, or Southlands Avenue, would detract persons who were living on or visiting the site from penetrating that part of the residential area. Apparently other organisations who may

have been interested in the extent to which the utilisation of the footpath and its general importance would be affected were not notified at that stage.

In any event, the inspector held an inquiry and he unashamedly dealt with the merits and demerits of this proposed closure in some detail. In the result his views are essentially to be found at paragraphs 15 and 16. I need not read the whole of those paragraphs into the judgment, but he says:

> "16. ... The purpose of the stopping-up is to allow the developers to meet a Planning Condition which was imposed so as to limit the impact of their development on people and places outside that development, albeit at the expense of the wider community, and the Council have made it plain that the use of the site as proposed by the developers is not, of itself, incompatible with the retention of the public right of way along Footpath No 40. Thus although it may be said that the stopping-up is necessary for the Condition to be complied with, it is clear that the Local Authority have been and are prepared to live with the larger amenity problem which the continuing existence of the touring site creates and I do not consider that any additional disturbance which might be expected from the activities of the campers and caravanners when they leave the site is sufficient to justify the permanent loss of an irreplaceable and potentially useful facility for the public at large."

I am bound to say that, when I first read the decision letter, I entertained doubts as to whether or not the inspector had fully comprehended the implications of not making the order and the consequence that the development would not be enabled to be carried out, but, having read

A the letter as a whole, I am satisfied that he was fully conversant with those implications.

The essential challenge in this court is in relation to the Secretary of State's power under section 209, and it B is contended that once it is established, and the Secretary of State is satisfied, that it is necessary to stop up a footpath to enable a development to be carried out the Secretary of State must confirm the order. In other words, C it is suggested that this section should be read as though it is a rubber-stamp provision and the Secretary of State is bound to take the action once the position with regard to the planning permission and its implementation is D established.

In my judgment, that flies in the face of the language in the subsection itself. One certainly cannot import the word "shall" instead of the word "may". If one looks at E the section in the general context of this part of the Act dealing with highways, it is manifest that Parliament attaches considerable importance to the extinguishment of public rights of way, of whatever kind, and the procedure F in order to achieve extinguishment of such rights is relatively elaborate and contains a number of safeguards. If one considers the procedure section (section 215) there G are certain steps which have to be undertaken by the Secretary of State if he takes the initiative or makes an order under section 209, and indeed the other sections. In the event of objections being made when he publishes the H

orders, as he is required to do, he is, if objection is made by local authorities or undertakers, required to hold a public inquiry. Indeed, if objection is made by others he is obliged to hold an inquiry unless he is satisfied that, in the special circumstances of the case, the holding of such an inquiry is unnecessary. If the initiative in making orders of this kind is made by other authorities, there is built into the machinery the protection of requiring the Secretary of State to confirm an order thus made as is clear from section 217. It seems to me, therefore, that that part of the Act is concerned to give protection to the interests of persons who may be affected by the extinguishment of public rights, in which circumstances it is hardly surprising that under section 209 there is a discretion to consider the demerits and merits of the particular closure in relation to the particular facts that obtain.

That view suffices to dispose of the main ground upon which the applicant comes to this court. Certain other matters are raised in the notice of motion. In so far as it is contended that the inspector did not have regard to matters to which he should have had regard, or had regard to matters to which he should not have had regard, on the reading of the inspector's decision I am quite satisfied that that contention cannot be supported.

In respect of other matters of complaint, they relate to questions of fact and degree in respect of which the

judgment of the inspector cannot be challenged in this court. It follows that the appeal fails.

MR LAWS: In those circumstances it is my duty to ask your Lordship to order the applicants to pay the Secretary of State's costs.

THE DEPUTY JUDGE: Mr Wright?

MR WRIGHT: I cannot resist that.

THE DEPUTY JUDGE: So be it.

- - - - - -

ASSN.

IN THE SUPREME COURT OF JUDICATURE
COURT OF APPEAL. (CIVIL DIVISION)

ON APPEAL FROM THE HIGH COURT OF JUSTICE
QUEEN'S BENCH DIVISION

MR JUSTICE HODGSON

Royal Courts of Justice
Thursday 12th July 1990

Before:
LORD JUSTICE MUSTILL (Not present)
LORD JUSTICE NICHOLLS
SIR ROUALEYN CUMMING-BRUCE

IN THE MATTER OF PART X OF THE TOWN AND COUNTRY PLANNING ACT 1971.

and

IN THE MATTER OF THE TRIBUNALS AND INQUIRIES ACT 1971

K. VASILIOU

v.

SECRETARY OF STATE FOR TRANSPORT

and

LADBROKE CITY AND COUNTRY LAND COMPANY LIMITED

(Transcript by The Association of Official Shorthandwriters, Ltd., Room 392, Royal Courts of Justice, and 2, New Square, Lincoln's Inn, London WC2A 3RU.)

MR JOHN BARRETT (instructed by Messrs Walker Morris Scott Turnbull) appeared on behalf of the appellant.

MR THOMAS HILL (instructed by The Treasury Solicitor) appeared on behalf of the first respondent.

MR DAVID FRIEDMAN Q.C. (instructed by Messrs Saunders Sobell Leigh & Dobbin) appeared on behalf of the second respondent.

J U D G M E N T
(Revised)

LORD JUSTICE NICHOLLS: This appeal raises a question concerning the matters which the Secretary of State for Transport may properly take into account in considering whether to make an order, under section 209 of the Town and Country Planning Act 1971, authorising the stopping up of a highway. The appellant, Mr. Vasiliou, carries on a restaurant business, known as Giggi's Taverna, at Temple Street, Blackpool. Temple Street is a little side-street situated at the heart of the tourist centre of Blackpool. It is about 150 yards from Blackpool Tower, and about the same distance from the sea-front promenade. It is some 16 feet or so wide and about 70 yards long. It runs north-south and lies between and connects two other roads, which are roughly parallel to each other: Church Street to the north, and Victoria Street to the south. Victoria Street is now a pedestrian precinct.

In 1986 Ladbroke City and County Land Company Limited applied to Blackpool Borough Council, as the local planning authority, for permission to carry out two developments. The first, and major, development involved the construction of a two-storey building of 7 shops fronting onto Victoria Street, and abutting, at one side, onto Temple Street. Permission was granted, and that development has now been completed. The second proposed development was the construction of one two-storey shop, to front onto Victoria Street, and to be built on the southern end of Temple Street itself. The new building would be erected across the whole width of Temple Street, as it now is. The building would fit between the Victoria Street buildings situated on either side of the end of Temple Street, and it would wholly close off Temple Street from Victoria Street. The length of Temple Street on which the new building would be constructed would have to be stopped up. Temple Street would become a cul-de-sac, which could be entered only from Church Street. In this way the southern one-third of Temple Street would be built over and cease to exist.

On the 6th January 1987 the local planning authority granted permission for this second development, but subject

to the condition that work should not commence until the necessary street closing order had been obtained. Ladbroke duly applied to the Secretary of State for Transport for the appropriate order. A local inquiry was held in August 1988. The Inspector recommended that the order should not be made. His reason was this. If the southern end of Temple Street were stopped up, pedestrians who at present pass along Temple Street from Victoria Street to Church Street, or vice versa, would be able to go by an alternative route, along Corporation Street. The additional walk, of some 90 yards, would not be significant. Corporation Street could accommodate the overflow from Temple Street without intolerable problems. But the closure of the southern end of Temple Street would have a serious effect on Mr. Vasiliou's restaurant. In the summer between 360 and 1,000 people an hour walk along Temple Street past Mr. Vasiliou's restaurant. He is heavily dependent upon these passers-by for his custom. Between 60 per cent and 70 per cent of his business is passing trade. If Temple Street were stopped up as proposed, Mr. Vasiliou's business would be likely to fail. The Inspector was impressed by this hardship which the closure order would cause for Mr. Vasiliou. He considered that it would be unjust in the circumstances for Mr. Vasiliou to suffer significant financial loss without the possibility of compensation.

The Secretary of State rejected the Inspector's recommendation. He agreed with the Inspector's findings and conclusions except for the conclusion relating to Mr. Vasiliou's objection. In paragraph 5 of his decision letter dated the 24th February 1989, the Minister said:

> " Section 209 of the Town and Country Planning Act 1971, under which the stopping up Order would be made, is solely related to highway matters; it is not concerned as to the merits of the planning permission which has already been granted. For that reason the Secretary of State cannot agree with the Inspector's conclusion... that the effect of the stopping up on trade must be a relevant material consideration. In his view the question of any potential loss of trade is a matter for the planning authority to take into account when considering the application for planning consent. If the Secretary of

State were to take this matter into account in deciding whether or not to authorise the stopping up of the highway in question under section 209(1) then he would be usurping the planning function and acting beyond his powers."

