

NATURAL ENGLAND's ACCESS POLICY

Comments from LAFs in the SW

Please note that the very short deadline for informal comment meant LAFs were unable to take this document to full public meetings. This summary constitutes comments collated from submissions received from a number of individuals and LAFs. There has not been time to get endorsement on this final version from SW LAFs but nonetheless it contains some useful views which, it is hoped, will be taken into consideration by Natural England as it develops its draft access document following the national meeting in London later in November 2008.

SW LAFs would have valued the opportunity for a fuller consultation on this important access policy. This would have given individual LAFs a chance to deliver statutory advice to Natural England which reflected in greater detail their own geographical area and concerns. However, this policy is welcomed and seen as an improvement on previous policies.

3. CONTEXT

3.4. The Natural Environment and Rural Communities Act 2006 mandate for Natural England to: promote access to the countryside and open space; to encourage open air recreation; and to secure the provision and improvement of facilities for the study, understanding and enjoyment of the natural environment, should take account of the needs of urban residents, particularly those living in deprived areas and should have as an implementation aim that of supporting Councils in meeting their own NERC duties.

CONTEXT GENERAL

Inspiring people to value and conserve the natural environment is supported. In providing the widest range of opportunities for people of all abilities, ages, ethnic groups and social circumstances to actively engage in, value and enjoy the natural environment, it is necessary to ensure that hard to reach groups are fully included. To aid healthy activity the full co-operation of other agencies such as the NHS is vital. In contributing to achieving the transition to a low carbon economy it is necessary to ensure that urban dwellers are provided with access at points that do not require the use of private motor vehicles.

The policies and aspirations are laudable. They are especially useful to ensure provision in planning developments for open spaces and green infrastructure or corridors in towns through to the countryside – paragraphs 3.3. and 3.4. The latter are particularly important as so many cities do not have a Definitive Map. This has resulted in unrecorded public rights of way being lost under developments which is an ongoing problem as towns expand into the countryside.

ANNEX 1 - CONTEXT

Government policy over the past 60 years is alluded to. In fact this policy has wrought very little improvement at the local and parish level where it must take place if there is to be any real effect in promoting physical activity and enjoyment of the countryside.

The National Parks and Access to the Countryside Act of 1949 established the present Public Rights of Way network documented by the Definitive Maps. There should be a more explicit recognition that the weakness of this landmark Act was its lack of any mechanism for regular updating of the rights of way network to keep pace with the changing world, in particular the huge increase in motor traffic which has rendered roads unpleasant and dangerous for all access users.

POLICY 1

Natural England believes that places where people can enjoy the natural environment should be improved and created where they are most wanted.

1. The first sentence of the text requires re-wording to make its purpose clearer. There is some confusion between urban green space and high quality natural environments. "High quality natural environments" are usually perceived as mountain, moorland, coast, woodland and so on. Much urban green space, whilst highly important, does not fall in this category. The assumption from policy 1 is that urban dwellers will be encouraged to access green space in or around their own community.
2. 80% of people live in towns and cities yet there is little mention of providing urban green space near to where people live.
3. The development of multi-purpose green space in urban areas and around the edges of our towns and cities is vital. Developers must contribute accessible green infrastructure in a meaningful way before or during development, not after same, possibly through section 106 agreements.
4. Policy 1 acknowledges the difficulties of persuading developers to provide local green spaces. The emerging Regional Spatial Strategy for the SW refers to open spaces and green infrastructure. This would appear to be carried forward in Local Development Framework Plans e.g. Mid Devon's Core Strategy. Policy 1 also states "avoid implication that remoter areas are not as important" – this needs to be stressed.
5. The definition of urban centres is often taken to mean only major cities. However, it is important to recognise the small pockets of severe deprivation that occur commonly in rural towns that are often not picked up by national statistics of areas of deprivation.
6. Whilst encouraging those from urban areas to get out into the countryside and enjoy the environment more should be made of the responsibility of everyone to maintain its cleanliness. All too often the environment is scarred with plastic and other waste. More "ownership" of these areas should also be supplemented by stressing the recognition the waste and the removal of it, whenever possible, by those visiting the areas.

