Written evidence submitted by Open Spaces Society (RUT0098)

Summary

We recommend that the EFRA Committee does the following.

Urges local authorities to give the public-path network the resources and attention it deserves as an excellent investment in the health and wellbeing of the nation and as a fillip to sustainable tourism.

Presses for cross-compliance under agricultural grants to be enforced and argues for a strong cross-compliance element in the post-Brexit agricultural-support regime.

Urges the Ordnance Survey to include on its maps access points onto, and means of access within, access land.

Encourages Defra to promote plans for introducing a right to walk in all woodlands and along all riverbanks, subject to common-sense restrictions.

Urges Defra to implement part 1 of the Commons Act 2006 in full so that wrongly-omitted commons can be registered throughout England, protecting these areas in perpetuity and giving the public the right to walk and, in some cases, to ride there.

Calls on Defra to introduce a statutory duty on public bodies to ‘contribute to the delivery of national park and AONB purposes’ with sanctions if they fail to do so.

Advises the Department for Communities and Local Government to clarify the meaning of Local Green Space and to encourage communities to designate such land for public use and enjoyment and as a landscape feature.

Urges all government departments to emphasise to local authorities the value of investing in the public-path network and access opportunities as beneficial to sustainable tourism and thus to the rural economy.
Introduction

1. The Open Spaces Society is Britain’s oldest national conservation body, founded in 1865. We campaign for the protection and management of common land, town and village greens, open spaces and public paths, in town and country, throughout England and Wales. We have about 1,900 members consisting of individuals, organisations and local councils. We are a registered charity.

2. We are delighted that the EFRA Committee is investigating the role of tourism in supporting rural growth in England. We shall only answer those questions which relate to our work.

Access: what, if any, changes are needed to give people better access to the coast and countryside?

3. A prime objective of our tourism strategy must be to ensure that people can enjoy their visits to and within this country sustainably, ideally on foot, horseback or bicycle. The public-path network is the principal means by which people gain access to our countryside, these routes are highways in law just like any road; they have statutory protection and are marked on Ordnance Survey maps.

4. Therefore, people should be able to depend on these routes being available and welcoming. Unfortunately, due to local-authority cuts, the path network is not in such a good state as it ought to be, with many routes being overgrown, ploughed, cropped and obstructed. The highway authorities have a legal duty to protect and assert the rights of the public to use and enjoy the highways, but many authorities are unable fully to discharge this duty because they have insufficient resources.

5. Yet making cuts to the paths budget is a false economy because, for a relatively small outlay, much can be achieved. The authorities can lever additional support from volunteer groups provided they put in sufficient resources to service and support those groups. And it pays off, a good path network will encourage more visitors who will spend money in the area. So paths are an excellent investment.

6. The Walkers Are Welcome towns network has demonstrated the link between good paths and a welcoming face on the one hand and promoting rural businesses on the other.

7. Studies have shown that the South West Coast Path generates £307 million a year for the regional economy, supporting more than 7,500 jobs. The cost of maintenance is around £500,000. So this investment gives a 500 per cent return. The Wales Coastal Path, which opened in 2012, cost between 207 and 2013 about £2 million pa from the Welsh Government, a total of £4 million from European funding, and 25 per cent match funding from local authorities. Against that, the path generated £32 million for the Welsh economy in its first year.

8. In tourist areas, public paths can offer not only a means of recreation, but also provide a sustainable means of travel for visitors. For example they may be the shortest way from the train or bus station to a visitor attraction, or the best route from the village pub (and a
convenient place to park) to the church. But visitors, particularly those who are not familiar with England’s network of public paths, will be reluctant to use these ways unless they are inviting, by being properly signposted (including destinations and distances), waymarked and maintained. In default, visitors will rely still more on motorised transport (assuming that they need to drive to their destination) and have a less fulfilling visit (walking or driving along busy roads rather than on quiet, pleasant paths).

9 By way of example, many stately homes are easily accessible from our biggest cities by rail and/or bus with a short walk, and the best way is often along public paths—but these paths are seldom signed so that a visitor unfamiliar with the area could find their way without detailed guidance or an Ordnance Survey map. Websites invariably offer cursory or no information at all about an approach on foot. Visitors, particularly those unfamiliar with the area, may decide that a visit is either impracticable, requires the use of a car or organised excursion, or a costly taxi. Yet other countries, such as Switzerland and Germany, achieve far higher standards and show what ought to be achieved to make sustainable tourism a reality.

10 We recommend that the EFRA Committee urges local authorities to give the public-path network the resources and attention it deserves as an excellent investment in the health and wellbeing of the nation and as a fillip to sustainable tourism.

