

C O U N T R Y S I D E R E C R E A T I O N N e t w o r k N e w s



Volume 3 Number 3 November 1995

ISSN 0968-459X



In this issue:

- *Safety and Liability:*
Risk management
Visitor safety
New legislation
- *Rural White Paper*
- *Access and the*
National Trust
- *Windfarms*

- *Exchanging and*
Spreading
Information to
develop best
Policy and
Practice in
Countryside
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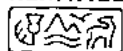


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Contents

Editorial	3
In Search of a Balanced Approach to Visitor Safety David Ball considers what is 'safe'	4
Sustainability and Safety: the Future of the Causeway Coast Path Dr. Caro-lyne Ferris and Dr. Bernard Smith explain how a cliff path was made safe	7
Taking Risks, Safely Jeremy Barlow looks at safety and liability in mountaineering and climbing	10
The Legacy of Lyme Bay John Driscoll considers the proposed legislation for adventure activities	12
Visitor Risk Management: translating theory into practice Jennie Sparkes describes the work of Parks Canada	14
Access and Recreation on National Trust Land The National Trust's Access Review	16
Vision without Strategy: The Rural White Paper Professor Philip Lowe reviews the new Rural White Paper	18
Generating electricity or controversy? Dr Kevin Bishop looks at public attitudes towards wind farms in Wales	20
Getting greens on the map How to register land as a village green	22
Countryside recreation training and events	23

*Cover: For many, risk and adventure enhance the quality of the experience;
climbing in the Scottish mountains*

*The views expressed in this newsletter do not necessarily represent those of
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COUNTRYSIDE
RECREATION
NETWORK

A UK-wide Network, CRN gives easy access to information and people concerned with countryside and related recreation matters. The Network reaches a variety of organisations and individuals in the statutory, private and voluntary sectors. The Network is usually reached through the CRN manager, but there are several thousand other people in the Network.

The Network helps the work of agencies and individuals by:

1. identifying and helping to meet the needs of CRN members for advice, information and research;
2. promoting co-operation between member agencies in formulating and executing research on countryside and related recreation issues;
3. encouraging and assisting the dissemination of the results of countryside research and best practice on the ground.

Chair:
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Forestry Commission

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CRN News is produced three times a year and welcomes submissions of articles and letters from all its readers. The deadline for items for the February 1996 issue is 5 January. For more information or for subscription, please contact:

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Editorial

How can we take risks 'safely'? In most cases, people are capable of taking care of themselves. But there are certain situations when someone with greater expertise or knowledge has an obligation to assume responsibility for them. This could vary from the obvious example of an outdoor education centre or country park taking care of their clients to a group of friends taking a walk in the hills. The point at which a person should be dependent upon someone else for his/her safety is as difficult to determine as to answer the question "what is safe?". These questions however form the basis of current work on risk assessment and liability, and these ideas are discussed in the following pages. Life without risk would be dull. People enjoy risk and enjoy the many benefits which risky activities bring – whether it be negotiating stepping stones across a river, a child swinging down a steep slope on a rope tied to a tree or a walker climbing up through thick fog to reach a view across the mountains. All these pleasures play a part in enriching our everyday lives. They also play an important part in the development and learning experience of children and adults.

Many of the agencies in CRN are responsible for the management of countryside recreation sites. Several of these agencies, particularly British Waterways, Forestry Commission and the National Rivers Authority, have been exchanging information and good practice in visitor safety management. These three agencies together with CRN organised a week long visit by Jennie Sparkes, a visitor risk management specialist from Parks Canada. Parks Canada has established a sophisticated public safety programme which has already been in operation for a few years. Many of the techniques used and lessons learnt by Parks Canada are of use to those in the UK who are now beginning to think about their own strategies. Jennie Sparkes participated in an extremely valuable and productive CRN public workshop in York last June and her expertise is shared in the following pages.

Another joint venture between CRN agencies resulted in the publication this August of the United Kingdom Day Visits Survey 1993. This valuable piece of research provides extensive information about participation in day visits made to towns, countryside and coasts in the UK. It is available from the address above.

Environmental impact is the theme of the next CRN News which will be published in February 1996. Your news, views and articles will be most welcome; publication deadline is 5 January.

In Search of a Balanced Approach to Visitor Safety

David Ball considers how we should decide on what is 'safe' and what a safety policy should demonstrate

It is my guess that few members of the public would like to see fencing along the white cliffs of Dover, or warning notices displayed at every recreational site, or, worse still, access denied to our more spectacular environments. Yet there is a danger that changes like this, largely unwanted and for the most part of little value, could spread incrementally across the nation.

Curiously, the pressure which could bring this about comes from us all at one time or another. It is all too easy to be impressed by descriptions of accidents after the event, and then to think, "that was an obvious hazard — why wasn't something done about it?" Yet the fact is, life is full of hazards and the reason we exist at all is because we have learnt to cope with them pretty well at a personal level. For the connoisseur, there is also a theory that we each have a personal in-built risk thermostat, such that if someone tries to impose greater safety upon us than we want, we will simply find some way around it until our personal risk level is restored. Although the bane of those with more conventional risk management philosophies, such theories retain some credence.