7. The first sentence of the text refers to multi-functional green infrastructure. It would be helpful to know what is meant by this. Horse riders have only very limited access in many places and, in some instances (e.g. Forestry Commission land) have to pay for access, unlike other user groups. The policy should also aim to provide equal opportunities.
8. A commitment to circular routes would be useful.
9. Good surface trails and access to the disabled is acknowledged as important but it is important to stress that not all routes can be made suitable for those disadvantaged sectors without to a certain extent disfiguring the natural landscape. There has to be a balance.
10. This policy must contain a clear view as to how the policy aspirations are to be funded to ensure it is credible, particularly in the light of the present economic downturn. Additional funding through relevant national or local government agencies is required and not solely a re-distribution or re-allocation of the present funding stream.

POLICY 2

Natural England believes that access to the coast should be provided on foot by right and for multi-purpose use wherever reasonable.

1. If, as appears likely, coastal access is introduced in the next parliamentary session, it would be preferable for the NE policy to address implementation.
2. The policy states that Natural England will be looking /seeking local opportunities wherever reasonable, but it begs the question of how this will work and what kind of incentive there will be to introduce higher rights.
3. There is no need to avoid locations that have very sensitive wildlife habitats, just a need to put in place and enforce the necessary controls.
4. Rather than simply taking account of defence and military needs, those sectors need also to take account of access needs.
5. Forestry, as well as agricultural interests, needs to be taken into account.
6. There are some beautiful rivers and trails along those should be also be given more emphasis and protection. Some long used paths, along some of the most beautiful riversides in the country, have been closed by landowners and local authorities seemingly are able to do very little about it.

POLICY 3

Natural England believes that access to the natural environment using public rights of way and in open access areas should be increased and should include improved sustainable connections from urban places.

1. The evidence relied upon seems to contradict the statement “the provision of open access land has been a public policy success”. Clarification on this point is required.
2. “Open access has not been a policy success in southern England” is agreed with but we believe it could be applied to all urban areas. NE is

- successful with the supply of access but has not yet done anything about increasing the demand for access.
3. Public Rights of Way which start/ end on busy motor roads are unusable/unsafe and should be modified so they can be reclaimed for use
 4. The policies are very wide ranging and it is encouraging to note that with Coastal Access multi-use where reasonable is included, paragraph 4.1.2.
 5. Natural England should do more for equestrians. Horse-riders have, on average, access to only 22% of the public rights of way network and in real terms this is further diminished by the fact that people are unable to use bridleways because of busy roads and a lack of safe crossing points. Taking on multi-use as a national policy and resource for the benefit of all users should be explored. Natural England appears to recognise the potential of NCN routes for multi-use.
 6. Sustrans should encourage integration of the National Cycle Network into community-based access facilities and other rights of way rather than simply seeing the Network as an end in itself.
 7. A quality ranger network is needed to inspire disadvantaged people and young people.
 8. There is certainly a need for change in government funding of sustainable rural public transport but operators must also take more responsibility for providing same as part of their overall policies, rather than focussing only on the more profitable routes.
 9. There should be a more positive statement here about what NE intend to do to encourage people (of all ages, social classes, ethnicity etc) to use public rights of way and access land to visit the countryside. The reference to ROWIPS and LAFs " to guide people to where they want to go" is insufficient.
 10. A fairer balance needs to be struck between rights for anglers and rights for canoeists on inland waterways.

POLICY 4

Natural England believes that access to the natural environment within agri-environment schemes should be promoted, increased and encouraged.

1. Public access should be extended primarily by encouragement of use of existing rights of way and CROW access land rather than agri-environment schemes. The latter are not a solution to the extent that policy number 4 suggests.
2. Using agri-environmental schemes to provide more access routes is of limited value since they will cease to exist once the scheme ends and can therefore not be added to permanent maps.
3. Provision of bridleways is wholly inadequate and should be increased through agri-environment schemes.
4. Agri-environment schemes may not provide good value for money from the horse-riding perspective. Solutions are often only very temporary and are often in the wrong places. Good, permanent joined-up routes are required.

5. There should be a greater emphasis on dedication of PROW within Agri-Environment Schemes, rather than just permissive access that is relatively poorly promoted and more liable to poor maintenance and a short lifespan.
6. Public money would be better utilised by developing existing access rather than seeking to develop public access through already under funded agri-environmental schemes.
7. Utilising these schemes to encourage links between farms and local schools is far more sustainable as farmers are generally keen to engage with children about farming anyway, and including an access element, such as a farm/nature trail, could be an invaluable introduction for children to the countryside. Once the school is sold on it the likelihood is that school and farm would continue the link when the agri-environmental scheme finishes.
8. Evidence. The fact that the overall impact for people living in towns and cities has been limited is often because the land involved is far beyond the reach of the majority of the population. This should be urgently addressed.