The Secretary of State stated his conclusion in paragraph 7:

" Following consideration of the Inspector's Report the Secretary of State is satisfied that the proposed closure of Temple Street is necessary to allow the approved development to be carried out. He is also satisfied that alternative routes for users of the highway to be stopped up are available and adequate. While there may be some adverse effect on local businesses caused by the closure of Temple Street, the Secretary of State does not consider that it would be appropriate to reject the proposed closure order on those grounds alone. For the reasons given above the Secretary of State does not consider that the objection raised by Mr. Vasiliou justified the Inspector's recommendation that the order should not be made. The Secretary of State has, therefore, decided to make the order without modification and has done so."

So the Secretary of State made the stopping up order.

Mr. Vasiliou applied to the court, under section 244 of the 1971 Act, as a person aggrieved by the making of the order. On the 14th December 1989 Hodgson J. dismissed Mr. Valisiou's application. The judge held that the Secretary of State for Transport had directed himself correctly, and that if he had taken into account the effect that the stopping up would have on Mr. Vasiliou's business, he would have been interfering with the planning function under the aegis of his fellow Secretary of State. Mr. Vasiliou had his chance to object on planning grounds, and it would have been wrong to take that matter into account in deciding the matters which were the function of the Secretary of State for Transport. Mr. Vasiliou has appealed from that decision.

Planning permission and stopping up orders

I have two preliminary observations. First, when

determining which matters may properly be taken into account on an application for planning permission or an application for an order stopping up a highway, it is important to have in mind the different functions of a planning permission and of a stopping up order. It is axiomatic that a planning permission does not of itself affect or override any existing rights of property. A grant of planning permission sanctions the carrying out of a development which otherwise would be in contravention of the statutory inhibition against, in general, the carrying out of any development of land without planning permission (section 23). But if carrying out a development for which permission is granted would, for instance, be in breach of a restrictive covenant affecting the freehold, or in breach of a covenant in a lease, or infringe rights of way or rights of light of adjoining owners, the existing legal rights of those entitled to enforce the covenant or entitled to the benefit of the easement are not overridden by the grant of planning permission. This is so whether the development comprises the carrying out of building or other operations on land or the making of a material change in the use of land.

The position is otherwise with an order stopping up or diverting a highway. In the absence of such an order obstruction of a highway is a criminal offence. It is also a public nuisance. The Attorney General, acting ex officio or at the relation of a third party, can bring proceedings for the removal of the obstruction. So may a local authority, acting in the interests of the local inhabitants, by virtue of the enabling powers in section 222 of the Local Government Act 1972. So also may an individual who sustains particular damage other than and beyond the inconvenience suffered by him in common with the public at large. Such an individual may also recover damages for the loss caused to him by the wrongful obstruction. But once a stopping up order has been made those existing legal rights are lost. To the extent to which the highway is stopped up, the rights of the public over the highway are extinguished under the authority of a statute. Thereafter neither the Attorney General, nor a local authority,

nor a person suffering particular damage, can bring forward any complaint or seek any relief from the court in respect of the existence of the building or fence or other works which, but for the stopping up order, would constitute obstruction of a highway.

Particular damage

My second observation concerns the existence and nature of the claim which Mr. Vasiliou would have in the present case if the proposed building works proceeded without a stopping up order having been made in respect of the southern end of Temple Street. The better view seems to be that, whatever might have been the position in the past, today a person has a right of action if the highway is obstructed and as a result prospective customers are diverted from his place of business and in consequence he suffers loss. The authorities are summarised conveniently and succinctly by Slade J. in Gravesham B.C. v. British Railways Board [1978] Ch. 379, 397-8.

In the instant case the closing off of Temple Street from Victoria Street would not prevent any members of the public who wished to eat at Mr. Vasiliou's restaurant from doing so, nor would any would-be diners be subjected to a significantly less convenient access route. Mr. Vasiliou's concern is that, by turning Temple Street into a cul-de-sac, members of the public who would have used Temple Street and thereby become aware of Giggi's Taverna will not do so in future. He will lose the trade of passers-by. It seems to me that, in principle, loss so arising could properly be recovered by Mr. Vasiliou from a person who wrongfully obstructed the southern end of Temple Street. The contrary was not contended before us.

What would be the nature of such a claim by Mr. Vasiliou? His loss stems from the fact that he operates a restaurant adjacent to the highway in question. In Fritz v. Hobson 14. Ch. D. 542 the plaintiff was a dealer in antiques.

He had a shop in a passageway off Fetter Lane, in London, over which there was a public right of way. The defendant's building operations blocked this passageway for some months. The consequence was to drive away persons who might have become customers of the plaintiff. Fry J. held that the plaintiff was entitled to recover damages for loss in his antiques' business, which was assessed at £50, on two grounds. First, on the ground of interference with the private right enjoyed by the plaintiff, as owner of a property adjoining a highway, to have access to the highway. Secondly, on the ground of public nuisance. The plaintiff was a person who had suffered a particular injury beyond that suffered by the rest of the public. In reaching that conclusion Fry J. applied the classic exposition of the law on this subject enunciated by Brett J. in Benjamin v. Storr, L.R. 9 C.P. 400, 406. I do not think that the distinction between these two causes of action is material for present purposes. It is sufficient to note that a person in the position of the plaintiff in Fritz v. Hobson (supra), and of Mr. Vasiliou in the present case, has a well-recognised cause of action, on one or other or both of the grounds just mentioned, against anybody who obstructs a highway and thereby, as a direct consequence, causes financial loss to a business being carried on on land adjoining the highway.

Section 209

I turn to the statutory provisions. Section 209 is in Part 10 of the 1971 Act. Part 10 is intituled "Highways". It consists of a miscellaneous collection of sections concerned principally with the stopping up and diversion of highways, the conversion of highways into footpaths or bridleways, the extinguishment of rights of way over land held by a local authority for planning purposes, and the consequential compulsory acquisition of land for highway purposes. In some instances there is provision for the payment of compensation; for example, under section 212(5) compensation is payable to a person who has an interest in land having lawful access to a highway when the highway is "pedestrianised". In other

instances, including section 209, there is no provision for the payment of compensation to those adversely affected by the making of the relevant order.

Section 209(1), as amended, reads:

> " The Secretary of State may by order authorise the stopping up or diversion of any highway if he is satisfied that it is necessary to do so in order to enable development to be carried out in accordance with planning permission granted under Part III of this Act [or by virtue of Schedule 32 to the Local Government, Planning and Land Act 1980], or to be carried out by a government department."

This sub-section is to be read with section 215, which enacts the procedure for making orders under section 209. In short, notices stating, amongst other matters, the general effect of the proposed order and that within 28 days persons may by written notice object to the making of the order, have to be suitably advertised and displayed (section 215(1), (2)). If objection is received from a local authority, or from a water, hydraulic power, gas or electricity undertaker having cables or pipes under the highway, or "from any other person appearing to him to be affected by the order", the Secretary of State is obliged normally to cause a local inquiry to be held (section 215(3)). After considering any objections, and the report of the person who held the inquiry, the Secretary of State may make the order either without modification or subject to such modification as he thinks fit (section 215(5)).

These sections confer a discretionary power on the Minister. He cannot make the order unless he is satisfied that this is necessary in order to enable the development in question to proceed. But even when he is satisfied that the order is necessary for this purpose he retains a discretion; he may still refuse to make an order. As a matter of first impression I would expect that when considering how to exercise this discretion the Minister could take into account, and, indeed, that he ought to take into account, the adverse effect his order would have on those entitled to the rights which would be extinquished by his order. The more especially is this so

because the statute makes no provision for the payment of any compensation to those whose rights are being extinguished. I would not expect to find that such extinguishment, or expropriation, is to take place in the exercise of a discretionary power without the Minister in question so much as considering and taking into account the effect that such expropriation would have directly on those concerned.

Having read and re-read the sections I can see nothing in their language, or in the subject-matter, to displace my expectation. I can see nothing, on a fair reading of the sections, to suggest that, when considering the loss and inconvenience which will be suffered by members of the public as a direct consequence of closure of part of the highway, the Minister is not to be at liberty to take into account all such loss, including the loss, if any, which some members of the public such as occupiers of property adjoining the highway will sustain over and above that which will be sustained generally. The latter is as much a direct consequence of the closure order as the former. The loss flows directly from the extinguishment, by the order,of those occupiers' existing legal rights.

The respondents' case: (1) the 'overlap' point

The respondents' case is that this interpretation of section 209 is inconsistent withthe scheme of the Act. Their case is that, although not stated expressly in section 209, it is implicit that the Secretary of State for Transport cannot have regard to any loss of trade which the occupier of land adjacent to a highway may suffer by reason of closure of part of the highway. This is implicit because such loss is a matter to be taken into account at the planning application stage. Part 3 of the Act contains a detailed code concerning planning control, with machinery for appeals and so forth. This code is distinct from the procedure set out in Part 10 with regard to stopping up orders. If a loss such as Mr. Vasilious in the present case could be taken into account by the Secretary of State for Transport under section 209, that would result in the Part 10 procedure relating to highways subverting the Part 3

procedure relating to planning control. It would result in the merits of the planning decision being re-opened and considered again.

