East Riding of Yorkshire & Kingston Upon Hull Joint Access Forum – written evidence (NER0031)

This evidence is submitted on behalf of Mr John Nicholson, Vice-Chair of the East Riding of Yorkshire & Kingston upon Hull Joint Local Access Forum, with specific regard to Question 6.

Question 6. Do the arrangements and provisions for enabling and managing access to the countryside remain appropriate? How effective have Natural England - and other partners – been in promoting better access?

Response to the Call for Evidence, submitted on 8 September 2017:

1. Summary of Key Issues relating to Countryside Access

- Natural England is delivering some good access work (including the England Coast Path) although the organisation is smaller than when first established and their allocation of resources indicate that access is a lesser priority compared to other business areas. Natural England’s support for access work other than key projects has reduced over the last few years as the agency has reduced in size, which is disappointing.

- Natural England’s research has estimated that the number of annual visits to the natural environment increased by approx 8% between 2009 and 2016. There are numerous access providers in England helping people to engage with and enjoy the countryside, but there is a need for a more co-ordinated, strategic approach nationally, and a more prominent national access ‘champion’. The new national Cycling and Walking Investment Strategy is welcomed but the role of Defra/Natural England and the rural/countryside dimension is not clear at this stage. Defra’s 25-Year Environmental Plan is awaited.

- New delivery models for England’s National Trails are now in place. Future central funding for the maintenance of National Trails (via Natural England) is currently uncertain beyond the 2017-18 financial year, which could adversely affect the quality and usage of all national trails including the England Coast Path. This is a significant concern.

- The national ‘Big Pathwatch’ project (2016) indicated that 40% of the current rights of way network needed improvements, some urgently. Significant local/regional variation was noted. This project was led by the voluntary sector (Ramblers).
The extent of recent highways authority budgetary cuts on access/rights of way work nationally does not appear to be extensively understood at this stage. The countryside offers excellent opportunities for healthy outdoor recreation but there is a genuine risk that reduced investment on the access/rights of way network could have a negative impact moving forwards, potentially affecting rural tourism as well as leading to declining facilities for the health & exercise of local communities.

An extensive ‘Walking for Health’ programme and other healthy exercise projects are being delivered across the country, but there appears to be a need to extend healthy exercise initiatives further still given the rising cost of physical inactivity to the NHS.

The growing body of evidence regarding the physical and mental health benefits of accessing the countryside would seem to make a strong case for access and outdoor recreation becoming a higher priority within Defra/Natural England, rather than a reducing priority as presently seems to be the case.

Good permissive access routes in the countryside have been lost in recent years as a result of environmental stewardship schemes expiring (and the omission of permissive access from the current stewardship programme). BREXIT presents an opportunity for public benefits through countryside access to be reinstated into national agri-environmental policy.

The recording of unrecorded historic rights of way is an important ongoing issue and some recreational groups have expressed concerns about the planned cut-off deadline of 2026.

Local Access Forums are independent statutory advisory forums with local expertise on rights of way and access issues. The effectiveness of individual forums may vary but overall they have an ongoing value and it is assumed that forums will continue.

Cycling and walking are key countryside activities but effective access and engagement policy must of course also cater for a wide range of other users (eg. horse riders, disabled visitors etc.) to ensure an inclusive approach to accessing the countryside. There are many good examples of current provision but local authority budgetary restrictions and a seemingly declining profile for countryside access work nationally are causes of concern looking forwards that need to be addressed.

2. **Additional information to support the above Summary of Key Issues**

2.1 **Natural England – expenditure and resourcing on access work:**
According to Natural England’s past annual reports, their total net annual expenditure in 2016-17 was £ 138.5 million, compared with £ 223.2 million in 2006-7. Net expenditure in 2016-17 was therefore approximately 62% of the net expenditure from ten years earlier.

According to the current Natural England Corporate Plan (2014 – 2019), Access and Engagement work only represents approximately 4% of Natural England’s total resource allocation, subject to some upward adjustment due to cross-cutting access work in other business areas. Natural England currently has only one access-related Key Performance Indicator (out of 18 in total) listed in their 2016-17 annual report, relating to the progression of the Coast Path.

2.2 England Coast Path and other National Trails

Delivery of the England Coast Path is a key priority for Natural England and once completed the Coast Path becomes part of the National Trail network.

