

Committee(s): Epping Forest Consultative Committee – for consultation Epping Forest Commons Committee – for decision	Dated: 16/06/2021 12/07/2021
Subject: Wanstead Park Permissive Cycling Extension (SEF 28/21b)	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1,2,3,4, 9 and 11.
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	£
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain’s Department?	Y/N
Report of: Director of Open Spaces	For Decision
Report author: Sarah Reid, Community Engagement Officer (Lakes and Ponds), Epping Forest.	

Summary

This report provides feedback from the public consultation exercise for cycling in Wanstead Park recommended as an action in the Cycling Strategy which was agreed at your committee on 8 March.

The 1,004 responses from public consultation exercise held between 16 April 2021 – 10 May 2021 are presented in this report.

The Committee are asked to agree to permit cycling on all main paths across the whole of Wanstead Park. This is in accordance with and subject to the proposed restrictions and requirements in Option 3.

Recommendation(s)

Epping Forest and Commons Committee Members are asked to:

- i. Note the comments from the Epping Forest Consultative Committee.
- ii. Note the public consultation exercise results, and
- iii. Approve the extension of permissive cycling across the Wanstead Park byelaw area.

Main Report

Background

1. This report follows up on the approval of the Epping Forest Cycling Strategy at the EF&CC meeting on 8 March 2021. The decision was made to review cycling in Wanstead Park. The specific action was to:
2. Undertake a review of the current restrictions in the Park with an aim to allow permissive cycling throughout Wanstead Park on surfaced paths, particularly the circular route supported by the local stakeholder group. Park users will be consulted as part of the process to ensure local feedback on any proposals.
3. An online public consultation was launched on 16 April 2021 and closed on 10 May 2021. One thousand and four people responded.

Current Position

4. Wanstead Park is covered by two sets of byelaws. The “enclosed”¹ part of Wanstead Park (the eastern side) is covered by Wanstead Park byelaws. The unenclosed part (the western side) is covered by Epping Forest byelaws.
5. In respect of the eastern side of Wanstead Park, Byelaw 4 of the Wanstead Park Additional Byelaws 1950 is applicable. This prohibits cycles and scooters being ridden other than cycle riding on parts of the Park set apart for that purpose and indicated to that effect in the Park.
6. In respect of the western side of Wanstead Park, there is nothing in the Epping Forest Byelaws which prohibits vehicles (although access to specified areas can be prohibited). Bye law 3(10) of the Epping Forest Bye laws prohibits use of a bicycle or other vehicle to the danger, annoyance or inconvenience of the public.
7. A dedicated cycle path was installed in 2010 by London Borough of Redbridge who continue to maintain it. It runs from Warren Road (north) down to the Northumberland Avenue/Park Road junction, passing between Shoulder of Mutton and Heronry Ponds.
8. There is one permissive cycle route, connecting the above path to Wanstead Park Avenue passing between Heronry Pond and Perch Pond. The map in Appendix 1 shows the different byelaw areas and the two cycle routes.
9. The different rules in different parts of the Park have made it confusing for users to know where cycling is permitted and where it’s not. This has also made it difficult to enforce the current rules.

¹ Formerly enclosed at the time the byelaw was made and described as the “enclosed” part of the Park in the Byelaw, but the enclosure arrangements have since changed. The eastern side as shown on the Map equates to the formerly enclosed area

Pandemic Visitor Numbers

10. Since the coronavirus pandemic visitor numbers to Epping Forest have increased dramatically. Recent snapshot surveys have put Forest visits increasing by 350%
11. Cycling across the Forest has increased significantly, rising from 10% of visits in 2014 (equating to 400,000 visits per annum) to 12%-18% of visits in 2020.

Consultation Exercise

Public Consultation

12. Notices were put up around Wanstead Park publicising the cycling consultation. Local ward councillors (LB Redbridge, LB Waltham Forest and LB Newham) were emailed with details and asked to share with their networks. Local interest cycling groups were contacted. The Epping Forest Consultative and Epping Forest & Commons Committee were notified of the consultation. The Friends of Wanstead Parklands contacted their members and put-up notices.
13. The online public consultation exercise was launched Friday 16 April and closed Monday 10 May.