The difficulty for risk managers is that the pressure to make things 'safe' is relentless. Not only does it result from the bad publicity following an accident, it also comes via the courts who, armed with post-event knowledge, are all too likely to take a narrow view of any hazard, and then, of course, there may also be financial sanctions in the form of higher premia charged by

insurers who, also, are prone to react in response to events, however improbable their repetition.

One tack which has been suggested for deciding which safety measures to adopt is to study the verdicts of pertinent legal cases. However, while such information has its uses, it is not my preferred approach. Sooner or later a plaintiff will inevitably succeed in winning a case on however dubious grounds, and this, because of the pressure to conform or to be as good as the 'best', would then become a trend-setter. This phenomenon, known as 'ratcheting' by industry, leads inexorably to ever more stringent safety measures, irrespective of cost or logic. And for countryside recreation managers in particular, there is a whole swathe of other, competing factors which need to be weighed in most safety decisions. These include things like the natural beauty or historical authenticity of sites, the encouragement among visitors of a feeling of freedom and adventure, and the preservation of traditional artefacts which are part of our heritage but which may not conform to the latest safety criteria.

So what is to be done? Interestingly, just as the problem starts with the public and in particular their response to accidents, it also ends with the public. For, despite what is often said, the public are fundamentally quite rational about safety and there is ample evidence that they recognise the need to trade safety considerations off against other factors including cost, convenience and so on, in reaching decisions about how resources should be allocated. If they were not, then it would hardly be in the interests of justice for the courts to aspire to emulate the opinions of the proverbial man on the Clapham omnibus!

The crucial point which emerges from this is that the underlying approach to safety in Britain is not at all one which seeks zero risk, but instead is one which attempts to reduce risk in a balanced way, taking account of other societal objectives. And this is where the techniques of risk assessment and risk management come in. Now, although these techniques are very fashionable it is important to see them for what they are. For a start, they are certainly not new and, like everything else, they have plenty of limitations. On the other hand, if applied sensitively and wisely, they can provide policy makers with valuable information.

Despite the interest, it has not proven possible to agree universal definitions for even basic terms such as hazard and risk. However, for the purpose of this article, hazard is taken to mean a situation or condition which in particular circumstances could lead to an undesirable consequence (harm), and risk signifies the probability of a particular adverse event occurring during a stated period of time. As for risk assessment and risk management, where these processes begin and end has been a matter of some controversy, but one possibility is to show them

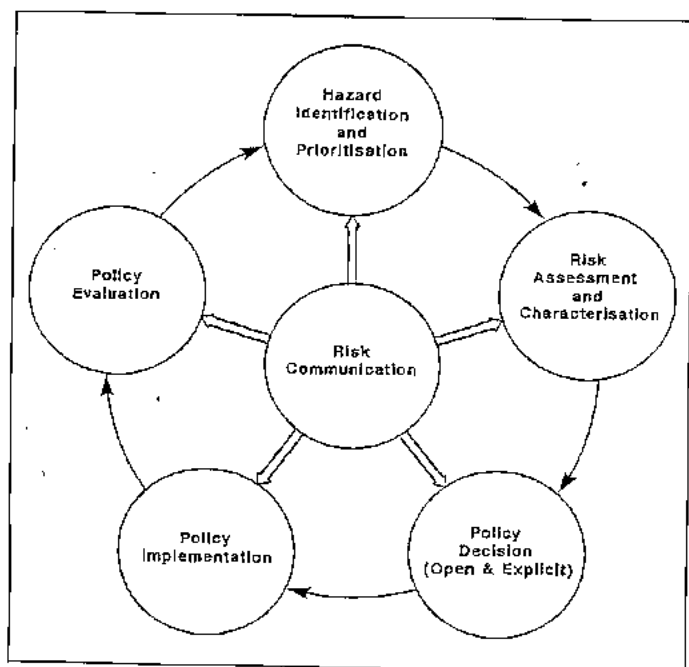


Figure 1: One way of looking at the risk management process; the risk management cycle

as a cyclical process, as in Figure 1. Hazard identification is usually considered the starting point, which is followed by risk assessment. These are largely technical activities. Then comes the policy formulation stage in which decisions are made about priorities and strategies. This stage involves consideration of social, economic and legal criteria in addition to the technical information emerging from the risk assessment.

The most widely used methods of hazard identification are also the most straightforward. A list is provided in Figure 2, in which the simplest are at the top. Some agencies have set up their own accident databases, but failing that it may be possible to use published data, usually collected for more general purposes, although the generality may be a hindrance when one has specific interests. Even so, it is worth scanning the academic literature very carefully because useful nuggets of information may be found even if they do not provide all the answers. The list in Figure 2 also refers to more sophisticated techniques such as the hazard and operability study (HAZOP), event tree analysis (ETA) and fault tree analysis (FTA). These techniques are mainly used in the heavy or chemical industries, but are beginning to find wider application where accident consequences could be large.