I am unable to accept this argument. In the first place, I cannot accept that the financial loss of which Mr. Vasiliou complains is, as such, a matter properly to be taken into account at the planning application stage. I emphasise "as such". The proposed development will necessitate turning Temple Street into a cul-de-sac with no access, even for pedestrians, from Victoria Street. The local planning authority was concerned with all the planning ramifications of this. If one of the likely consequences would be the closure of Giggi's Taverna because of loss of trade, the planning authority would be concerned with the impact of that on the locality. The planning authority might also need to take into account matters such as any significant resulting loss of employment opportunities. But I do not think that Mr. Vasiliou's financial loss flowing from the failure of his restaurant was, as such, relevant to the planning authority's decision. Had the planning authority rejected Ladbroke's application regarding the second development and stated as the reason, or one of the reasons, "the proposed development is likely to cause severe financial loss to Mr. Vasiliou", in my view the decision, to that extent, would have been impeachable.

We were referred to the much-quoted observations of Lord Scarman in Westminster City Council v. Great Portland Estates Plc. [1985] A.C.661. Under section 29(1) a planning authority, in dealing with an application for planning permission, is to have regard to the provisions of the development plan, so far as material, and to "any other material consideration". Lord Scarman observed (at p. 670) that the test of what is a material "consideration" is whether it serves a planning purpose, and that a planning purpose is one which relates to the character of the use of the land. But he added:

" Personal circumstances of an occupier, personal

> hardship, the difficulties of businesses which are of value to the character of a community are not to be ignored in the administration of planning control. It would be inhuman pedantry to exclude from the control of our environment the human factor. The human factor is always present, of course, indirectly as the background to the consideration of the character of land use. It can, however, and sometimes should, be given direct effect as an exceptional or special circumstance. But such circumstances, when they arise, fall to be considered not as a general rule but as exceptions to a general rule to be met in special cases. If a planning authority is to give effect to them, a specific case has to be made and the planning authority must give reasons for accepting it."

A

B

C

The respondents sought to rely on the references to personal circumstances of an occupier and personal hardship.

I do not think that these observations assist the respondents on this appeal. No case has been advanced, or made out, for Mr. Vasiliou's personal financial loss being an exceptional or special circumstance which, by way of exception to the general rule, the Blackpool Borough Council should have considered when deciding Ladbroke's application for planning permission. The case advanced to this court was that the impact which the development will have on trade being carried on at nearby properties was a matter to be considered at the planning stage. I agree. So it was. But this does not embrace the whole subject-matter of Mr. Vasiliou's complaint, for it does not include the consequential financial loss he will suffer.

D

E

F

I pauseto observe that, if I am right in thinking that-Mr. Vasiliou's financial loss as such was not a material consideration for planning purposes, the consequence, on the respondents' construction of section 209, is that a stopping up order, extinguishing Mr. Vasiliou's existing legal rights as described above, will be made without anybody, either the planning authority or the Secretary of State for Transport or anyone else, ever taking into account the loss this will cause for Mr. Vasiliou. That is not a conclusion I would readily embrace.

G

H

There is a further reason why I cannot accept the argument that for the Secretary of State for Transport to take into account Mr. Vasiliou's financial loss would "subvert" the planning procedures or "usurp" the functions of the local planning authority or the Secretary of State for the Environment. Thus far I have concluded that Mr. Vasiliou's financial loss was not, as such, a material consideration for planning purposes. But even if this were not so, the "subversion" argument would still be unsound. The argument is founded on there being no overlap between matters which can properly be considered by the planning authority on the one hand and those which can properly be considered by the Secretary of State for Transport on the other hand. But this is not so. At the planning stage in the present case the planning authority could properly take into account, and presumably did take into account, whether the closure of the southern end of Temple Street was desirable or not. In this regard the council would have considered, amongst other matters, the repercussions such closure would have on pedestrian traffic flows in and around Victoria Street and Corporation Street. Indeed, the Department for the Environment has drawn attention to the need for local planning authorities to take into account the effect of proposed developments on public rights of way: see paragraphs 12 to 14 of circular 1/83. But, however narrowly section 209 is construed, matters such as pedestrian traffic flows were a matter to be taken into account by the Secretary of State for Transport when considering the closure order application. It would be open to him to form a wholly different view on such matters from the view taken of them by the planning authority. Thus, as I see it, given the existence of areas of overlap, there is in any event inherent in the existence of the two separate procedures the feature that, in respect of "overlapping" matters, the persons making the two decisions will be considering the same items and may form a different view regarding them.

<u>The respondents' case: (2) re-opening the planning permission decision.</u>

More serious is the respondents' further argument

that, if Mr. Vasiliou's financial loss has to be taken into account on the closure order application, the Secretary of State for Transport will find himself having to investigate anew the overall merits of the development for which planning permission has been given. We were urged that, if Mr. Vasiliou's contentions on this appeal are correct, then, in deciding whether or not to make the closure order despite the financial loss this would cause for Mr. Vasiliou, the Secretary of State for Transport would have to evaluate the desirability, from the planning point of view, of permitting the new shop to be built at all on the site of Temple Street. To carry out such an evaluation the Secretary of State for Transport would have to consider afresh the case put forward by the developer, and the supporters of the scheme. He would also have to consider afresh the case put forward by the objectors. He would need to consider the views of the local planning authority. In short, an inquiry held under section 215(3) on the closure order application would involve evidence and representations on all the matters already investigated and considered by the local planning authority, or at a planning inquiry. A closure order application would become in effect an appeal, not authorised by the statutory code relating to planning control, against the grant of planning permission.

If the consequence of what seems to me to be the natural construction of section 209 were to enable an aggrieved objector to re-open the merits of a planning decision in this way, I would see much force in this argument. Parliament cannot have intended such a result. But in my view these fears are ill-founded. A pre-requisite to an order being made under the limb of section 209 relevant for present purposes is the existence of a planning permission for the development in question. Thus the Secretary of State for Transport's power to make a closure order arises only where the local planning authority, or the Secretary of State for the Environment, has determined that there is no sound planning objection to the proposed development. I do not think that there can be any question of the Secretary of State for Transport going behind

that determination. He must approach the exercise of his discretion under section 209 on the footing that that issue has been resolved, in favour of the development being allowed to proceed. It is on that basis that he must determine whether the disadvantages and losses, if any, flowing directly from a closure order are of such significance that he ought to refuse to make the closure order. In some instances there will be no significant disadvantages or losses, either (a) to members of the public generally or (b) to the persons whose properties adjoin the highway being stopped up or are sufficiently near to it that, in the absence of a closure order, they could bring proceedings in respect of the proposed obstruction. In such instances the task of the Secretary of State for Transport will be comparatively straightforward. In other cases there will be significant disadvantages or losses under head (a) or under head (b) or under both heads. In those cases, the Secretary of State for Transport must decide whether, having regard to the nature of the proposed development, the disadvantages and losses are sufficiently serious for him to refuse to make the closure order sought. That is a matter for his judgment. In reaching his decision he will, of course, also take into account any advantages under heads (a) or (b) flowing directly from a closure order: for example, the new road layout may have highway safety advantages.

Of course, some proposed developments are of greater importance, from the planning point of view, than others. When making his road closure decision the Secretary of State for Transport will also need to take thisfactor into account. But here again, I do not think that this presents an insuperable difficulty. In the same way as it is not for the Secretary of State for Transport to question the merits, from the planning point of view, of the proposed development, so also it is not for him to question the degree of importance attached to the proposed development by those who granted the planning permission. The planning objective of the proposed development and the degree of importance attached to that objective by the local planning authority will normally be clear. If necessary, the

planning authority can state its views on these points quite shortly. Likewise, if the permission was granted by the Secretary of State for the Environment on appeal, his decision letter will normally give adequate guidance on both these points. Either way, the Secretary of State for Transport can be apprised of the views on these points of the planning authority or of the Minister who granted the planning permission. The Secretary of State for Transport will then make his decision on the road closure application on that footing. In this way there will be no question of objectors being able to go behind the views and decision of the local planning authority, or of the Secretary of State for the Environment, on matters which were entrusted to them alone for decision, viz., the planning merits of the development.

