



CABINET REPORT

Report Title	Cycling in the Racecourse
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AGENDA STATUS:

PUBLIC

Cabinet Meeting Date:	16 th December 2009
Key Decision:	NO
Listed on Forward Plan:	YES
Within Policy:	YES
Policy Document:	NO
Directorate:	Environment & Culture
Accountable Cabinet Member:	Councillor Trini Crake
Ward(s)	Kingsley

1. Purpose

- 1.1 The purpose of the report is to regularise the cycling activity within the Racecourse and to therefore request that Cabinet agree to permit cycling within part of the Racecourse in accordance with the process permitted within the relevant byelaw.

2. Recommendations

That Cabinet agrees that:

- 2.1 Cycling is permitted within part of the Racecourse in accordance with the provisions of byelaw 5(ii) of the Council's byelaws in respect of Parks and Pleasure Grounds that prohibits cycling except in the exercise of any lawful right or privilege
- 2.2 The tracks indicated as red dotted lines are designated for joint use by pedestrians and cyclists, and the path around the parameter of the park, as marked in black ink is used solely for pedestrian use.

3. Issues and Choices

3.1 Report Background

- 3.1.1 Byelaw 5(ii) of the Council's byelaws in respect of Parks and Pleasure Grounds prohibits cycling within a number of Parks across Northampton except in the exercise of any lawful right or privilege. This report deals directly with the Racecourse.
- 3.1.2 Over time the rules regarding cycling in the Racecourse have become obscure. In this particular instance people have been cycling in the Racecourse for many years despite the byelaw. The meaning of the byelaw has become lost in time, so much so that cycle paths across the Racecourse have been installed. These are indicated on the map at appendix one
- 3.1.3 There are currently approximately 121 parks that are included within the byelaw. Given this number and the individual requirements of each park and their users it is anticipated that any future requests or need for lawful authority to permit cycling in accordance with the relevant byelaw is completed on a park-by-park basis.

3.2 Issues

- 3.2.1 In respect of whether the paths within the Racecourse meet the required standards as cycle paths, the Cycling and Walking Officer from Northamptonshire County Council has stated that the current tracks within the Racecourse are wide enough and have good enough visibility for shared use, except the path around the perimeter of the Park which should not be used for cycling. The map at Appendix One shows this path in black ink and the current paths used for cycling as dotted red lines.
- 3.2.2 The communication on the ground is not clear in respect of white lines and signage. Northamptonshire County Council has agreed to white line and put up signage to make usage clear to users.
- 3.2.3 This issue has come to the fore due to an accident involving a pedestrian and cyclist. A Health & Safety inspection was undertaken which highlighted several minor remedial actions that have now been rectified. The main issue identified was communication on the ground, and for these and other like issues to be dealt with there remains the byelaw matter to be resolved, so that the site can be treated appropriately. This requires that lawful authority to permit cycling is granted in accordance with the relevant byelaw or it is enforced.

3.3 Choices (Options)

- 3.2.1 Option one: Permit cycling within the relevant parts of the Racecourse by granting lawful authority for such activity in accordance with the relevant byelaw.
- 3.2.2 Option two: Do not grant such lawful authority to permit cycling within part of the Racecourse in accordance with the relevant byelaw and undertake enforcement activity. This would require additional resources and would be almost impossible. In addition the signage and white lines would also need to be removed at additional

expense. There would also be an equalities impact in that this form of exercise is no longer accessible by people and communities who are not able to afford alternative fitness and transportation means.

4. Implications (including financial implications)

4.1 Policy

- 4.1.1 Granting lawful authority to permit cycling within part of the Racecourse in accordance with the relevant byelaw will regularise the parks usage in line with existing and emerging policies and strategies such as the Park & Open Spaces Strategy, and with national and regional policies such as those for healthy lifestyles and addressing health inequalities.

4.2 Resources and Risk

- 4.2.1 None associated directly with this report. Budgets for signage etc are in place to deal with repairs and upkeep, etc. We continue to liaise with the County Council regarding their obligations.

4.3 Legal

- 4.3.1 Byelaw 5(ii) of the Council's byelaws in respect of Parks and Pleasure Grounds in the Borough of Northampton (made on 5 May 1988 and confirmed by the Secretary of State to come into operation on 21 July 1988) which includes the Racecourse states:

"A person shall not except in the exercise of any lawful right or privilege ride any bicycle, tricycle or other similar machine in any part of the pleasure ground."

Obtaining any lawful right or privilege is a process permitted within the byelaw and could be achieved by a formal Cabinet decision.

4.4 Equality

- 4.4.1 Whilst the primary intention of this report is to regularise the cycling activity within the Racecourse, the continued use of the park for these activities and any potential further enhancements will contribute towards tackling health inequalities. This is achieved by narrowing the health gap between disadvantaged groups, communities and improving health overall by ensuring that accessible high quality cycle paths are available in our Parks.

4.5 Consultees (Internal and External)

- 4.5.1 Work is ongoing with the Cycling and Walking officer from the Northamptonshire County Council, who consult with the Friends of the Racecourse on an ongoing basis regarding this issue.
- 4.5.2 Friends of the Racecourse have been directly spoken to regarding permitting cycling and the byelaw and its implications. They do not object to cycling in the

park, however they commented that they would also not wish to see obtrusive and excessive signage.

4.6 How the Proposals deliver Priority Outcomes

4.6.1 In line with the Corporate Plan 2009-2012 granting lawful authority to permit cycling within part of the Racecourse in accordance with the relevant byelaw contributes towards the following priority outcomes:

4.6.1.1 Safer, Greener, Cleaner communities – Provide good quality parks and open spaces

4.6.1.2 Housing, Health and Wellbeing – Contribute to improving the health of local people.

4.7 Other Implications

None

5. Background Papers

5.1 None

Simone Wade, Head of Neighbourhood Environmental Services, Ext 7464

Here and there of the routes preferred by the thousands of cyclists. To join up to their destinations, they also cycle where they would prefer not to.