However, a less sophisticated approach is likely to be appropriate for most applications in the visitor safety sector. Figure 3 illustrates a simple scheme for ranking five hazards in terms of priority for further evaluation. What this ranking does not do is provide information on the measures to be adopted, which requires consideration of additional factors such as cost, practicability, equity, and so on. In this respect, useful guidance has been provided by the Health and Safety Executive which elaborates on earlier case law. Figure 4 shows the HSE approach to assessing how risks associated with an activity are first compared against the following three criteria:

- whether a given risk is so great or the outcome so unacceptable that it must be refused altogether (top zone)
- whether the risk is, or has been made, so small that no further precaution is necessary (bottom zone)
- if a risk falls in the intermediate zone, that it has been reduced to the lowest level practicable, bearing in mind the benefits arising from its acceptance and taking into account the costs and difficulty of any further reduction.

Experience Check lists Brainstorming Available actuarial data eg.	EHLASS, ad hoc studies etc
Semi-quantative approaches More systematic approaches eg.	HAZOP ETA FTA

Figure 2: Approaches to hazard identification and risk analysis

Hazard	Frequency (F) of accidents per year	Consequence (C) (on a scale of 1-6, 6 being most serious)	Priority (F x C)	Ranking
Unfenced drops	2	2	4	1
Poisonous plants	0.5	0.5	0.25	5
Wild animals	1.	0.5	0.5	4
Falling trees	3	1	3	2
Avalanches	0.1	6	0.6	3

Figure 3: A simple approach to hazard ranking; a semi-quantative scheme

Inherent within the scheme outlined by Figure 4 are a number of fundamental concepts. First, the idea of zero risk has been rejected. Instead, the notion of tolerating risks in exchange for the benefits of risky activities is introduced. Second, above a certain level a risk is regarded as intolerable and cannot be justified in any ordinary circumstances. Third, below the intolerable risk level an activity may take place provided that the associated risks are as low as reasonably practicable (ALARP).

An important question is where the boundaries between the three zones might lie. The HSE has noted that, broadly, an individual risk of death of 1 in 1,000 per annum is about the most that is ordinarily accepted under modern conditions for workers in the UK and that it seems reasonable to adopt this figure as the dividing line between what is just tolerable and what is intolerable. For the general public, the HSE has proposed a lower figure of 1 in 10,000 per annum. For comparison, this risk of 1 in 10,000 is about the same as the annual risk of being killed in a road traffic accident.

So far as the level of individual public risk which might be considered broadly acceptable is concerned, the HSE has proposed that this could be taken as one in a million per annum, since this would constitute a very small addition to the ordinary risks of life. The Royal Society Study Group on Risk has argued from a different perspective, but with similar conclusions. Thus:

"Few people would commit their own resources to reduce an annual risk of death as low as 1 in 100,000 and even fewer would take action at an annual level of 1 in a million".

For those activities whose risk level falls in the ALARP region it is necessary to balance the benefits of any risk reduction measure against its costs. This is carried out notionally in most cases, but where the issues at stake are significant, formal techniques of risk-benefit or cost-benefit analysis may be used. This, in turn, implies that a monetary value be assigned to human life and other non-fatal injury states. Bizarre though this may appear, methods, based on public willingness-to-pay, are now quite well established and widely used in the UK.

The HSE's approach, however, is limited largely to situations in which trade-offs occur between risk and cost, and says little about some of the wider issues encountered in countryside management which would also figure in such decisions. This is a challenging area for future thought and it may be that the key will lie in the application of techniques for establishing and weighting the different values which people hold dear, coupled with appropriate forms of public consultation.

Finally, it is my experience that even in those organisations which are highly skilled and well motivated when it comes to safety management, there is a tendency not to produce a formal, written safety policy. Even more rarely are there supporting documents which provide an audit trail of the reasoning behind the policy and which identify sources of information upon which