I add a footnote. I have referred above to the Secretary of State for Transport carrying out an exercise of judgment: weighing the disadvantages, if any, of the road closure against the advantages of not thwarting the proposed development. It should be appreciated that the need for the Secretary of State for Transport to carry out this exercise is not avoided by the respondents' arguments. Even on the respondents' construction of section 209 there will be cases where this exercise is called for. Even on the respondents' construction, there will be cases where there are significant disadvantages to members of the public generally if the road is closed (head (a) above). In such cases it must be open to the Secretary of State for Transport to make the closure order, despite these disadvantages. It must be open to him to take the view that the development should proceed, despite the disadvantages. Conversely, it must be open to him to reach the contrary conclusion. Thus, even on the narrower interpretation of the matters which the Secretary of State for Transport may consider, the judgmental exercise to which I have referred will need to be carried out from time to time. Any difficulties there may be in theSecretary of State for Transport having to carry out this exercise exist and have to be faced on either construction of section 209.

Conclusion on section 209

My overall conclusion on section 209 is that I can see nothing in the scheme of the Act which requires, as a matter of implication, that the Secretary of State for Transport shall not be entitled, when making a road closure order, to have regard to and take into account the directly adverse effect his order would have on all those presently entitled to the rights being extinguished by the order. In my view, he is entitled to, and should, take into account those matters when exercising his discretion on a road closure application under section 209.

Paragraph 7 of the decision letter

In one respect the Secretary of State's decision letter is puzzling. In paragraph 5 he expressed the view that loss of trade was a matter for the planning authority and not for him. But, certainly on one reading of the letter, in paragraph 7 he did consider and take into account the impact the road closure order would have on local businesses. This led to an attack being advanced before the judge on the ground that the two paragraphs were inconsistent and that, to that extent, the letter was unintelligible. Hodgson J. observed that the material sentence in paragraph 7 was infelicitously expressed. But he decided that in paragraph 7 the Minister was not going back on what he had said earlier in the letter. So the judge rejected the inconsistency argument.

Before us this argument was abandoned. Further, and more importantly for present purposes, the respondents did not suggest that if their argument based on the construction of section 209 were wrong, the Minister's decision could still stand. Counsel, in my view rightly, did not contend that in paragraph 7 the Secretary of State for Transport was expressing his view on the alternative basis of what would be the position if, contrary to his view expressed in paragraph 5, objections based on the adverse consequences of loss of trade were a material matter for him to take into account on the road closure application.

In these circumstances it must follow that the Secretary of State for Transport erred in his approach to this matter. He misdirected himself when exercising his discretion. He should have taken into account, as one of the relevant factors, the financial loss Mr. Vasiliou would be likely to suffer if the order sought were made. That he did not do. I would allow the appeal and quash the stopping up order in respect of Temple Street mentioned by the Secretary of State in his letter of the 24th February 1989.

SIR ROUALEYN CUMMING-BRUCE: I agree.

LORD JUSTICE MUSTILL: I also agree.

LORD JUSTICE NICHOLLS: For the reasons given in the judgments which have been handed down this appeal will be allowed.

MR BARRETT: May it please your Lordships, I appear on behalf of the appellant. The first respondent is represented by my learned friend Mr Hill and the second respondent by my learned friend Mr Friedman. I would invite your Lordships to allow the applicant his costs of the Court of Appeal hearing and his costs below before Mr Justice Hodgson following your Lordships' decision. I understand my learned friend Mr Hill will invite your Lordships to order that the decision letter be quashed and that, of course, carried with it the consequencce that the closure order likewise is quashed, and I respect ılly agree with that.

LORD JUSTICE NICHOLLS: Quash the letter? One can quash a decision, can one quash a letter? Anyway, there we are.

MR HILL: On this matter of the form of the order. I have discussed it with my learned friends and I think that the appropriate order would be a similar order to that made in respect of applications made under section 245 on the basis of quashing the decision letter.

LORD JUSTICE NICHOLLS: Have you got the section? My recollection is that when I looked at it some time ago the impression I had was that one quashed the order.

MR HILL: My Lord, yes, that was so in respect of section 234, which was the predecessor section to that with which we are concerned this morning. I see there is room for argument on the point. The point I was going to make was that by quashing the decision letter one would take with it the confirmation of the order. Looking at the last sentence of your Lordship's judgment, you say "I would allow the appeal and quash the stopping up order in respect of Temple Street metnion by the Secretary of State in his letter of 24th February 1989". By that I think your Lordship means the confirmed order.

LORD JUSTICE NICHOLLS: I said "the stopping up order mentioned" in this letter because I had no other reference to the order. But is this point met perhaps best simply by quashing the order and quashing the decision set out in that letter? Would that be satisfactory?

MR HILL: Yes, my Lord.

LORD JUSTICE NICHOLLS: Very well.

MR HILL: On the matter of costs, insofar as the costs in this court are concerned, I am in no position to contest the submission of my learned friend that he should have his costs here. As to who should pay those costs, there is scope for a little argument. I merely say that it may be that insofar as the applicant's costs relate to meeting points raised by the second respondents, those costs should be borne by the second respondents and not by the Secretary of State. As to the costs below, I understand the arguments advanced there were very similar to the arguments advanced here and it may be your Lordships can express some reservations about the costs below on the basis of that concession.

MR FRIEDMAN: So far as the form of the order is concerned, I have nothing to add.

So far as the costs are concerned, it is my submission that the costs in this court and the costs in the court below should be met by the Secretary of State and not by the second respondent. It is, of course, the Secretary of State's decision and order which is under attack in proceedings of this sort and he is, in my submission, the central respondent. Your Lordships will be aware that a second respondent, even if he succeeds, may not get his costs, and that indeed was the fate which befell my clients in the court below, where they were successful and an application was made for costs but it was not granted. It might be different, I accept, if your Lordships took the view that my presense in this court had added appreciably to the length or complexity of the arguments. Of course your Lordship will have your own views on whether whatever contribution I made took too long, but whether that be so or not, my submission is that it certainly did not take very long. In my submission, the appropriate order in this case is that the costs should be met by the first respondent. As far as the costs in the court below are concerned, I support my learned friend's point.

LORD JUSTICE NICHOLLS: Mr Barrett, I suppose, as far as you are concerned, as long as you get your costs you do not mind who pays them?

MR BARRETT: Precisely, my Lord.

LORD JUSTICE NICHOLLS: The order for costs will be that the first respondent is to pay the costs of the applicant here and below, and we shall make no order in respect of the costs of the second respondent.

MR HILL: There is one more application I put before your Lordships. We submit that, despite your Lordships most careful judgment, for which we are most grateful, this is a case which is worthy of consideration by their Lordships' House. The limits of the discretion of the Secretary of State for Transport are not a matter which has been canvassed extensively at all and it is extremely important, in my submission, that the dividing line between what isand what is not a material consideration unde section 209 is clear. The Secretary of State would wish their Lordships to have the opportunity to consider the submission on that part of the Town and Country Planning Act which is concerned with highways and not the question of user. I would also ask your Lordships, in giving a decision on this question of leave to appeal, to bear in mind that this court has, of course, overturned the judgment of Mr Justice Hodgson.

MR FRIEDMAN: My Lord, I suppose that submission. I have nothing to add to it, but I do support it.

LORD JUSTICE NICHOLLS: No, we shall not give leave to appeal. If either respondent wishes to take the matter further they must make application to their Lordships' House.

- - - - - - - - -

Ramblers' Association v. Kent County Council

Queen's Bench Division

A

B

QUEEN'S BENCH DIVISION

January 29, 1990

(Woolf, L.J., Pill, J.)

Ramblers' Association v. Kent County Council

C

Highways - correct approach of magistrates when dealing with an application for stopping up - s.116 and sch.12, Highways Act 1980.

Where the magistrates are being asked to make an order stopping up a highway under s.116 of the Highways Act 1980, (a) their jurisdiction is conditional on the highway authority having complied substantially with the requirements of sch.12 of the Act, relating to the giving of public notice of the application to the magistrates, and in particular, in a case where the application is for only part of a highway to be stopped up, the requirement of displaying prominent notices at each end of the highway should be interpreted as requiring the display of notices at the ends of the sections concerned, rather than at the ends of the highways; and (b) although the question of whether a highway is unnecessary is a question of fact for the magistrates, (i) it may be helpful to proceed by asking whether the way is unnecessary for the sort of purposes for which the magistrates would reasonably expect the public to use that particular way (e.g. for access to a particular place, or for recreational purposes), and (ii) where there is evidence of actual use of the way by the public, it will be difficult for the magistrates to make a finding that the way is unnecessary, unless there is also evidence that there is, or is going to be, a reasonably suitable alternative way, which will be equally as available as the way in respect of which the application is being made, and (iii) if the magistrates, having found that the way is unnecessary, are then required to state a case for the opinion of the High Court, they should give the reasons for that finding.

D

E

F

Appeal by way of case stated against a decision of the justices for the County of Kent, sitting as a magistrates' court at Folkestone.

G

G. Lawrence, for the appellant.
S. Blackford, for the respondent.
E. Caws, holding a watching brief for the Treasury Solicitor.

JUDGMENT

Woolf, L.J.