Stakeholders

14. Wanstead Park Liaison Group stakeholders were consulted on the proposals prior to launching the public consultation. The Friends of Wanstead Parklands discussed the proposal at their committee meeting.
15. Councillor Paul Donovan (LB Redbridge) responded fully supporting to extend permissive cycling.

Options

16. We consulted on **three** options for cycling in Wanstead Park:
17. **Option 1: Do nothing:** Leave the situation with cycling as it is, with cycling permitted in the Epping Forest part of Wanstead Park, but not permitted in the eastern area covered by Wanstead Park byelaws. The designated cycle route (marked blue on the Appendix 1 byelaw map) will remain.

The implications for this option will be continued confusion on where you can and can't cycle in the Park which results in user conflict. This option does not address the issue of the continued growth of cycling in Wanstead Park despite the byelaw.

This option is not recommended.

18. **Option 2: Stop cycling** – ban it in the park altogether (except for the Warren Road to Northumberland Road permanent route (blue route on Appendix 1). The permissive route would be withdrawn (orange route on Appendix 1).

This option will mean that a certain amount of confusion would continue because there is still a route that you can cycle through the Park on Warren Road to Northumberland Avenue/Park Road junction.

19. There would also be a significant implication for the western part of the Park (blue shaded on the Appendix 1 map) covered by Epping Forest Act 1878 legislation. It would mean preventing cycling in a section of Epping Forest, contrary to most of the rest of the Forest.

This option is not recommended.

20. **Option 3: Allow cycling on paths throughout the whole park** (both western Epping Forest land and eastern Wanstead Park bye law area). This will only apply to pedal cycles (including Electrically Assisted Pedal Cycles “EAPC”).² It is also proposed that, in respect of the eastern side of Wanstead Park, cycles are only permitted subject also to riders not causing danger, injury, annoyance or inconvenience to the public. This will mean that cycles not conforming to this requirement are not permitted and any offending rider proved to be causing danger, injury, annoyance or inconvenience would be in breach of Bye law 4 of the Wanstead Park Additional Bye Law 1950. It will also make the requirements and restrictions more consistent with those applicable in the western side of Wanstead Park by virtue of Epping Forest Bye law 3(10) (see paragraph 6 above).

21. Confusion will be clarified as there will be one consistent rule covering the whole of Wanstead Park; that permissive cycling is allowed subject further to no danger, injury, annoyance or inconvenience being caused to the public by the rider.

22. Cyclists will be required to adhere to the code of conduct with priority given to pedestrians. Although the code of conduct will be advisory rather than legally enforceable in itself, it will clarify expectations regarding cyclist behaviour and what is regarded as causing annoyance or inconvenience to other Park users. As such it could assist in enforcing non-compliance with the Bye laws. User conflict should be reduced.

This option is recommended.

² As defined by the Traffic Signs Regulations and General Directions 2016 as amended AEPC's are limited to 15.5 mph

Proposals

23. We are seeking approval from the Committee to approve changes to allow permissive cycling on main paths across the whole of Wanstead Park as set out under “Option 3” above. This will bring one consistent rule across the whole Park.

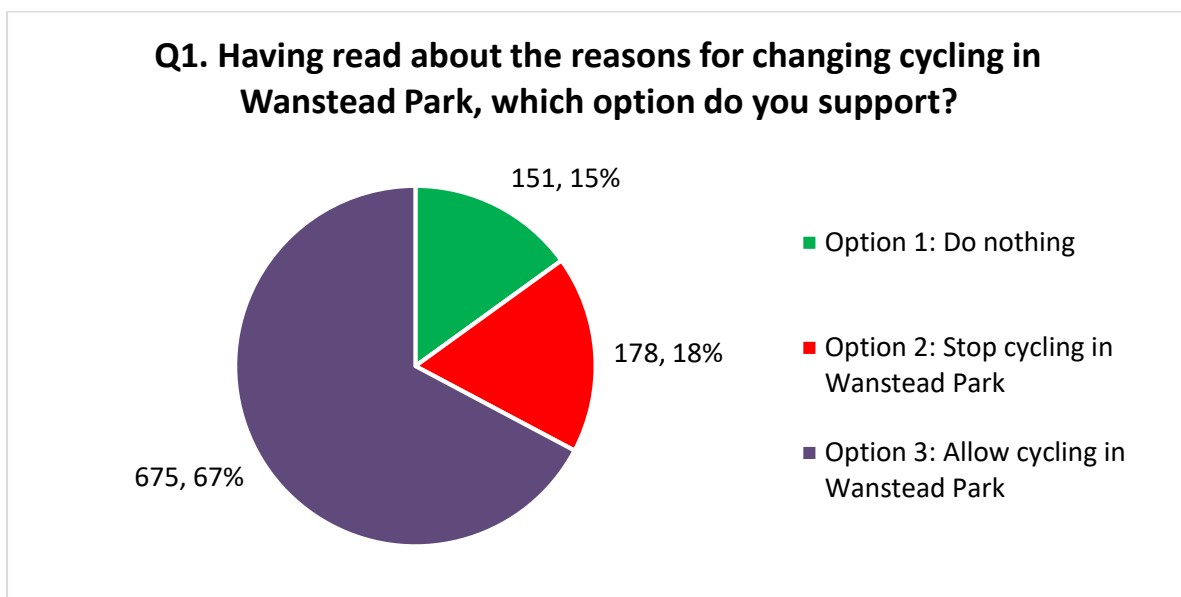
24. Initial results from the public consultation have indicated that the majority at 67% support the option to allow cycling on paths in the whole of Wanstead Park.