The Coast Path has largely been welcomed as a positive development and it seems appropriate that Natural England continue to prioritise the completion of this project. The Ramblers consider the Coast Path to be an inspirational, landmark project which will boost tourism and rural economies. Gathering evidence to demonstrate the social and economic benefits/opportunities resulting from the Coast Path (and the public investment) would appear to be a worthwhile role for National England.

According to the National Trails website, the sixteen current national trails in England and Wales generate an estimated 83 million visitors per year, and these routes are described by The Ramblers as the ‘crown jewels’ of walking in this country. However, The Ramblers previously launched a National Trails Appeal campaign in 2012 over concerns that Government proposals would lead to a fall in the quality of the trails.

Natural England subsequently introduced a new management model for National Trails and set standards for new local trail partnerships to work towards (as set out in the 2013 paper, ‘The New Deal’). Natural England does not take an active lead in promoting National Trails but importantly it provides central financial support for their maintenance.

The new trail partnership model appears to have been introduced without detrimental impact on the quality of the national trails so far, but uncertainty over the amount of continued central (Natural England) maintenance funding beyond 2017-18 has led to substantial concern over the longer-term management and maintenance of national trails, which has yet to be resolved. Organisations such as Local Access Forums have voiced concerns and requested that the current funding formula is maintained. The amount of maintenance funding for
national trails going forwards will also directly impact on the quality of the England Coast Path, and ultimately on the success and legacy of the Coast Path project.

2.3 The Wider Countryside Access & Rights of Way Network

The national rights of way network provides approximately 140,000 miles of footpaths, bridleways and byways. Local highways authorities are ultimately responsible for maintaining rights of way and ensuring they are kept open for use.

Natural England undertakes ongoing research to understand how and why people visit the countryside, and to better understand the profile of visitors (‘Monitor of Engagement with the Natural Environment [MENE] Project’. 7 annual MENE reports have been produced to date.

These are worthwhile reports and have indicated that 3.1 billion trips to the natural environment were taken annually in 2015-16 - an 8% increase from 2.86 billion in 2009-10 - which is an average of around 70 visits per adult per year. The percentage of ‘frequent’ visitors to the natural environment has increased slightly over this seven year period, although the percentage of people who do not engage with the natural environment has remained fairly static.

Natural England’s current priorities do not include a wider assessment of the condition and quality of public rights of way (and other access facilities) across the country. Such information might typically be collected locally by highway authorities to monitor progress towards statutory Rights of Way Improvement Plans, but a national volunteer research project (The Big Pathwatch) led by The Ramblers in 2016 provided a useful baseline assessment of the condition of the national access network. The findings of this work indicated that two fifths (40%) of the country’s footpaths, bridleway and byways needed improvement, some of them urgently. The report concluded that the rights of way network is not broken, but problems are challenging, localised and need addressing. It is assumed that many highways authority budgets for access and rights of way will have been impacted due to necessary financial savings in recent years, some more than others, but detailed information relating to local expenditure on public access work does not appear to be readily available on a national scale.

The Ramblers’ Big Pathwatch report made some interesting recommendations and, given the importance of promoting healthy lifestyles, it would be valuable repeating a similar condition survey in a few years’ time to assess further changes to the rights of way network. Strengthening the role of Defra/Natural England to oversee the condition and accessibility of the wider public rights of way network nationally (potentially also having an overview of expenditure on rights of way and ‘championing’ best practice), to ensure that local funding
sustained and/or improved the quality and use of the network, could be a positive option to strengthen future provision for managing access to the countryside.

One of the key access work areas set out in Natural England’s corporate plan is progressing the recommendations of the Stakeholder Working Group on Unrecorded Rights of Way. However, this is likely to be an area requiring further strategic attention from Defra/Natural England moving forwards, and some Local Access Forums and recreational interest groups are particularly concerned about the forthcoming national deadline for recording unrecorded historic rights of way (2026).

The NERC Act 2006 included provision to extinguish motorised vehicular rights on historic routes and it is believed that this helped to provide additional clarity for highways authorities. However, excessive or illegal use by motorised vehicles on rural routes (typically ‘green lanes’) continues to be a challenging and ongoing area for some highways authorities across the country. Recent changes to the way that certain routes have been recorded on Ordnance Survey maps have also led to unnecessary confusion over the access status of a small minority of rural routes nationally.

2.4 Links to Public Health & Healthy Lifestyles

A growing body of evidence indicates that physical inactivity has an increasingly high cost to the country in terms of the medical treatment for different illnesses linked to inactivity (eg. Public Health England report ‘Every Body Active, Every Day’). Natural England and other organisations have published various informative research findings to evidence the physical and mental health benefits of engaging with the countryside and there are good examples of many healthy exercise projects being delivered across the country.