Lord Justice Woolf: This is an appeal by case stated by the justices for the County of Kent, sitting at Folkestone, in respect of a decision which they reached on March 11, 1989. On that

H

occasion, the justices had before them an application for stopping up public rights of way in Kent.

The rights of way in question are known as HL41, HL16, and HL18. In each case it is only part of the right of way which was the subject of the application. The ways are shown clearly on a plan which was prepared by Mr. Lawrence, who appears on behalf of the appellants, the Ramblers' Association, and which is marked "B". That plan is to be annexed to this judgment and, if you look at the plan, you will see that HL41, which is a RUPP, runs from north to south on the plan towards the sea, which can be seen at the end of the plan.

HL41, as the result of the decision of the magistrates, was to be stopped between points V and T. HL16 forms a loop to HL41 at the northern part of the plan. Part of HL16 is now submerged under water, but the part which is not submerged is also stopped as the result of the decision of the magistrates. HL18 joins HL41 at point S and then runs through point Q, where another way, HL29, links HL18 to HL41. There was before the justices an application to stop up HL29 as well, but that application was adjourned and therefore, does not figure in this judgment. The part of HL18 which is to be stopped up in consequence of the justices' decision is between point R and point Q. HL39 links HL18 to HL41 at point R. There was no application before the justices in relation to HL39.

The copy of the plan "B" which is attached to this judgment has crosses marked upon it in red. The crosses indicate the positions in which notices were erected, those notices giving rise to issues which have to be resolved in the course of this judgment.

Among the points that are taken on behalf of the appellants there are two which relate to the notices which are required to be given in order to give the justices jurisdiction to hear an application to stop up a way. In a sense, they could be described as technical. However, the importance of failing to give the required notices should not, for this reason, be underestimated because the notices are intended to bring to the attention of the public the proposals to stop up the public rights of way and, if the public are not aware of the proposal, they may be deprived of an opportunity of protecting the public rights to which they are entitled.

A third point is raised by the appeal. That is one of some general importance and goes to the matters upon which the magistrates have to be satisfied before they can come to a decision to stop up a public right of way. That issue turns on the meaning of the word "unnecessary" which appears in the relevant statutory provisions, to which I must now turn.

The principal statute is the Highways Act 1980. Section 116 of that Act, contained in Part VIII of the Act, refers to the power of magistrates to authorize the stopping up or diversion of a highway. Subsection (1) provides:

> "Subject to the provisions of this section, if it appears to a magistrates' court, after a view, if the court thinks fit, by any

Ramblers' Association v. Kent County Council

Queen's Bench Division

Woolf, L.J.

two or more of the justices composing the court, that a highway (other than a trunk road or a special road) as respects which the appropriate authority have made an application under this section -

(a) is unnecessary, or
(b) can be diverted so as to make it nearer or more commodious to the public,

"the court may by order authorize it to be stopped up or, as the case may be, to be so diverted."

The Highways Act in Part VIII contains parallel provisions dealing with procedures for stopping up footpaths and bridleways in s.118 of the Act. There are also parallel procedures for diverting footpaths and bridleways which appear in s.119 of the Act. Subsection (1) of s.118 provides:

"Where it appears to a council as respects a footpath or bridleway in their area (other than one which is a trunk road or a special road) that it is expedient that the path or way should be stopped up on the ground that it is not needed for public use, the council may by order made by them and submitted to and confirmed by the Secretary of State, or confirmed as an unopposed order, extinguish the public right of way over the path or way.

"An order under this section is referred to in this Act as a 'public path extinguishment order'."

Subsection (2) states:

"The Secretary of State shall not confirm a public path extinguishment order, and a council shall not confirm such an order as an unopposed order, unless he or, as the case may be, they are satisfied that it is expedient so to do having regard to the extent (if any) to which it appears to him or, as the case may be, them that the path or way would, apart from the order, be likely to be used by the public, and having regard to the effect which the extinguishment of the right of way would have as respects land served by the path or way, account being taken of the provisions as to compensation contained in s.28 above as applied by s.121(2) below."

The references to "expediency" which appear in s.118 do not appear in s.116. Therefore, it is to be noted, in my view, that on a proper application of s.116, no question of expediency is involved.

Turning to s.116, subs.(5) provides:

"An application or order under this section may include two or more highways which are connected with each other."

Subsection (6) provides:

> "A magistrates' court shall not make an order under this section unless it is satisfied that the applicant authority have given the notices required by Part I of sch.12 to this Act."

It is because of the language of subs.(6) that I earlier referred to the jurisdiction of the magistrates. Although it will be necessary to look at other provisions, to which I will come in a moment in connexion with notices, it can be said straightaway that the requirements of subs.(6) are, in my view, mandatory, so that a magistrates' court has no power to dispense with the requirement which is there specified.

Schedule 12, Part I of the Act, which is referred to in subs.(6) requires by para.1:

> "At least 28 days before the day on which an application for an order under s.116 of this Act is made in relation to a highway the applicant authority shall give notice of their intention to apply for the order, specifying the time and place at which the application is to be made and the terms of the order applied for (embodying a plan showing what will be the effect thereof)-"

I emphasize that by underlining the words "what will be the effect thereof". Then there are set out the various persons to whom notice has to be given, and then I turn to para.2, which provides:

> "Not later than 28 days before the day on which the application is made the applicant authority shall cause a copy of the said notice to be displayed in a prominent position at the ends of the highway."

A highway is described in s.328(1) of the Act, except where the context otherwise requires, as meaning "the whole or a part of a highway".

The question, therefore, arises under para.2 of sch.12, in a case where only part of the highway is proposed to be stopped up, as what is the meaning of the "ends" of the highway. Does it mean the ends of the parts being stopped up, or does it mean the ends of the whole of the highway? When the provisions of Part I of sch.12 are looked at as a whole, in my view they clearly indicate that what is meant is the end of that part of the highway in relation to which it is intended to ask the magistrates to make an order.

The parts of the highway which we are concerned with are parts of a highway to which the Military Lands Act 1892 apply. Section 13 of that Act, as amended, gives magistrates a further jurisdiction to stop up or divert footpaths, a jurisdiction which, it appears to me, is narrower than that given under s.116 of the 1980 Act insofar as, first of all, it only applies to footpaths crossing or near to any land leased under that Act and thus would not, for example, apply to highways or, so far as this case is concerned, HL41, and,

Ramblers' Association v. Kent County Council

Queen's Bench Division

Woolf, L.J.

secondly, requires magistrates before they make an order under the section to be satisfied that a new footpath, convenient to the public, will be substituted, therefore, or that the footpath as diverted will be as convenient to the public as the case may be.

Accordingly, although it is necessary to recognize the existence of that alternative power, one turns to the questions which arise on this appeal in relation to the notices. The magistrates in this case did not in fact exercise their powers in relation to the highways under the 1892 Act but have exercised those powers in accordance with s.116 of the 1980 Act.

The fact that the rights of way ran over land, to which the Military Lands Act 1892 applied, has a factual effect which is only relevant because it resulted in the ways being closed for some 280 days in the year so as to enable the land to be used as a shooting range by the military.

Turning to these issues and dealing with the two issues which deal with the notices, first it is necessary to refer to the terms of the notices. They were all in the same form. They referred to both s.116 and sch.12 of the Highways Act 1980 and s.13 of the Military Lands Act 1892. Paragraph 1 of the notice provided:

> "1. Notice is hereby given that the Kenty County Council in pursuance of its powers under s.116 of the Highways Act intends to apply to the Folkestone magistrates' court sitting at the Law Courts, Castle Hill Avenue, Folkestone on Thursday December 22, 1988 at 10 a.m. for an order for the stopping up and diversion of public rights of way HL41 (part), HL16 (part), HL18 and HL29 all in the town of Lydd, and situated on the army ranges, as shown on the attached plan.
>
> "2.The application is made on the grounds that the routes are unnecessary and cross land which is classed as military land under the 1892 Act. An alternative route is also being provided."

It is not necessary to refer to the remainder of the notice.

Mr. Lawrence submits that the notice is misleading in its effect, first of all because it refers to the diversion of the rights of way and, so far as that is concerned, there was a proposal, to which the magistrates were referred, that a military path, which on plan B runs from T to V and therefore, forms an additional route to HL41, should be used as an alternative route. However, there was no suggestion before the magistrates that that alternative route was to be dedicated to the public, nor was there any undertaking or indication given by the Ministry of Defence that that route would be available to the public for any specific period.

Mr. Caws, who appears on the appeal for the Ministry of Defence, mainly in a watching capacity but also to assist the court generally on the appeal, very helpfully indicated that the Ministry of Defence could give no assurance that the path between T and V would be available for the public for any specific period. In my view, they could not be regarded as a satisfactory alternative route

for the public rights of way which at present run between HL41 and HL16 though, as I have already indicated, part of HL16 is flooded; so HL16 can only practically be used by using part of what I will describe as the "military path".