Key Data

25. The survey questionnaire was published with a Frequently Asked Questions document – attached at appendix 2. The survey questionnaire is attached at appendix 3.

26. The Options question results are:

- 15% (151) respondents supported - Do nothing;
- 18% (178) respondents supported - Stop cycling;
- 67% (675) respondents supported – Allow cycling on paths throughout the whole park.



Additional Feedback

27. An open question was also included in the questionnaire, asking if respondents had any further comments about cycling. From the 1,004 responses, 648 people (64.5%) completed the ‘further comments’ section.

28. Of the 648 comments made, many respondents made several points in their individual response. The figures which follow are presented as a percentage of the overall number of points made of which there were 1,142. These responses were grouped into themes and are summarised below.

29. Path issues, this category grouped many points regarding paths. Of the 1142 points made, over 10% (121) related to paths which was the highest amount of responses for one category. These ranged from the condition of the paths, from increase in erosion caused during the pandemic, and widening of paths. A lot of comments thought poor path conditions has been caused by, or made worse by cycling.

There was concern that paths are too narrow for shared use to allow cycling and walking to happen safely, with some suggestions to widen paths. Blind spots and lack of sightlines particularly near to the Ornamental Waters was raised as an issue. Paths having an unsuitable surface for cycling and causing punctures. Concern that smaller woodland paths would be used for cycling.

The proposal to extend permissive cycling across the whole Park will be on main paths, which should address some concerns about using narrower paths or smaller woodland paths. The Cycling Code of Conduct will be promoted before the extension is implemented.

30. Ecological damage or disturbance to wildlife - 3% (38) points related to concern about damage to the landscape and disturbance to wildlife, with some siting the listed historic landscape. Several comments related to Chalet Woods and blue bell season.

By allowing cycling on main paths only and restricting access to smaller woodland paths it is hoped that any damage to habitat will be minimised. Under the Epping Forest Cycling Management Strategy, we will have the ability to restrict cycling to specific areas if damage is occurring.

31. Over 7% (89 points) related to concern that extending permissive cycling would be dangerous and lead to an increased risk of collisions or near misses.

32. Just over 75 (80 points) wanted to keep the park as a quiet space for walking or experiencing nature, particularly around ornamental water.

In relation to the two points above, promotion of the Cycling Code will encourage courteous behaviour between different park users and mitigate these possible conflicts. The communications plan will tackle that not all park users are steady on their feet, or can hear well, so cyclists need to be mindful of these less visible impairments.

33. Over 7% (84 points) were made that it is a safe environment for children to cycle in. Several comments welcomed the proposals which allow safe routes for children traveling to and from school by bike, allowing them to avoid busy and polluted roads, or avoiding the use of cars for school journeys.

34. Cyclist poor behaviour was cited as an issue or not considerate enough of other users with over 6% (77 points). To counter this, over 2% (30 points) made that most cyclists behave well.

35. Related to the above is concern about cycling at speed with over 7% (88 points) being made. There were requests to be able to restrict and set a speed limit in the park. Questions regarding if e-bikes and scooters would be allowed.