11 In addition, under the current agricultural payments, farmers and landowners in receipt of grant are required to keep their public paths in good order, but this is not well enforced. The threat of grant reduction or removal should be an effective means of ensuring farmers and landowners obey the law on paths, and it should be an important feature of post-Brexit funding.

12 We recommend the EFRA Committee to press for cross-compliance under agricultural grants to be enforced and argues for a strong cross-compliance element in the post-Brexit agricultural-support regime.

13 In many areas there is extensive access land which we can enjoy by right on foot and in some cases on horseback. Under the Countryside and Rights of Way Act 2000 (CROW Act) access land was mapped and, once it was confirmed, the public had the right to walk there. But there is no requirement for farmers and landowners to remove fences and no way of knowing, from the Ordnance Survey maps, which is the way onto that land and whether there is a means of access across internal boundaries (such as fences and walls).

14 We recommend that the EFRA Committee urges the Ordnance Survey to include on its maps access points onto, and means of access within, access land.

15 We also believe that there should be greater access to areas such as woodland and riverbanks. At present such access is bitty and cannot be relied upon. The Forestry Commission has dedicated its land to access under the CROW Act, as has Natural England for its National Nature Reserves, which is a good start.
We recommend that the EFRA Committee encourages Defra to promote plans for introducing a right to walk in all woodlands and along all riverbanks, subject to common-sense restrictions.

There are about 400,000 hectares of common land in England and the public has the right to walk on all commons and to ride on many (in particular those in former urban districts). Commons are of immense value for their natural beauty, wildlife, archaeology, culture and as places for quiet recreation. They thus make an extremely valuable contribution to sustainable tourism in England.

However, the registration period for commons, from 1967-70, gave rise to many unsatisfactory decisions which were only resolved by the courts, too late to reverse many cancelled registrations. The Commons Act 2006 provides for the registration of some commons which were wrongly cancelled and the deregistration of commons which were wrongly included. However, unfairly, the provisions for removal of commons apply throughout England while whose for inclusion of commons only apply in nine areas (Blackburn with Darwen, Cornwall, Cumbria, Devon, Herefordshire, Hertfordshire, Kent, Lancashire and North Yorkshire). If the registers were to be opened for re-registration throughout England more commons could be claimed and thus more areas of access land provided.

We recommend the EFRA Committee to urge Defra to implement part 1 of the Commons Act 2006 in full so that wrongly-omitted commons can be registered throughout England, protecting these areas in perpetuity and giving the public the right to walk and, in some cases, to ride there.

Planning and regulation: What, if any changes are needed to planning and other regulations covering rural areas of special character, such as National Parks, to encourage sustainable tourism?

We believe that the stricter planning regime in rural areas of special character is appropriate. Planning has protected these areas from becoming the same as everywhere else, a banal suburbia. Because of that, rural areas of special character are popular tourist destinations.

However, we consider that the requirement for public bodies to ‘have regard to’ national park purposes is too weak and too often ignored (Environment Act 1995 section 62(2)). The same is true for the Areas of Outstanding Natural Beauty (AONBs) for which there is a similar provision in section 85 of the CROW Act.

We recommend that there should be a statutory duty on public bodies to ‘contribute to the delivery of national park and AONB purposes’ with sanctions if they fail to do so.
Local environment and character: How can national and local policies get the right balance between growing tourism and enhancing the local environment and character?

23 Much can be done locally to improve the environment and make it attractive to visitors. Often rural villages have poor access to the surrounding countryside and they may not have much open space within the community either. The opportunity to register much-loved open space as a village green, on the basis of 20 years unchallenged and continuous use, has been much diminished by the Growth and Infrastructure Act 2013. However, the government offered in mitigation the concept of Local Green Space, which is to be identified and designated through local and neighbourhood plans. Little use has been made of this because it is little understood. Unlike village greens, there is no automatic right of access to this land.

24 We recommend the EFRA Committee to advise the Department for Communities and Local Government to clarify the meaning of Local Green Space and to encourage communities to designate such land for public use and enjoyment and as a landscape feature.

Defra role: What more should the Department for Environment, Food and Rural Affairs do to ensure government departments (including Departments for Communities and Local Government, Business, Innovation and Skills, Culture Media and Sport, and HM Treasury) support rural tourism?

25 As stated above we believe that all public bodies should have a strengthened duty with regard to national parks and AONBs. Planning and Local Green Space comes within the remit of DCLG and we submit that the EFRA Committee should urge it to be sensitive to the need to protect the character and appeal of rural areas. Local authority funding is also a cross-departmental issue.

26 We ask the EFRA Committee to urge all government departments to emphasise to local authorities the value of investing in the public-path network and access opportunities as beneficial to sustainable tourism and thus to the rural economy.

September 2016