Mr. Lawrence submits that the suggestion that an alternative route was to be provided, contained in the notice, was misleading. He also submits that the suggestion that there was to be a diversion of the public right of way was misleading. There was no question of the rights of way being diverted. All that was involved was their being stopped up. In those circumstances, Mr. Lawrence submits that a member of the public reading the notice could well believe that he was not going to be adversely affected by the proposals because he would not realize that it could result in his not being able to use a way as equally convenient as those at present provided by the public right of way which it was proposed to stop up.

On the other hand, in his submissions on behalf of the Kent County Council, Mr. Blackford contended that as there were two statutory powers, only one of which required an alternative route to be provided, the notice referred to both statutes and there was nothing wrong with the terms of the notice. I do not accept that submission of Mr. Blackford. If a notice is putting forward two alternative proposals, both those alternatives should be set out in the notice. They were not set out here. Furthermore, although there was a map included with the notice as was required by the legislation, the map purported to show an alternative route to be provided. That was the military way, to which I have made reference and which was not properly described as an alternative route.

Accordingly, I have come to the conclusion that Mr. Lawrence is right in his submissions and these notices are notices which do not comply with the requirements of the Act. If a notice is as misleading as these notices are, then, in my view, that has the result of depriving the justices of the right to make the orders which they made here.

Turning to the second point which is taken with regard to the notices, that relates solely to the position of the notices. There are two submissions here made by Mr. Lawrence. First of all he submits that there was no notice as was required at the end of HL16 where it joins the military way just short of point D on the plan. The second submission that he makes is that there was no notice at point Q on the plan in relation to the path of HL18 which it was proposed to be stopped up.

In relation to HL16, although it is right that there was no notice precisely at the end of HL16, the evidence was given by Michele Medhurst, an administrative assistant in the Kent County Council, as to how the notices came to be positioned where they were. She said that it was not physically possible to place notices at the end, and the places selected by her were, in her judgment, the most prominent and sensible places to put them in order to draw attention to the contents. Because of the area of water in the close

Ramblers' Association v. Kent County Council

Queen's Bench Division

Woolf, L.J.

vicinity, there was no reason to doubt that part of Michele Medhurst's evidence.

Although the statutory requirement contained in sch.12 is to place the notice at the end of the highway, in looking at that requirement, it obviously has to be interpreted in a common-sense way. Where it is not possible to place the notice precisely at the end, if there is substantial compliance with the requirement that, in my view, is sufficient to fulfil the requirements of the Act. The justices, in exercising their jurisdiction, should approach the requirement as to the placing of notices at each end of the highway in a common-sense way.

So far as the absence of a notice at point Q is concerned, there was a notice at point P. There was also a notice further along HL29, off the plan which is exhibited to this judgment. Mr. Blackford submitted that anyone seeking to approach the southern end of HL18 would pass either the notice at point P or the notice at the other point on HL29, so no prejudice would be caused by the absence of a notice at what is the proper position at the southern end of HL18.

I have considerable sympathy for this submission, because the purpose of the notice is that which I indicated earlier in this judgment. However, there is an authority of some seniority. That is the case of *R.* v. *The Justices of Surrey* (1869) 34 J.P. 199; (1869-1870) 5 Q.B. 466, where a very similar question was considered by the Divisional Court, consisting of three Judges presided over by Cockburn, C.J. and containing Blackburn, J. and Mellor, J., and where a firm view was taken in relation to the need to comply with a very similar statutory requirement. In that case, the three ways which were being stopped up formed a Y. There was a notice erected at the end of each limb of the Y, but there was no notice at the point where the three lines joined. The Divisional Court, having regard to the terms of the legislation, came to the conclusion that it was not sufficient to have a notice at the three ends of the limb. A further notice was required at the point in which they joined. In the course of his judgment, which was in relation to an application for what was the then equivalent of judicial review, Blackburn, J. said at p.471:

> "We think it clear that the actual publication of the prescribed notices is made a condition precedent to the jurisdiction of the two justices, the obvious object of the legislature being to secure that every one interested in the preservation of the highway should be aware of what was about to be done before it was done; and we also think it clear that the legislature have prescribed that the notices shall be placed at each end of the highway, so as to secure to every one who comes upon it the opportunity of reading the notice."

Later in his judgment, Blackburn, J. referred to the fact that certiorari is not a writ of course. Notwithstanding the discretion of the court which exists on an application for certiorari, that court

felt obliged to quash the decision of the justices in that case.

Having regard to that authority, Mr. Caws made a helpful submission which drew attention to the fact that in the legislation as it now appears, the mandatory requirement is contained in s.116(6) of the 1980 Act, whereas the detailed requirements are contained in Part I of sch.12. As I understand his submission, he was contending that because subs.(6) is mandatory, it does not necessarily follow that the detailed requirements in sch.12 are mandatory.

I have difficulty in following Mr. Caws's argument entirely as he was developing it, as I understood it. However, I do regard his argument as providing help as to the proper solution of this particular problem. It seems to me that all that has to be done is for there to be substantial compliance with the detailed requirements of sch.12. If there has been substantial compliance with those detailed requirements, then the mandatory requirement contained in subs.(6) is fulfilled. However, even approaching the requirements in sch.12 in that way, I am afraid that, in relation to the absence of a notice at the southern end of HL18, it has to be accepted, in my view, that there has been no compliance here, so that that would deprive the justices of jurisdiction to make a stopping up order in relation to HL18.

I turn, therefore, to the third point, and perhaps the point of most importance on this appeal, and that is as to the meaning of the word "unnecessary" in s.116(1). With regard to the ways which were the subject of the decision of the magistrates, there was little evidence before the magistrates as to the extent to which they were being used; but they were undoubtedly being used, albeit to a limited extent, by the public.

There was also reference to a tarmac road in the evidence before the justices, and that apparently was or could be a reference to the Denge Marsh Road, which is shown on the plan, and by use of that road, and use of another public path, there is a way which can give access to the shore at the south of the plan. It is clearly a reasonable distance away, and it involves travelling over a different type of highway.

Mr. Lawrence submits that having regard to the evidence that was before the magistrates, and having regard to the fact that there was no proper alternative provided by the military way, the justices were not entitled to come to the decision which they did.

Mr. Blackford, on the other hand, submits that this is entirely a question of fact for the justices and not a matter on which this court can intervene on an appeal by case stated.

That Mr. Blackford is right in regarding the issue at least primarily as question of fact for the justices, I have no doubt. I equally have little doubt that magistrates, on the whole, are best left to determine what is unnecessary themselves. The very fact that there is an express reference, which is unusual, to the magistrates making a view, indicates how much this is a question of fact and one in relation to which one would expect the magistrates to use their local knowledge and common sense in

Ramblers' Association v. Kent County Council

Queen's Bench Division

Woolf, L.J.

Ramblers' Association v. Kent County Council

Queen's Bench Division

Woolf, L.J.

coming to a decision.

However, it may provide some assistance to magistrates in the difficult adjudicating task they have to perform under s.116(1) if I give the following guidance. First of all I consider that magistrates, in deciding whether or not a highway is unnecessary, should bear in mind the question for whom the highway is unnecessary. It is to be unnecessary for the public. It is the public who have the right to travel up and down the way in question, and it is the public with whom the justices should be concerned because the right is vested in them. It is for this reason that I drew attention to the somewhat different language in s.118.

Then the justices might ask themselves, in considering an application under s.116, the question for what purpose should the way be unnecessary before they exercise their jurisdiction. So far as that is concerned, it should be unnecessary for the sort of purposes which the justices would reasonably expect the public to use that particular way. Sometimes they will be using it to get primarily to a specific destination - possibly here the shore. Another reason for using a way of this sort can be for recreational purposes.

In my view, where there is evidence of use of a way, *prima facie*, at any rate, it will be difficult for justices properly to come to the conclusion that a way is unnecessary unless the public are or are going to be provided with a reasonably suitable alternative way. In deciding whether an alternative way is reasonable, it must be a way which is protected, so far as duration is concerned, in the same way as the existing way is protected. It must also be suitable, or reasonably suitable, for the purpose for which the public were using the existing way.

If it is a way which has similar characteristics as the existing way, then certainly the justices can find that the existing way is unnecessary, albeit that the justices must also bear in mind that the result of the loss of way could be to render the other ways which are available more crowded than they are at present. If a way is being used primarily by the public for recreational purposes, that is a consideration which the justices are perfectly entitled to take into account and, in my view, should take into account in deciding whether the way is unnecessary.

However, having sought to give that assistance, I repeat that the question of whether a way is or is not unnecessary is one of fact for the justices and a decision on which, normally, this court will not intervene.