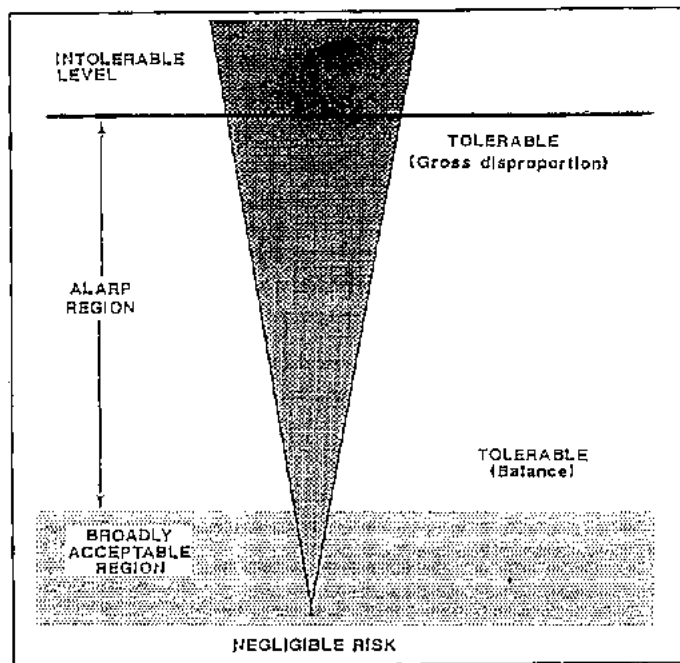


Figure 4: Risk and the ALARP criterion

decisions have been based. This is unfortunate because, in this increasingly litigious society, it is the very first thing which is likely to be asked for in the (inevitable) event of a serious accident. Nor need this be a particularly onerous task. To my mind a safety policy should demonstrate: awareness of the hazards and risks (including relevant research); awareness of legal, regulatory and advisory positions; awareness of public and societal aspirations (definitely not zero risk); the decision process and its basis; means of implementation; monitoring and feedback mechanisms. Such items are likely to be standard fare for risk managers by the close of the 20th century.

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Sustainability and Safety: the Future of the Causeway Coast Path

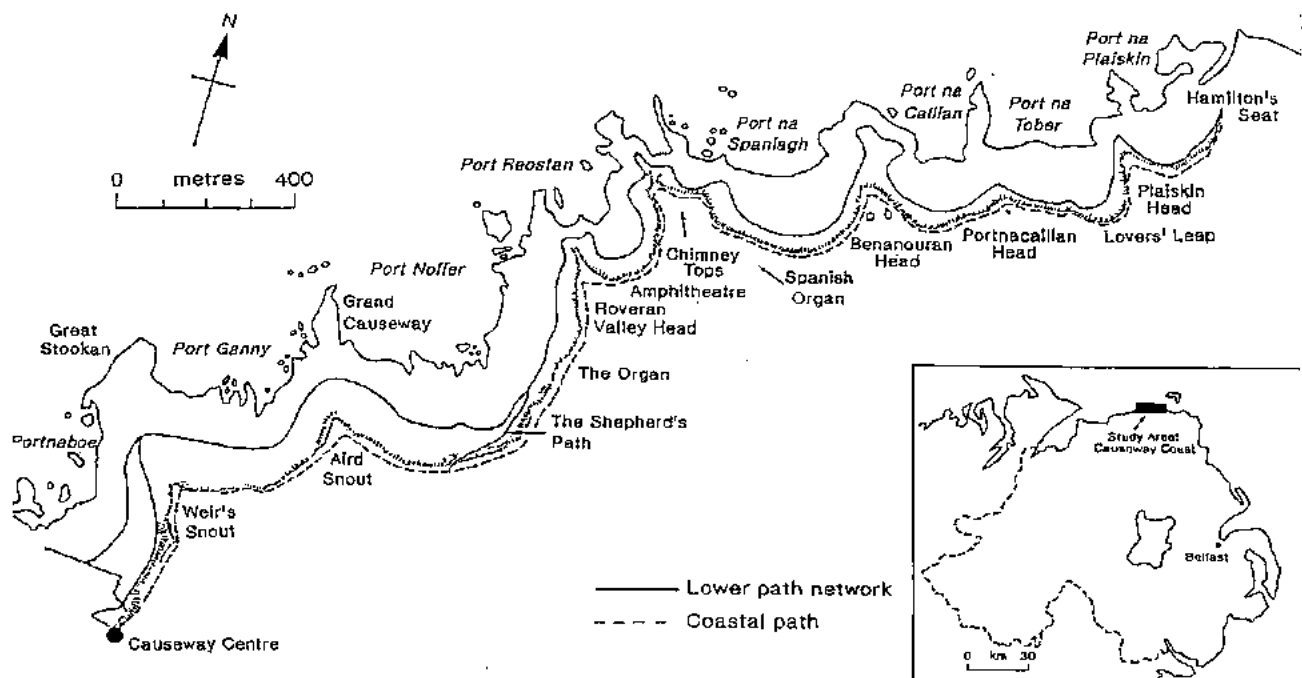
Dr. Caro-lynn Ferris and Dr. Bernard Smith explain how it was decided which measures would be necessary to make 'safe' the cliff path near the Giant's Causeway

Located on the north Coast of County Antrim, the Giant's Causeway is Northern Ireland's best known tourist attraction. Owned and managed by the National Trust, the area is renowned both nationally and internationally for its geology, geomorphology and coastal habitats. The site lies in the Causeway Coast AONB and is also a Nature Reserve, thus the Environment Service of Northern Ireland has a key role to play in the management of this area.

Public access to the Giant's Causeway is limited to a footpath system, the 'Causeway Coast Path', which provides easy access to the bays and headlands of the coast and affords excellent views of the cliff scenery and geological features. Unfortunately this path network experiences problems of path erosion and slope instability resulting from natural causes but exacerbated by increased visitor pressure. In addition, it is thought that some maintenance work carried out in the past to keep the paths safe and open to the public also increased the problem of erosion by destabilising adjacent slopes.