The Walking for Health Scheme, originally funded through The Countryside Agency back in 2000, is now co-ordinated nationally by MacMillan Cancer Support and The Ramblers, with local partners reportedly delivering 1800 free walks across the country each week. GPs are also referring patients onto Walking for Health Schemes. Other countryside activities nationally are also helping to promote the important health vision of ‘More people, more active, more often’.

However, there is both a need and significant potential to build on the successful work to date, further strengthening partnership working between public health and countryside access professionals, and effectively engaging with other professionals (eg. planners, highways officers, policymakers) to better incorporate provision for healthy exercise into wider policy and local decision-making. Natural England could certainly have an important role to play in this at the national level.
2.5 Future Policy for Accessing the Countryside

In June 2017, the Welsh Government published a consultation document ‘Taking forward Wales’ Sustainable Management of Natural Resources’ which included several strategic proposals relating to public access and engagement in Wales.

A similar strategy document to set out the long-term future direction for England would be extremely beneficial, and Defra’s proposed 25-Year Environmental Plan is still awaited. The position post-BREXIT is of course presently unclear, but new agricultural and environmental policy will be required which presents an opportunity to put public access and engaging with the countryside at the heart of those policies, more than at present, providing health benefits as well as social and economic outcomes.

Financial support for new permissive access agreements (ie. incentives to landowners for providing public access on their land) was removed as a stewardship option in UK agri-environmental policy approximately seven years ago. As existing 10-year stewardship agreements are coming to an end, some very good permissive access routes are being lost around the country as payments to landowners cease and those routes are no longer open to the public, which is disappointing. BREXIT presents an opportunity for access to be reinstated into national agri-environmental policy, either in the form of permissive access or through permanent access provision which could build on the positive outcomes of a one-off ‘Paths for Communities’ programme (delivered by Natural England between 2012-14).

The Department for Transport launched the Government’s Cycling and Walking Investment Strategy earlier in 2017, and it is too early to assess progress at this stage. There is only a modest reference to the countryside and rural access within the strategy, but it is hoped that the delivery of the strategy will be sufficiently ‘rurally-proofed’ to ensure fair investment in rural areas. The role of Defra and Natural England’s Access Teams alongside DfT in taking the strategy forward is not clear at this stage. Technical guidance issued by DfT to local authorities to develop Local Cycling and Walking Investment Plans surprisingly makes no reference to Local Access Forums in the suggested governance structures, even though LAFs are statutory advisory forums with memberships typically containing knowledgeable walkers and cyclists. Cycling and walking are both very popular and important countryside activities, but it is worth emphasising that effective access and engagement policy should of course cater for a wide range of other users (eg. horse riders, disabled visitors etc.) to ensure an inclusive approach to accessing the countryside.

2.6 Local Access Forums (LAFs)
Local Access Forums are independent advisory forums on access and public rights of way that were created under the CROW Act 2000. There are approximately 80 LAFs in the country, administered locally but supported by Natural England.

It is acknowledged that the effectiveness of individual LAFs vary across the country, but the recent Welsh Government consultation document on the natural environment (June 2017) recognised that LAFs overall continue to be an important resource helping to improve access opportunities in the countryside, and no significant change to their future role or statutory status is proposed in Wales. It is assumed that Local Access Forums will similarly continue in England, and good co-ordination and strategic steer from Defra/Natural England are important for their success. The current Defra guidance documentation for LAFs is comprehensive but has not been refreshed for several years.

Individual LAFs are funded locally with strong input and commitment from volunteers, but Natural England also support the work of all LAFs in England, organising an annual conference and co-ordinating an online information resource for LAF members. However, Natural England has notably scaled back support for LAF activities over the past few years, and funding for all regional LAF co-ordinator posts was discontinued which has impacted on the effectiveness and collective voice of LAFs. Natural England usually requires individual LAFs to submit annual reviews which are compiled by Natural England into a national access report for Defra; however, it is not clear whether such reviews will be required for 2016-17 as the normal annual timescale has already passed, and there is a risk that a valuable channel of communication on access issues could be lost.

It should be noted that there is a potential overlap between the statutory advisory role of Local Access Forums and with Local Nature Partnerships (which were created subsequently as a result of the NERC Act 2006 and have a wider environmental remit), so it is important that LAFs and LNPs liaise closely with each other to ensure an effective joined up local approach.

END

8 September 2017