**AONB Board meeting: 7 September 2022**

**Item 5: Public Questions**

1. **Caroline Paice to ask the Chair:**

The Surrey Hills AONB promotes the Summer Lightning mountain bike trail in the cycling section of its website, along with a route map and description. And the Surrey Hills AONB Management Plan Monitoring Report from June said, “a priority is to work with landowners to ensure that the Summer Lightning trail is brought back into repair and safe condition.”

And yet currently there are two sections of the trail that are closed for safety reasons after the fires on Leith Hill in early August. However, as of the 31st Aug, this has not been communicated to the public, so people are turning up to ride the trail not knowing this. There are no closure signs at likely start points, only at the start of the affected sections, so people will start their ride as planned, not knowing about the closures. There are no diversion signs in place to route people around the closed sections, and different riders will react in different ways to this I'm sure, but a proportion are likely to try to ride the closed sections as they may feel they've been offered no other choice, exposing themselves to increased risk. Or they'll head in a number of different potential directions, perhaps coming into conflict with other forest users or discovering wild trails which they then attempt to ride

I can't think of a time since the opening of Summer Lightning when the landowners have been exposed to so much increased risk and potential liability because of the trail. If landowners concerns about wild trails are really, actually, driven in a large part about exposure to liability risk, then you really would expect there to have been much more and more urgent action on the current Summer Lightning situation as it exposes them too much, much more risk as this is an advertised and signposted trail - they have a duty of care orders of magnitude greater to Summer Lighting users (‘visitors’) than they do to people that ride wild trails at their own risk (‘trespassers’).

Therefore I'd ask, what action is being taken to deal with the closures by communicating the closures, putting diversions in place on the ground, and conducting maintenance work on the closed sections to get them back open again?

**Reply:**

Dear Ms Paice

Thank you for your question. I acknowledge the issues you raise about landowner liability and communications about Summer Lightning as a promoted trail.

At the end of July, the Surrey Hills AONB Board invested in training a cohort of conservation volunteers with the Association of Trail Builders to create a resource that can help landowners monitor and maintain trails, including Summer Lighting, that will help reduce liability by creating safer trails that reduce conflict and the damage to habitats.

The Surrey Hills AONB Board is re-establishing a Mountain Bike Working Group to oversee this area of work. In the meantime, the Surrey Hills AONB Director is convening a meeting of the respective Summer Lightning landowners to consider a new management agreement. We will make sure that the important issues you raise will be considered at the meeting.

Yours sincerely

Heather Kerswell,

Independent Chair

1. **Sally Blake to ask the Chair:**

The primary purpose of the AONB designation is to conserve and enhance natural beauty.

Please can you confirm the places where the post of Chair of the Surrey Hills AONB has been advertised, how many people have contacted the AONB to express an interest, how many applications have been received, and how many of those are from applicants with experience of nature.

Loss of biodiversity and climate change are taking an increasingly disastrous toll on our natural beauty, and the Surrey Hills AONB is in an excellent position to make a difference.

**Reply:**

Dear Sally

The impact of climate change and loss of biodiversity is indeed having an impact on the natural beauty of the Surrey Hills. It will be important that the new Chair will continue to address this through our planning work and our work with partners on delivering land management and access projects, including the Surrey Hills Farming in Protected Landscapes fund.

A news release was issued about the Independent Chair vacancy on 26th July. The position was promoted in our Friends e-newsletter that is distributed to over 8,000 contacts and through our various Surrey Hills social media platforms. Members of the Surrey Hills AONB Board have also been actively involved in promoting the position, and the Surrey Hills AONB Director has been in communication with various individuals who have expressed an interest in the position.

The closing time for applications is Monday 5th September at 1700. Natural England will confirm how many applications have been received when the Area Manager, Stephen Rudd, reports to the Surrey Hills AONB Board on Wednesday 7th September.

Yours sincerely

Heather Kerswell,

Independent Chair

1. **Robin Grant to ask the Chair**

Rob Fairbanks, Director Surrey Hills AONB, and others at the Surrey Hills AONB seem to be promoting the idea that there has been a recent increase in unauthorised mountain bike trails In the Surrey Hills (otherwise known as “wild trails”).

Here are a few recent examples. From the minutes of the Surrey Hills AONB Board Meeting on the 15th Jun ’22:
“Rob Fairbanks noted that since the easing of lockdown restrictions, there had been a big increase in unauthorised mountain bike trails”.

From the Surrey Hills AONB Management Plan Monitoring Report on the 1st Sep ’21:
“Rob Fairbanks outlined the growth in wild trails”

And from the Surrey Hills AONB Board Meeting Public Questions and Replies on the 22nd Jun ’21, from Heather Kerswell, Chair of the Surrey Hills AONB in reply to a public question:
“The easing of lockdown however has led to an unprecedented increase in wild mountain biking across large areas of the Surrey Hills"

As someone who has been mountain biking regularly all over the Surrey Hills for the last 9 years, this does not match my perception of reality on the ground - there has been no significant increase in the number of wild trails since the end of lockdown, or for that matter, during lockdown.

For the Surrey Hills AONB to be pushing this theory, I’d hope that there was some evidence to substantiate it based on scientific method rather than just hearsay and rumour.

So, could I ask what evidence this assertion is based on? If it transpires that there is no proper evidence of an increase in wild trails, as I think is likely, will the Surrey Hills AONB please commit to stop promulgating and encouraging this myth?

**Reply:**

Dear Mr Grant

Thank you for your question.

Regarding the Surrey Hills AONB Director statements about the increase in wild trails, he is in the main responding to issues raised by partner organisations and individuals rather than data or information held or commissioned by Surrey Hills AONB Unit itself.