During winter 1993 and spring 1994 an above average number of slope failures (translational slides, landslides and debris falls) occurred along the lower path of the Causeway footpath network. Because of this the National Trust felt that they could no longer guarantee a safe walking environment to the public. Consequently they temporarily closed that part of the lower path which runs from Port na Spaniagh to Hamilton's Seat whilst a more detailed survey could be made of existing slope instability problems and the potential hazards facing walkers as a direct result of these problems. On the basis of this research, carried out by a team of consultants from Queen's University Belfast, decisions would be taken on whether the path should remain closed indefinitely. In addition, recommendations were to be made on the future management of the path, specifically with regard to ensuring walker safety.

As part of this survey, geomorphological mapping techniques were used to assess distribution of instability.



Location of the Causeway Coast Path Network in Northern Ireland



Toppling failure of columnar basalt resulted in blocking of the path, after it had been closed

Along almost the complete length of the path, the basalt cliffs were identified as areas which continually shed debris, some of which accumulates on the path. Universally the basalts are highly fractured and even casual inspection can identify large numbers of precariously balanced rocks and columns. As well as threats posed by slope instability, there is potential where the path traverses cliffs for walkers to fall or be blown off the path. In many places the seaward edge of the path is demarcated by wooden fencing. However, the fencing is so destroyed by frequent rock fall that it is not an effective mitigation of hazard potential. Indeed the presence of gaps increases hazard to walkers through sudden, unexpected exposure in an environment which, because of fencing, is perceived to be safe.

This information was subsequently used to produce hazard zonation maps to show areas where walkers would be at the greatest potential risk. Some small translational failures were identified as presenting little direct threat to walkers. The most significant hazard occurs below Aird Snout, where cliffs periodically shed large calibre debris

onto the road. This hazard cannot be overlooked as it coincides with the minibus terminus where visitors congregate to view the Causeway. At the site of the Organ the path was classed as 'very hazardous' primarily because visitors are encouraged (by path position and tradition) to stand or sit beneath a vertical cliff of loosely jointed basalt! In terms of safety, the path between the Organ and Port na Spaniagh varied from 'very hazardous' to 'extremely hazardous'. On headlands the seaward edge is frequently a vertical drop and geomorphological mapping showed that much of the path is prone to active block fall and toppling as well as frequent landsliding. The complete length of coastline from Port na Spaniagh to Hamilton's Seat was identified as 'very hazardous' or 'extremely hazardous' with the flanks of headland, in particular, manifesting active slope failure. The path is subject to continuous bombardment of blockfall, regular blockage by landslide debris and occasionally complete collapse. In places on the headland this has produced near vertical cliffs in which the path can only be maintained by excavation into the cliff.

On the basis of the hazard assessment a number of recommendations were made for future management of the path.

1. Causeway centre to the Organ: Path to be kept open with little additional work apart from hazard warnings below Weir's Snout, Aird Snout and at or near The Organ. Steps should be taken to reduce risk to visitors from rockfall below Aird Snout and remedial work implemented below the Organ to prevent walkers leaving the path.

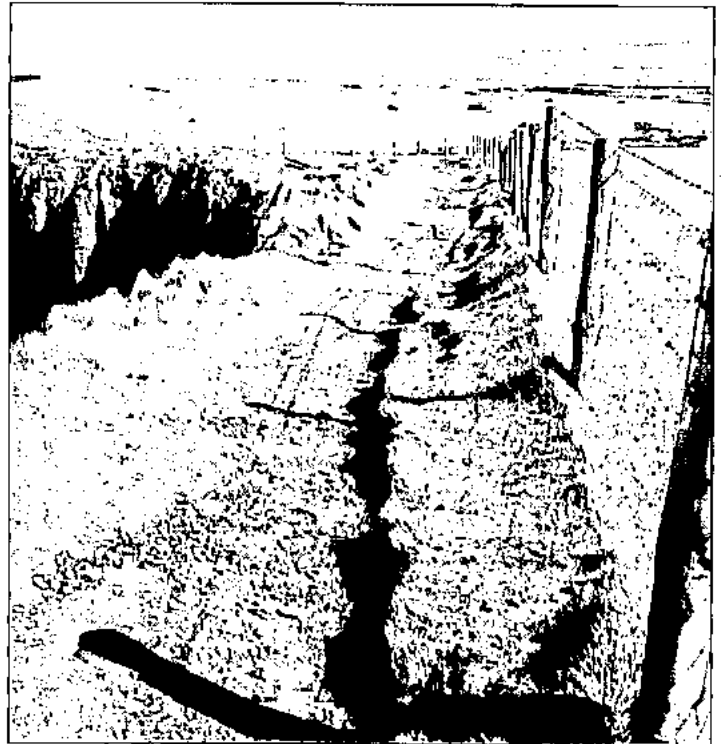
2. The Organ to Port na Spaniagh: Every effort should be made to keep this path open, but the section should be subject to a detailed geotechnical survey and implementation of works necessary to ensure safety from rockfall and path collapse.

3. Port na Spaniagh to Hamilton's Seat: Path to be closed because of the high risk associated with continuous rockfall and collapse. Ends of path to be firmly sealed, but with retention of access for National Trust staff and emergency services. Path to be allowed to deteriorate naturally. To keep this path open would require major engineering works if the safety hazard were to be reduced to an acceptable level.