There have been previous authorities where this same issue has been considered, though the only decision to which I need make reference is an unreported case, *Compton* v. *Somerset County Council*, decided by McNeill, J. on March 23, 1982. I have been provided with a transcript of that judgment, and McNeill, J. was at pains to stress, as I have been at pains to stress, in the course of his judgment that the question as to what is a way and whether it is unnecessary for its retention is a question of fact. At the conclusion of his judgment, McNeill, J. said this:

"I do not think it is desirable to add a gloss to the statutory words. If it were proper to do so, I think the gloss would be 'unnecessary in the public interest', for both the highway authority and the magistrates have to weigh up all the circumstances in dealing with the matter of public access to highways. I prefer to leave it on the basis that the question of necessity under s.116(1)(a) is a question of fact for the magistrates upon which they were properly instructing themselves and upon which they had an abundance of evidence to decide as they did."

McNeill, J., therefore, dismissed the appeal. In that case there was an abundance of evidence.

In this case, as far as one can tell, there was not an abundance of evidence. This case is going to have to be redetermined, and I therefore propose to say no more about the evidence. However, I would just say this with regard to the passage I have cited from McNeill, J.'s judgment. I am not quite clear what McNeill, J. meant by his reference to "unnecessary in the public interest". It may well be that he had in mind exactly the same considerations to which I referred earlier - the interests of the public in the right of way.

If, however, he was referring to some broader public interest - for example, here there were the interests of the Ministry of Defence - then I would respectfully dissent from that dictum of McNeill, J. I do not see that the fact that it might be more convenient for the Ministry of Defence, for example, here not to have a way travelling across land which is used regularly as a range would make the existence of that way unnecessary. The question as to what is or what is not necessary has to be decided, in my view, on the lines that I have sought to indicate earlier in this judgment.

I will therefore, for those reasons, allow this appeal. In doing so, I would answer the questions which the justices have set out in the case in the following way.

The first question, whether the notice given by Kent County Council under the provisions of s.116(3) and Part I of sch.12 of the Highways Act 1980 was a good and valid notice under the Act, I would answer that question no.

So far as (b) is concerned, that starts off by asking whether in the event that the notice was good but capable of being misunderstood the justices were entitled to conclude that no one had been disadvantaged. For the reasons that I have already given in this judgment, I do not think that that question arises, because the notice was not good.

So far as (c) is concerned, that is whether in view of para.2 of the notice of application to the court (i) it was necessary for the respondent to satisfy the magistrates both that the routes were unnecessary and that they crossed land which is classified as military land under the 1892 Act, I would answer that question by saying no. Question (ii), that the magistrates were obliged to

Ramblers' Association v. Kent County Council

Queen's Bench Division

Woolf, L.J.

ensure the provision of an alternative route as offered in the application, again I would say no, but the absence of an alternative route was of critical importance to the question as to whether or not the existing routes were unnecessary.

So far as (d) is concerned, whether in view of the evidence called on behalf of the Ramblers' Association and the Kent County Council and the petition lodged with the court, it was open to the justices to make a determination that parts of footpaths HL41, HL16 and HL18 were unnecessary within the meaning of the Highways Act 1980, I would answer that question by indicating that the material contained in the case is not sufficient for me to enable the question to be answered.

So far as (e) is concerned, whether the evidence of Michele Medhurst was sufficient evidence that the requirements of para.2 of sch.12 to the 1980 Act had been complied with, I would answer that question by saying that the evidence was sufficient as to HL16 but was insufficient as to HL18 since, in relation to HL18, counsel very properly, on behalf of the council, conceded that the evidence was not meant to relate to HL18.

In the result, I would make an order that the decision of the justices contained in the case must be set aside and that the applications which were before the justices must be dismissed.

Pill, J.

Mr. Justice Pill: I agree with the order proposed by my Lord and with the conclusions he has reached on each of the points in issue. I add a few sentences only upon the use of the word "unnecessary" in s.116(1)(a) of the Highways Act 1980.

The effect of an order by the justices under the section is to extinguish a right enjoyed by members of the public, a right of passage and re-passage over the highway. That is the context in which their powers have to be construed and in which the justices should consider the evidence when deciding whether a way can properly be said to be unnecessary.

It is common ground that the existence of a reasonable alternative way for users may be taken into account in deciding whether a particular way is unnecessary. Clearly it is for the justices to consider the question of need on the basis of the material before them. The need may be particularly important to a few users. It may be of less importance to a larger number of users. It may in the circumstances be completely unnecessary.

In this case it is not clear whether the justices held that there was insufficient evidence of users or that they disbelieved such evidence as there was, or that they believed that an alternative right of way was available, which in law it was not, or simply that their finding accorded with more general notions of public interest.

The concept of expediency, which arises when an application to extinguish a public right of way is made under s.118 of the Act, does not arise upon an application under s.116. It is not, in my view, open to justices to decide that a way is unnecessary under s.116 because they hold the view that it is in the public interest

that the highway should be closed.

Bearing in mind the legal rights of members of the public which it is sought to extinguish, including the rights of actual users, if any, the question whether a highway is unnecessary should not be decided, in my judgment, merely upon general notions of public interest in extinguishment.

In a case where the justices hold that a way is unnecessary within the meaning of s.116, I would expect them to give reasons for their finding upon a case being stated for the opinion of this court.

Lord Justice Woolf: I agree with the judgment which has just been given. Because of the unsatisfactory notices, the application must be dismissed.

Order-setting aside the decision of the justices.

Solicitors: *Messrs. Pearlman, Grazin & Co.*, Leeds, for the appellant.
The County Solicitor, Kent County Council, Maidstone, for the respondent.

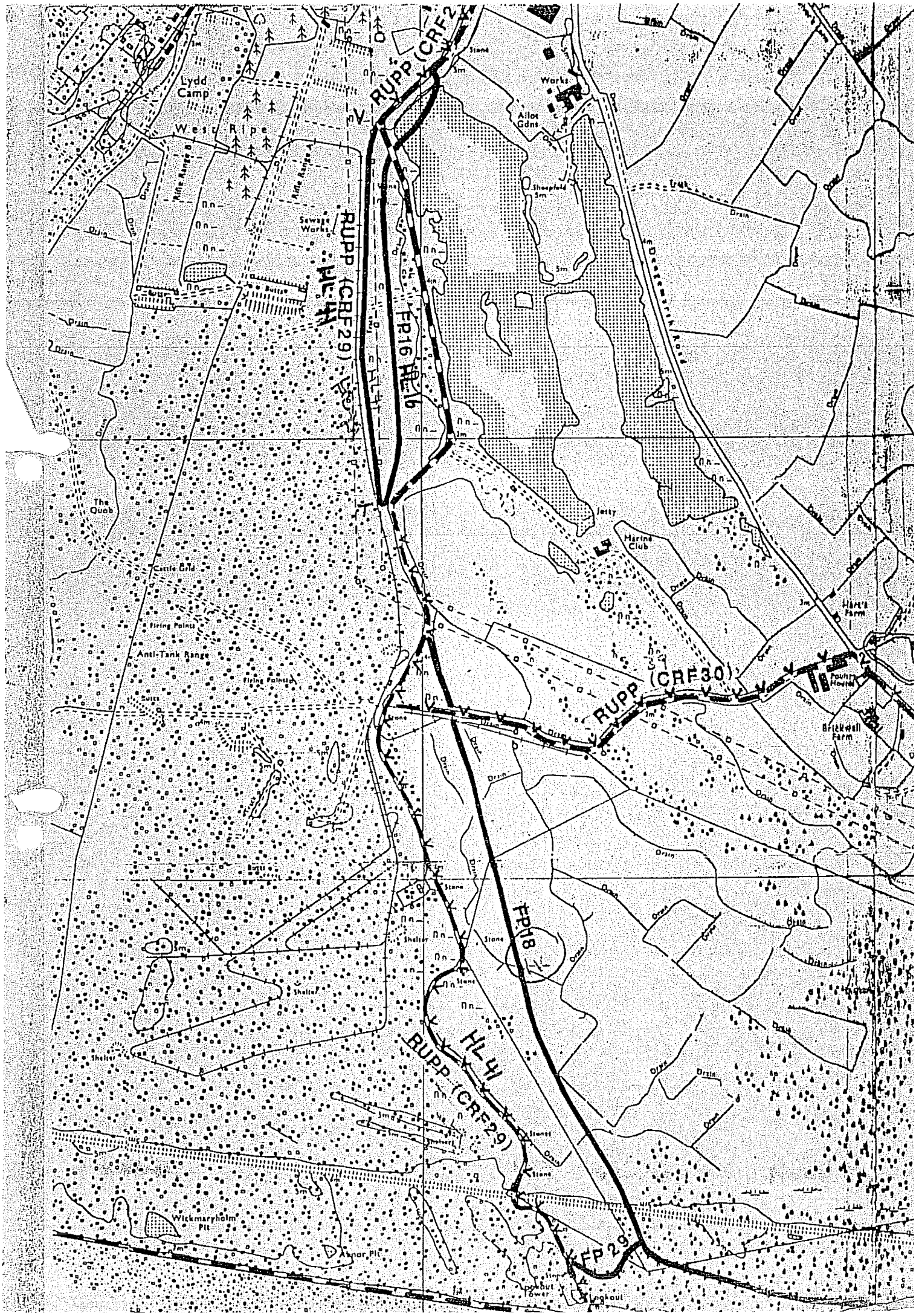
Reported by: Ian McLeod, Esq., LL.B., B.A., *Solicitor.*

Ramblers' Association v. Kent County Council

Queen's Bench Division

Pill, J.