I think it is however reasonable to comment ~~t~~hat there has been an increase in mountain bike use in the Surrey Hills area since the easing of lockdown. There has been a general growth in all cycle activity. A survey by the Bicycle Association indicated that in 2020 there was a 60% increase in cycle sales with the sale of e-bikes more than doubling. Data held by Surrey County Council on off-road cycle trails, including survey points on the North Downs Way National Trail, evidence a dramatic increase in off-road cycling. The Strava and Trailforks apps also indicated a greater use of many trails in the Surrey Hills after the easing of lockdown, particularly when trail centres in the UK were closed.

These matters will be kept under review by the Mountain Bike Working Group.

Yours sincerely

Heather Kerswell,

Independent Chair

1. **Will Stevenson to ask the Chair:**

In the September ’21 Surrey Hills AONB Management Plan Monitoring Report, it was mentioned that Rob Fairbanks, Director Surrey Hills AONB, is working with Cycling UK and key landowners, including the Forestry Commission, National Trust, Surrey County Council and the Friends of the Hurtwood to understand the “issues” around wild mountain bike trails.

The implication seems to be that wild trails are harmful in some way. I would query therefore, what the actual, underlying, problems are with wild trails. There seem to be a lot of perceived issues but very few tangible issues anyone can point to.

In terms of landowner liability, Forestry England have recently admitted in responses to FOI requests that in England, a sum total of zero has been paid out in settlements or compensation to people injured in incidents relating to wild trails (i.e. no one has successfully sued them, ever, due to wild trails on their land). Nationally, they've also had less than 4 complaints a year from members of the public about wild trails over the last 3 years – in fact, they receive more complaints from mountain bikers about unauthorised trails being blocked or destroyed!

When it comes to the impact of wild trails on fauna and flora, again the effect of wild trails seems to be negligible. I think it’s telling that Natural England has never felt the need to prosecute anyone for either the building or use of wild trails with the powers given to them by the Wildlife and Countryside Act 1981, despite prosecuting many others for offences under the same act, including 4x4 off roaders, gamekeepers, and plenty of farmers.

Could you therefore provide tangible, specific examples of issues caused by a wild trail in the Surrey Hills? These could be landowners being sued, issues with protected species conservation or heritage conservation, visitor safety, etc.

**Reply:**

Dear Mr Stevenson

Thank you for your question.

The Surrey Hills AONB Board is aware of concerns raised about mountain biking by partner organisations, landowners and the public.

We are aware that structures have been built on private land and on SSSIs without landowner consent. Photographic evidence can be provided. There is genuine concern that some trails do cause disturbance to wildlife, eg nesting sites, and can cause extensive damage to fragile habitats like the loamy sands on Hindhead Commons SSSI which is part of the Special Protection Area.

We are aware of the growing popularity of mountain biking and the Surrey Hills AONB Board is committed to work with landowners and the mountain bike community to reduce risk, conflict and damage to habitat and landscape. This includes developing a consistent policy with national bodies, landowners and access managers, and the training of conservation volunteers to help monitor and maintain trails, as appropriate.

Yours sincerely

Heather Kerswell

Independent Chair

1. **Tristan Goodley to ask the Chair:**

I would like to ask the Chair about her statement at the Jun ’21 Surrey Hills AONB Board Meeting that the easing of lockdown and a supposed, but unproven, increase in “wild mountain biking” has “created a culture of entitlement that cyclists can ride anywhere regardless of land ownership and the impact on landscape, biodiversity, and the safety of others.

Can the Chair provide any tangible evidence of a culture amongst cyclists as a whole, or even amongst just mountain bikers, to ride anywhere, disregarding their impact on biodiversity and the safety of others? Or will she take this opportunity to withdraw her comments and apologise to Surrey’s mountain bikers for her stereotyping and demonising of them based on no evidence whatsoever?

I look forward to receiving a response from the chair detailing any evidence to support her claims or plans to publish an apology.

**Reply:**

Dear Mr Goodley

I do acknowledge that the vast majority of mountain bikers greatly love and appreciate the Surrey Hills as a place to ride for their health and wellbeing. We have commissioned a video which features mountain biker Ian Giles, please see [link](https://www.surreyhills.org/my-surrey-hills/ian-giles/?sfw=pass1662332929), and the Mole Valley Cycling Forum is contributing to our Countryside Code campaign that will feature mountain biking on our new Surrey Hills website that will be launched in October.

The statement to which you refer concerned the small minority of people who have felled trees and dug features on private land without landowner consent. This is not acceptable.

 Yours sincerely

Heather Kerswell

Independent Chair

1. **Jonathan Fox to ask the Chair:**

Could you give your own assessment of whether the mental and physical benefits that the Surrey Hills’ network of wild mountain bike trails bring to their users, through allowing them to be close to nature and to exercise, and the positive economic impact these users bring to local businesses are outweighed or not by any issues caused by the network of wild trails?

**Reply:**

Dear Mr Fox

Thank you for your question.

I do acknowledge that the Surrey Hills provides benefits to the mental and physical health of many thousands of people including mountain bikers. The Surrey Hills AONB Board is also aware of the growth in cycle related business in Surrey and that mountain bikers, perhaps more than road cyclists, contribute to the local economy in supporting shops, cafes and pubs. We are nevertheless concerned about any activity that could have a detrimental impact on our habitats and that cause conflict with other users. Thank you for your understanding that ‘the network of wild trails’ does cause issues.

This is a complex issue that needs to be managed. In doing so, greater collaboration between landowners and the mountain bike community is needed to create a better outcome. The Surrey Hills AONB Board is keen to engage landowners in our Mountain Bike Working Group to develop policy and address the issues, and to support the training and development of volunteers to help maintain trails that can be sanctioned to reduce conflict and damage.

Yours sincerely

Heather Kerswell

Independent Chair