The recently approved Epping Forest Cycle Management Strategy states that bicycle racing of any kind is not permitted in the Forest as it contravenes the Epping Forest byelaws. De-restricted e-bikes or speed pedalecs are not permitted. The legal limit for e-bikes is 15.5 miles per hour.

36. Over 2% (29 points) requested more bike racks around the park, many saying if there were it would encourage more people to cycle rather than drive to the park. Also, if they could lock up their bikes, they are more likely to walk around the park.

We will look to fund raise with local partners and interest groups to install additional bike storage racks.

37. Over 2% (28 points) made where that the current situation is confusing. Over 1% (14 points) made were that the respondent didn't know cycling was not allowed in parts.

38. Better signage for rule clarity was a common point made, with over 8% comments (95 points), believing this would help resolve the confusion and reduce user conflict.

39. Some comments related to lack of enforcement and the need to better enforce the rules, with over 4% (52 points) made. Mainly having a greater staff presence on site.

40. Over 3% (42 points) made related to providing cycle paths as routes through the park or variations on the three options proposed.

By promoting the Cycling Code of Conduct and extending permissive cycling to main paths in the park it is hoped that this will reduce confusion and user conflict by having one consistent rule across the whole Park.

41. The Friends of Wanstead Parklands committee had some support unconditionally for Option 3 (to allow cycling). Other members had suggested allowing cycling on more paths than currently, but not the whole park, keeping some areas bike free.

42. Specific concerns raised with allowing cycling (option 3) in a listed landscape and the impact on path condition when maintenance budgets are stretched. How sensitive areas would be protected, such as Chalet Woods and the blue bells. And how cyclists would be directed to other paths in the park.

43. Generally, the Friends Group support the option to extend permissive cycling. Raising concerns that if it is reliant on cyclists following the Code of conduct, how will this be communicated through signage, monitored, and enforced. The Group suggest introducing it on a trial basis with a review on the impact.
44. Councillor Paul Donovan – fully supports the proposal to extend permissive cycling, but raised concern about path condition, and the impact with possible increased cycling. He suggests some path areas may need widening, and some works to improve the surface and drainage of paths.

Evaluation

45. The City is required to keep Epping Forest for the recreation and enjoyment of the public and to preserve the natural aspect of the Forest as far as possible (S.7 Epping Forest Act 1878).
46. An initial evaluation has considered that main paths are sufficient to meet the anticipated visitor numbers without any adverse impact on the recreation and enjoyment of the forest. This will be reviewed 18 months after the implementation and re-evaluated with results presented to committee.

Corporate & Strategic Implications

Strategic implications

47. The proposal aligns with the Corporate Plan 2018 – 2023. It contributes to a flourishing society, and outcome number 1 - People are safe and feel safe, and number 2. People enjoy good health and wellbeing.
48. It aligns with Shape outstanding environments, and outcome number 11. We have clean air, land and water and a thriving and sustainable natural environment. Objective 12 – Our spaces are secure, resilient, and well maintained.
49. It aligns with the Open Spaces Business Departmental Business Plan – A. Open spaces and historic sites are thriving and accessible through the outcome, London has clean air and mitigates flood risk and climate change.
50. Top line objective B Spaces enrich people's lives through the outcomes, people enjoying good health and wellbeing; people feel welcome and included and People discover, learn and develop,
51. Epping Forest Strategy (2020 – 2030) – 'London' Greatest Forest' Strategic Objectives 1 and 3; 'A welcoming Destination for All' and 'An inspiring place for people's health, recreation and enjoyment.'
52. The scheme fits with the Wanstead Parklands Plan to improve access to the Park site.

53. Epping Forest Cycling Management Strategy vision, is that Epping Forest is 'A welcoming green space for recreational cyclists of all ages to explore and enjoy responsibly.'

Epping Forest Consultative Committee Comments

54. At the meeting held on 16 June 2021 the committee were supportive of the proposal to extend permissive cycling in Wanstead Park.

55. Members were pleased to hear the cycling code of conduct would be further publicised prior to the implementation of the changes and made offers to help with this.

56. Maps and signage will be introduced on site.

Financial and resource implications

57. The proposals can be met within existing local risk budgets. However, longer-term, the issue of funding provision in the Park, to help alleviate pressure on the parts of Epping Forest lying within the Special Area of Conservation (EFSAC), will be raised with Natural England and the local authority partnership that forms the EFSAC Mitigation Oversight Group.