POLICY 5

Natural England believes that the family of National Trails and other highest quality recreation routes should be promoted as part of a global brand.

1. Policy 5 is a concept that the public can get hold of and the “branding” will encourage people to explore the “lesser” routes. If the right marketing people are employed by NE and others then the demand for access will increase.
2. Any policy to promote use of National trails should not be at the expense and to the detriment of more minor public rights of way. All are important and need to be treated similarly.
3. National Trails are a wonderful resource and it is a pity horse-riders have such limited access to them. Horse-riders, as do cyclists, cover a lot of ground and yet are unable to use long stretches of these trails (Possibly only 2 of the 15 trails can be ridden from end to end)
4. There need to be more circular routes off the linear routes that link into PROWs.
5. Much is made of the National Trails and marketing them as a National Brand. More should be made of local medium distance local trails, with these given a lot more publicity and marketed regionally.

GENERAL COMMENTS

1. It is of vital importance that all open spaces of all levels of quality are preserved and protected in urban areas. Not all of these spaces are ‘natural’ but the more open spaces, footpaths, cycleways and playing fields that are lost in the towns and cities, the less active will be the people and the smaller the chance of attracting them out of the towns in to the countryside. Perhaps NE should be funded by taxes on the commercial interests that promote television, games consoles and the support of (rather than the playing of) football?

2. Although there is realisation that aspirations and policy need to be set without being fettered by potential funding problems it is never the less an issue that will need to be addressed when any expenditure priorities are applied. The policy needs to be strong in addressing demand by the public.
3. Appreciation of the natural, historic and managed environment requires information and interpretation and also an understanding of the need for reasonable controls over such access but the draft policy says little about how all this will be provided.
4. The draft policy outlines a need to encourage a wider spectrum of people to visit and enjoy access opportunities but says little about how this is to be achieved. It might also be helpful to have some explanation/discussion in the policy about what different groups expect from an access experience and how the policy will address this e.g many people want somewhere to park a car, go for a short walk, sit beside water, have a picnic and perhaps fly a kite or kick a ball about and walk the dog. All these are quite different from the wish by others for a longer walk in the countryside for quiet enjoyment but the policy does not seem to distinguish between them.
5. An implication of the draft policy is to promote access to open spaces in and close to population centres and while this is to be welcomed, there may be implications for a switch in available funding away from rural networks - any such funding implications should be explained.
6. The policy should underpin a vision for the future.
7. Success of the access policy necessitates a closer and stronger relationship and liaison with landowners and managers. Insufficient emphasis is placed upon developing an understanding between agricultural interests and access.
8. The ability to encourage landowners to comply with rights of way requirements is available within the Rural Payments Schemes but this is rarely used. If removal of payments could be used as an encouragement to landowners to open up routes there would be a resulting positive effect on the number of routes that are available to the public. The Access policy should encourage closer working with the RPA. *(How this is achieved and particularly the relationship between local authorities and the RPA on public rights of way is a highly contentious issue with landowners and managers and a matter on which SW LAFs failed previously to reach a regional consensus. Nonetheless it is important as an area for further and careful examination)*
9. If education key stages could be organised to include better understanding of access and recreation, by implication educational funding should be provided.
10. A real effort should be made to convert all disused railway lines into bridleways/cycle paths for which they are ideally suited.
11. There should be more access for the disabled, including accessible circular paths.
12. It is indeed necessary to develop the role of public transport in supporting sustainable recreation, particularly as public transport in this

country seems much less customer-oriented and much more profit-based than overseas.

13. Barrier removal for ethnic minorities is fully supported.
14. Any potential conflict between recreation and nature conservation should be resolved.
15. Children should be encouraged to walk to school and have nature in school grounds but road users should be given a lower priority than pedestrians along walking to school routes to make the former a reality.
16. Other pointers welcomed include policies and generic comments focussing on the encouragement for children to have nature in school grounds as well as walking to school, the latter being, part of many RoWIPs. Access for the disabled is important too.
17. The issue about gating orders on public rights of way is important.