Broads Local Access Forum – written evidence (NER0047)

1. The Broads Local Access Forum (BLAF) considered a report on the Select Committee’s call for evidence on the review of the Natural Environment and Rural Communities Act 2006 at its meeting on the 6th of September and resolved to submit the following answers to questions 4, 6, 7 and 9 set out on the call for evidence document.

2. **Question 4. How well has Natural England fulfilled the mandate that it currently has? How well do its wide ranging functions fit together and does it have the appropriate powers and resources to perform these functions?**

   The experience of the BLAF and officers of the Broads Authority is that there has been a significant and ongoing reduction in the level of support that the Forum receives from Natural England and less emphasis placed on its access functions by local staff. This must be due a reduction in the resources made available to Natural England for access work. In our view this reduction in resources appears to have resulted in a reduction in the number of former Countryside Agency staff who used to provide advice and support to access forums. Previously Natural England officers regularly attended Forum meetings and organised regional meetings and conferences on access issues. These regional and local meetings were invaluable for forums as they allowed us to share knowledge and best practice on approaches to access management, project design and funding. The BLAF does not consider that the introduction of the Huddle forum has in any way replaced the previous situation where Natural England staff were easily available to provide advice and facilitate discussion on access issues. In our view this lack of emphasis on the access element of Natural England’s functions at a local level calls into question whether the wide ranging functions of Natural England do in fact fit well together and moreover whether the level of resources made available to Natural England are sufficient for all its functions to be delivered in an effective way.

3. **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 access?**

   Generally the BLAF has noticed a significant decline in the amount of resources allocated to the management of access to the countryside across government as a whole. For example even though it has a remit for recreation the Environment Agency does not now put any resource to this area of its work at a local level. The county councils have also cut back on the maintenance, improvement and promotion of existing routes and have a significantly reduced capacity to promote
projects for the creation of new routes without EU funding which will no longer be available after Brexit. Further, the removal of access payments from agri-environment schemes funded through the Rural Payments Agency has resulted in a large part of the permissive access network that was created through the stewardship schemes disappearing. This has fragmented a local access network which was only recently created through the agri-environment schemes but rapidly became extremely important for countryside access at a local level as the routes provided valuable links with the existing rights of way network. The combined effect of these constraints has resulted in a situation where Natural England, other partners and the public authorities generally are being less effective in promoting better access and moreover resulted in a reduction in the quality of access being provided by government and the public authorities. The BLAF would therefore advocate that government adopts a more joined up approach to enabling and promoting access with Natural England being given sufficient funding to carry out its various functions and consideration being given to reinstating access payments in any agri-environment schemes introduced after Brexit.

4. **Question 7. Is the duty to have regard to biodiversity, which is contained within the Act, well understood by those bodies to whom it applies? Is any further work required to raise awareness of the duty?**

There is certainly knowledge of the duty amongst those bodies to whom it applies but whether there is understanding of what the duty means is debateable. If the duty is to remain “to have regard” to biodiversity, the BLAF feels that this doesn’t make it sufficiently clear what bodies actually need to do, and advises that government should consider providing full guidance on the matter to the relevant bodies.

5. **Question 9. How does the English duty to “have regard” to biodiversity compare to the Scottish duty to “further” biodiversity and the enhanced biodiversity duty introduced in Wales in 2016?**

In the context of countryside access in the national parks biodiversity and sustainability are extremely important issues as one of the most common reasons people access the countryside is to experience biodiversity and nature. There is substantial evidence of biodiversity decline in the Broads amongst certain species and the BLAF and officers of the Broads Authority consider that the English duty does not compare favourably with the situations in Scotland and Wales. The English duty should therefore be redefined to ensure some sort of parity in legislation throughout the UK and clear guidance given to bodies covered by the Act as to how they should apply the duty.