During 1995, the National Trust as part of a three year 'Causeway Coast Paths Management Plan (1995-1998)' started work to implement these recommendations. The most noticeable and significant action to improve safety has been the permanent closure of the path from Roveran Valley Head to Hamilton's Seat. This has been a huge sacrifice on the part of the National Trust as future access

has been denied to a stretch of coast which provided a view of an important nautical archaeological site and access to extremely important outcrops of the Inter Basaltic Bed which allowed visitors to obtain a clear view of coastal morphology. However the National Trust were compelled to do so to ensure visitor safety. Other work has included erecting hazard signs, removing evidence of wooden fencing and transferring the bus seating area at Aird Snout to the other side of the road. In order to compensate for the loss of visitor access to such a large part of the coastal path, the National Trust are working to improve the existing access network and to create new walking opportunities along this scenic coastline. This includes the development of circular walks and loops.

Attention has also been directed to the management of the upper path as it is expected that in the future it will receive increased recreational pressure as visitors are redirected from the lower path. Future management proposals include extensive repair work of the eroded path, surface and realignment of the upper path away from the cliff edge where, in places, previous problems of land ownership have reduced the path to less than 2 metres wide. Care must be taken, however, that the path is not moved too far inland so that it would lose its essential cliff top character. A series of viewpoints combined with improved signing that will lead visitors around the site was suggested. In addition, the quality of information provision along the entire Causeway coast should be improved. These recommendations have subsequently been included within a Causeway Coast Interpretative Plan (1995) which is currently being implemented.



A point at which the path becomes 'extremely hazardous'. Walkers are forced close to the cliff edge

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Taking Risks, Safely

Jeremy Barlow of the British Mountaineering Council looks at safety and liability in mountaineering and climbing

Mountains and cliffs are dangerous places. They are also places of great beauty and interest where people have gained enormous benefits from exploration and adventure for over 100 years. Just as the early explorers of the deserts and the oceans were driven by the desire to venture into the unknown so climbers are driven by the desire to overcome difficulty and so climb just that bit higher. This is as true of the mountaineer on an unclimbed Himalayan peak, of which there are still many, as the rock climber on a gritstone outcrop in the Peak District. Take away the sense of risk and you take away the sense of adventure.

There are some who regard the taking of any risks as foolhardy, but for mountaineers risk balanced by judgement, experience, and proper equipment is a fundamental part of the experience. Equally, improving skills and knowledge, so that we are in greater control of those risks is vitally important. The BMC provides a range of opportunities for the amateur climber and mountaineer to improve their skills and assessment of risks. An annual series of lectures aimed at students prior to the winter climbing season and videos on winter climbing and alpine climbing are all part of this programme. This fundamental principle of freedom to climb and hence a freedom to take risks is a principle which the BMC is committed to defend, especially against those who would impose restrictions on access to mountains in bad weather, compulsory insurance, or charging for search and rescue in the event of an accident.

As winter sets in and many climbers head off for the Scottish mountains, the usual spate of winter accidents will no doubt begin, as will the calls from those who want to restrict access to this wonderful playground or to insist that compulsory insurance should be introduced. However, calls for restrictions on access would seem to be neither justified nor reasonable. While the figures show a steady increase in the number of call-outs to mountain rescue teams over the years, the number of fatalities has remained almost constant over the past thirty years, averaging between 15 and 20 a year. In 1994, 41% of all fatalities occurred amongst hillwalkers and 35% to climbers⁽¹⁾.

Calls for compulsory insurance are not backed up by those mountaineers who actually conduct rescues and the mountain rescue teams in Britain are proud of being part of a strong voluntary tradition. Those involved feel they



Winter climbing in the Scottish mountains

provide a valuable service to fellow mountaineers. The introduction of insurance payments for rescues would destroy that voluntary ethic. Similarly, the military have not raised any concern about costs, as real life rescues provide invaluable training which would otherwise have to be simulated.

There are also well founded fears that compulsory insurance schemes may encourage a climate of increasing litigation and this in turn may have an impact on our freedoms of access to cliffs and mountains. Some landowners have tried to restrict access on the basis of fears that they may be liable for any accidents which occur on their land to climbers or mountaineers. While landowners and occupiers have a duty of care to anyone entering their land the BMC believes that this does not extend to any 'normal' situation where a climber has an accident. 18 months ago the BMC published a leaflet about legal liability in conjunction with the Country Landowners

Association. The leaflet ends with the important advice that landowners and tenants 'have no reason to fear that they will be the subject of litigation by climbers or walkers whom they allow onto their land and who then have an accident.' However some landowners are still being advised to the contrary and access is threatened as a result.