58. Additional cycle storage facilities may be required. If there is a demand, then we will work with local interest groups to fund raise, as well as bringing this issue of the uplift in recreational facilities at the Park to the attention of the EFSAC Mitigation Oversight Group (as outlined above). The installation can be met from in-house resources.

Legal implications

These are included in the body of the report

Risk implications

59. If permissive cycling is extended across the whole of the Park, there is the possibility of an increased risk in user collisions. This will be mitigated by the prohibition on cyclists causing danger, injury, annoyance or inconvenience and by publicising the Cycling Code of Conduct and that pedestrians have priority on these shared use paths.

60. If cycling is extended, there is a risk that cyclists may go 'off road' and cycle through the Historic Grade II* listed landscape, causing damage to the heritage assets of Wanstead Park. This will not be permitted, as cycling will only be allowed on main paths, reflecting most of the cycling that currently occurs. Protection of heritage assets is a priority, and we will monitor the impact of changes for any signs of erosion or damage to non-path areas. This is in line

with the Cycling Management Strategy. We can restrict access to areas if parts of the Park are suffering damage due to cycling.

61. Historic England and London Borough of Redbridge will be consulted on the plans to extend cycling once committee have agreed plans under their responsibility for the Grade II* listed Historic Park and Garden and the Wanstead Park Conservation Area respectively.

Equalities implications

62. A Test of Relevance (Appendix 5) screening exercise of the equality impact of this decision has been undertaken by Epping Forest. Specific comments from respondents have been included in this, showing where people feel they would suffer negative impact from the changes.
63. It is acknowledged that adverse impacts would include greater risk of conflict or collision with inconsiderate, speeding or insufficiently aware cyclists or scooter users, and reduced pedestrian comfort if cycle and scooter users reduce space available for pedestrians below acceptable comfort levels.
64. The impacts are likely to disproportionately affect people with protected characteristics including those with more restricted mobility, those with visual or hearing impairments who may be less aware of cyclists or scooter users, and those using buggies or wheelchairs. It is believed these impacts can be mitigated by promotion of the Cycling Code of Conduct.
65. The majority of comments saw this is positive regarding mobility needs, as bicycles are used as mobility aids. The impact on children having a safe space to cycle was also seen as beneficial. It is considered that the mitigation measure will reduce adverse impacts but not remove them. To the extent that there are remaining adverse impacts, these are considered to be outweighed by the public benefits of allowing cycle use as recommended, including the benefits to people with protected characteristics. This includes increased cycle opportunities within Wanstead Park as a means of enjoying the Park, including for people able to use cycles or scooters but who may have difficulty walking, and for children who may otherwise have limited opportunities to cycle safely under supervision.

Climate implications

66. By extending permissive cycling in Wanstead Park, we are improving links with the surrounding areas. In addition, we are providing a safe space away from traffic for people learning to cycle. This in turn gives users more choice in how to travel to the Park. Changes to more active transport and non-vehicular access to the Park, should have a positive impact on carbon emissions and air quality.

Security implications

67. None.

Charity implications

68. Epping Forest is a registered charity (number 232990). Charity Law obliges Members to ensure that the decisions they take in relation to the Charity must be taken in the best interests of the Charity.

Conclusion

69. From the results of the public consultation there is a clear majority (67%) in favour of extending permissive cycling across the whole park.

70. There were concerns about cyclists not following the code of conduct, and cycling too fast, or not giving way to pedestrians. This can be addressed through publicising the Code of Conduct.

71. The initial evaluation considers the paths to be sufficient to meet anticipated visitor and cyclist numbers without any adverse impact on the recreation and enjoyment of the Forest. This will be reviewed 18 months after implementation, to analyse any impact and address any issues. The findings of the review will be presented to committee.

Appendices

- Appendix 1 – Map 1 Wanstead Park Byelaw Areas and cycle routes
- Appendix 2 – Frequently Asked Questions document.
- Appendix 3 – Consultation questionnaire Wanstead Park Cycling
- Appendix 4 – Test of relevance
- Appendix 5 – Cycling Code of Conduct

Background Papers

Epping Forest Cycling Management Strategy (SEF 25/20b) - 8 March 2021.

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