Woolf, L.J.


RUPP (CRF2
Lydd Camp
West Ripe
Works
Allot Gdns
Sheepfield
Sewage Works
RUPP (CRF29)
HL44
FP16
HL16
Denmarsh Road
The Quob
Jetty
Marine Club
Castle Grid
Firing Points
Anti-Tank Range
Hart's Farm
Poultry Houses
RUPP (CRF30)
Brickwall Farm
FP18
HL41
RUPP (CRF29)
Wickmarrholm Pit
Asnor Pit
FP29
Lookout

IN THE HIGH COURT OF JUSTICE CO/991/82

QUEEN'S BENCH DIVISION

Royal Courts of Justice,

Tuesday, 1st March, 1983.

Before:

MR. JUSTICE WOOLF

- - - - - -

Crown Office List

GRAVESHAM BOROUGH COUNCIL

-v-

PATRICIA WILSON

and

ELSIE STRAIGHT

- - - - - -

(Transcript of the Shorthand Notes of Marten Walsh Cherer Ltd., 36/38 Whitefriars Street, London, EC4Y 8BJ. Telephone number: 01-583 7635. Shorthand Writers to the Court.)

- - - - - -

MR. A. STEYNOR (instructed by G.H. Ramage, Esq., Borough Secretary, Civic Centre, Gravesend, Kent) appeared on behalf of the Appellants.

MR. G. LAWRENCE (instructed by Messrs. Pearlman Grazin & Co., Leeds) appeared on behalf of the Respondents.

- - - - - -

J U D G M E N T

(As approved by Judge)

- - - - - -

MR. JUSTICE WOOLF: This is an appeal by way of case stated by the Justices for the Petty Sessional Division of Gravesham. It arises out of the decision of the Justices in respect of an application which was made to them under section 116 of the Highways Act, 1980, which section gives the Justices the jurisdiction to authorize the stopping up or diversion of a highway. The highway which they were considering on that occasion was a length of highway, some 146 metres long, which is part of the ancient Saxon Shore Way between Gravesend and Rye, Sussex.

In exercising their jurisdiction, the Magistrates were required to comply with the requirements of section 116(1) of the Highways Act, which reads as follows: "Subject to the provisions of this section, if it appears to a magistrates' court, after a view, if the court thinks fit, by any two or more of the justices composing the court, that a highway (other than a trunk road or a special road) as respects which the appropriate authority have made an application under this section (a) is unnecessary, or (b) can be diverted so as to make it nearer or more commodious to the public, the court may by order authorise it to be stopped up or, as the case may be, to be so diverted."

Here we are concerned with the diversion of the highway. The appellants, who are Gravesham Borough Council, were contending that a more "commodious" route could be provided if instead of the highway proceeding along its existing line, it was diverted so that it turned at rightangles for the commencement of its length with which we are concerned, went towards the river, then proceeded along the river wall, until, at the end of its length, it turned left and rejoined its existing route. The Gravesham Borough Council were of the view that if it was diverted in this way, an even surface could be provided, compared with the cobbles of the existing highway. The route would be safer because there was a potential danger along the existing route from the passage

of industrial traffic. Furthermore, the diversion would be aesthetically more attractive because of the riverside views which it would provide.

The Justices visited the location and were shown the proposed diversion. They came to the conclusion that the highway should not be diverted and they came to that conclusion for the following reasons, as set out in the case: "In the absence of binding or persuasive precedent it was our responsibility to ascertain the meaning of the word as used in the said Act. Section 116(1) of the said Act used the word 'commodious' and it was misleading, irrelevant and unprofitable to consider the dictionary's various definitions of the word 'convenient'. The meaning of the word 'commodious' should be ascertained by reference to its current ordinary and natural usage. As an aid to interpretation we were guided by the 1980 Oxford Shorter English Dictionary definition of 'roomy, spacious'. Having regard to the current ordinary and natural usage of the word the diversion could not in fact be described as more 'commodious' to the public. Even if we were wrong in our interpretation of the word 'commodious', the diversion could not be described as 'better' for the public because it would be narrower and less direct. Moreover its surface and changes in levels would be less pleasant for the pedestrian and could be extremely difficult for wheelchairs and pushchairs. There was no evidence that it would be safer for the public. Its overall character would be aesthetically unpleasant despite the opportunity for riverside views which are, in any event, surpassed within a short distance of the diversion."

In my view, subsection (1) of section 116 makes it clear that before the Magistrates can decide to divert a highway they must come to the conclusion that it is "nearer or more commodious to the public". If they come to the conclusion that it is either "nearer or more commodious", the Magistrates can direct or authorise the diversion, but they are not

required to do so; they have a discretion. That discretion must, of course, be exercised judicially, but it is clearly a very wide discretion, enabling the Magistrates to take into account the interests of all those who will be affected by the proposed diversion. In this case, the two respondents were representatives of the Ramblers' Association. Certainly the interests of that Association could be taken into account by the Justices, in the sense that the comparable pleasure that would be given by walking down the existing highway as opposed to walking on the diverted highway would be relevant to the Justices' consideration as to whether they should exercise their discretion. Where Magistrates have viewed the scene and come to a conclusion about the relative merits of the existing highway and the proposed alternative, then it is difficult for an applicant to show that they have gone wrong in law if they refuse to authorise the diversion because, as I have said, their discretion is wide.

However, on behalf of the Borough Council, Mr. Steynor, who has said everything that it is possible to say in support of the appeal, submits that the Magistrates misdirected themselves in law in their approach to the word "commodious".

I am bound to say that I have difficulty with that submission because of the way the Magistrates have worded their reasoning for their decision. I am firmly of the view that whatever meaning one gave to the word "commodious", it is quite clear the Magistrates would have come to the same decision because, in any event, they were exercising the discretion to which I have referred adversely to the Borough Council's proposal. So far as the word "commodious" is concerned, the Justices did have the difficulty that so far there has been no judicial pronouncement as to the meaning of that word when it appears in the Highways Act. It is a word which has repeatedly appeared in the

Highways Act since 1835. It is no doubt true that when the word appeared in the 1835 Act for the first time it was a word that was more frequently used in everyday speech than it is now. It is also probably right, as Mr. Steynor pointed out, that it is most regularly used today in the blurb of estate agents, describing properties which they are offering for sale. Nonetheless, I do not accept that it does not still have an ordinary and natural usage. In my view, when the word "commodious" appears in the 1980 Act, it is being used in that ordinary and natural sense.

I do, therefore, find assistance from the various dictionaries to which I have been referred. I do not propose to cite the numerous definitions which are given in those dictionaries as to the meaning of the word "commodious" but they do, however, clearly give what I would in any event regard as being part of the ordinary and natural meaning of the word: a flavour of convenience, roominess and spaciousness. The older definitions also include a flavour of utility and, in its highway context, it seems to me that that element is also present.

When considering the definition of the word "commodious", the Magistrates found the definition of the word in the Oxford Shorter Dictionary helpful, as an aid and a guide. That was a reference to "roomy and spacious". They were not wrong in regarding that definition as being a guide and I can find nothing in their approach which indicates that they acted in any way wrongly in applying the word "commodious" to their decision, when coming to the conclusion that the diverted road was not more "commodious" to the public than the existing road. The proposed diverted highway is undoubtedly narrower; instead of four metres (or thereabouts) it would be two and a half metres; and it would deviate in level. That was a finding which the Justices were entitled to come to. In any event, even if they were wrong in their

approach -- as they made clear from the other passage which I have cited -- that would not have affected their decision because, in any case, for the wide reasons to which they made reference, they would have come to a decision which was adverse to the appellants.

Their reasoning with regard to the wider matters which they considered is unexceptionable and it follows, therefore, that there are no grounds upon which this court can interfere with their decision.

The Justices ask for the opinion of the High Court inter alia as to whether their decision was one at which no reasonable bench of Justices could arrive. With regard to that, I have no hesitation in saying that clearly it was a decision to which any reasonable bench of Justices was entitled to come. This appeal, therefore, will be dismissed.

MR. LAWRENCE: Would your Lordship make an order for costs in favour of the respondents?

MR. STEYNOR: My Lord, I cannot resist that.

MR. JUSTICE WOOLF: Very well. Thank you.

- - - - - -