Despite the increasing trans-Atlantic trend to sue for everything, there is a well established common law principle (*volenti non fit injuria*) that anyone who willingly takes a risk cannot sue somebody else if an accident occurs as a natural consequence of that risky activity. The risk of injury when going climbing is obvious. Every climber should know that they take a risk when they go out on the crag or mountain — stone fall, a slip on a descent path or simply falling off are all part of climbing and mean that you can get hurt. This is why the BMC publishes its participation statement spelling out the dangers and the responsibilities of climbing⁽²⁾.

Liability concerns have recently come to the fore at a number of sites and the BMC has worked to reassure landowners and continues to emphasise that in any case of attempted litigation the BMC would assert that climbing is a dangerous activity and any injury occurring to someone during the normal course of a day's climbing is the

responsibility of the individual.

In an authoritative paper presented to the Australian climbing conference Escalade 95, Gordon Brysland stated, 'There are no reported cases where either a land manager or an occupier has been held liable by a court for a climbing accident in Australia, the United States, Britain or New Zealand. Once this is appreciated, liability concerns cease to be a valid reason for denial of climbing access.'⁽³⁾

Climbing and mountaineering have enriched the lives of many thousands of people over the years and as increasing numbers of people participate, this form of informal recreation promises to offer struggling upland communities with new sources of income for services which they can provide. With reasonable restrictions to protect the environment, such forms of recreation can also be sustainable. However the freedom to take risks and to develop skills and experience which give us greater control in a dangerous environment are fundamental and we must fight to protect that freedom just as vigorously as we work for greater access and the protection of the mountain environment.

1. Buchanan, S. *Mountaineering and mountain incidents in Lochaber*. 1995

2. BMC Participation Statement

'The BMC recognises that climbing and mountaineering are activities with a danger of personal injury or death. Participants in these activities should be aware of and accept these risks and be responsible for their own actions and involvement.'

3. Brysland, G. *Climbing Access: some legal and other angles*. 1995

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Proper equipment and instruction are fundamental to climbing safety

The Legacy of Lyme Bay

John Driscoll considers the proposed legislation for adventure activities



It is proposed that commercial providers will require licences for 'adventure sports'

By a strange combination of parent power and political chance, the world of outdoor adventurous activities is about to undergo a complete change. Following the deaths of four teenagers during a kayaking trip in March 1993, David Jamieson's Private Members Bill to regulate activities at outdoor centres had a smooth passage through Parliament against all the odds. The Health & Safety Commission (HSC) is now reaching the end of the public consultation period on the detailed proposals for implementing the Activity Centres (Young Persons Safety) Act and the legislation is due to be in place by Spring 1996. Opinions are still sharply divided, however, as to whether or not the proposed legislation goes too far in regulating already well-controlled activities and providers, whilst ignoring those groups and sports seen as posing a greater risk.

The proposal that the legislation will be restricted to commercial providers, with exemption for schools and voluntary associations, has already upset consumer groups. Indeed, statistics suggest that the majority of incidents involving multiple fatalities of young people in the past 30

years occurred to groups which would be exempt from the new legislation. The Consultative Document (CD), however, suggests that LEAs, school governors and teachers already have legal obligations of care. The proposal to exclude voluntary youth organisations is based on philosophical grounds (not wishing to affect the freedom of voluntary groups), on practical difficulties of inspection and on the Health and Safety Executive (HSE) cost benefit assessment, which has concluded that an all-encompassing statutory scheme would outweigh the benefits by a ratio of 20:1.

In addition, it is proposed that only six 'adventure' activities will be in scope initially (caving, climbing, mountain walking, paddlesports, sailing and skiing), with the option to extend the scheme in future if necessary. These activities have been identified as a result of four criteria chosen by HSE: significant risk of death; competence of instructors being crucial; activity vulnerable to weather changes; and significant risk to safety of the whole group if things go wrong. No other activities have yet been selected as fitting these criteria, although there is a clear

inconsistency between a provider requiring a licence to take groups of young people into upland areas on foot, but not when they are on bikes or horses, and between a provider requiring a licence to take a group onto a surf beach in kayaks, but not on surfboards or when swimming.

The outcome of these consumer concerns upon the scope of the proposed legislation will be known early next year, but it must be recognised that a great deal of consultation went on before the publication of the CD, in order to ensure that the proposals were both realistic and practical. Of utmost importance to those who value the benefits of outdoor and adventurous activities is the recognition, explicit in the CD, that "some degree of risk is unavoidable, if these activities are to accomplish their essential purpose. They allow young people to develop by meeting challenges they do not necessarily face every day and to experience a sense of achievement in overcoming them." The detail of the legislation should ensure that young people can continue to experience *apparent* risks whilst operating within a framework of good safety management.

Implementation

The Act allows for only one Licensing Authority to run the scheme, and HSE has invited bids from organisations wishing to become that Licensing Authority (LA). The successful organisation will be nominated in early February, with the aim of implementing the scheme for the 1996 activity season. The scheme will ultimately be self-funding, with proposed levels of licence fees ranging from £100 to £800 annually, depending on the size of organisation and number of activities offered.

The LA would have the power only to withhold, vary or revoke a licence, not to enforce the closing down of a provider who was in breach of licence conditions. The LA would, however, have close contact with HSE and Local Authorities who would have the necessary enforcement powers. The HSC will

establish an Advisory Committee to advise it on the work of the Licensing Authority and on other matters regarding health and safety in this field. It is suggested that this committee would be a suitable vehicle for developing further specific guidance, and several groups are already keen to develop standards for quality of provision as well as safety.

To overcome concerns about those providers and activities outside the scope of formal licensing, it is proposed that the LA should establish a parallel voluntary approval scheme. It is suggested that the safety standards required should be identical — to provide a “seamless” service as far as parents and teachers are concerned — although inspections may be managed differently.

Multi-activity centres which must be licensed for some activities might then find themselves also needing to apply to be approved under the voluntary scheme for other activities to give customers full assurance. It is envisaged that although a Licensing Authority inspector would concentrate on the safe management of the six ‘adventure’ activities, he/she could also alert HSE/Local Authority to shortcomings in a provider’s management of other activities. Such an approach may appear cumbersome, but it may be the only practical option.

Requirements for Providers

Before applying for a licence early next year, every provider will need to prepare certain documentation, in order to satisfy the LA that he/she has:

- made a suitable and sufficient risk assessment of the activities undertaken
- identified and implemented measures required as a result of the risk assessment
- appointed a competent person to advise on safety (if not competent him/herself)
- appointed sufficient numbers of competent instructors
- made arrangements for giving safety information to staff and participants
- provided suitable equipment for the

activities to be conducted safely

- made arrangements for maintenance of such equipment
- provided adequate first aid and emergency arrangements

The only area where specific standards are laid down in the CD is that of staff competencies. The HSC believes this to be central to the proper management of safety. Matrices covering the suggested level of competence required to lead each activity at different ‘hazard levels’ are published in the CD, and these are based on the coaching and leadership awards of well established and respected National Governing Bodies of Sport. Where a provider wishes to use staff who do not hold the relevant awards, but who are nevertheless claimed to be competent, the provider will need to provide other evidence of such competence.

Rather than prescribe instructor/student ratios for each activity in each location, the CD proposes that providers themselves will specify on their application form the staff ratios to which they intend to work. This would allow providers to specify different ratios according to weather, location, experience of participants and staff etc, although it is expected that they will be in line with National Governing Body suggestions for good practice. A licence would only be granted if these ratios were approved by the LA as suitable for the given site, the ratios possibly being published on the licence document.

Clearly, for the whole scheme to work effectively, the Licensing Authority will have to recruit a team of inspectors with suitable background knowledge of the activities involved, train them in the necessary health and safety law and implement a meaningful programme of inspection visits. Before that happens, the LA will have to identify just who and where the providers are, because nobody has a clear idea of exactly how many people are in the business of offering instruction or leadership in these adventure activities to the under 18s.

It is unlikely that the legislation will have any effect, other than the obvious

financial burden, on the vast majority of well-managed providers, whose work allows hundreds of thousands of young people each year to develop through properly structured adventure experiences. If, however, the legislation helps to identify organisations operating the kind of unsafe management practices highlighted in the trial following Lyme Bay, all the work put into its development will have been vindicated.

Finally, there is a heavy irony that the weight of licensing, rather than simply the implementation of normal health and safety law, will be brought to bear on the outdoor ‘industry’. The HSC applies full-scale licensing, carrying with it criminal penalties for infringement, only to activities which, if not properly managed, would pose high risks to large numbers of people. Licenses are required under health and safety law for the operation of nuclear installations; for certain work with asbestos; for manufacture and storage of explosives and for petroleum storage. It is an irony which will not be lost on the Mountain Leader, pausing with a group of young people on a walk up Scafell Pike from Wastwater, as he/she looks west to the towers of Sellafield.

Reference:

Consultative Document: Proposals for Licensing of Providers of Adventure Activities (CD94) available from
HSE Books
PO Box 1999
Sudbury
Suffolk CO10 6FS
Tel: 01787 881165 Fax 01787 313995

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Visitor Risk Management: translating theory into practice

Jennie Sparkes describes the innovative strategy currently being implemented in Canada

Visitor Risk Management is a framework for managing public safety. Visitor Risk Management has been developed to address the challenges that are facing the Parks Canada public safety strategy. These challenges include:

- an increase in visits;
- diversification of recreational activities;
- advances in recreational technology;
- an ageing park infrastructure;
- an increase in liability claims within Canada;
- the prospect of charging for access; and
- a decrease in staff and funding available to manage our public safety strategy

The only thing that has not changed is our responsibility as prudent land managers to provide a reasonably safe environment for the public.

In 1990, Parks Canada recognised that public safety resources needed to be rationalised to successfully compete for dwindling funds. We recognised that the levels of public safety provided needed to be capable of withstanding litigation; and they needed to be delivered in the most cost effective manner possible, without compromising effectiveness.

To address these needs required a shift in how public safety was managed within Parks Canada. Traditionally, public safety has been considered an element of natural resource management; primarily because many of our hazards are inherent in the natural environments we manage. Public safety was a task overseen almost exclusively by Park Wardens, who were also responsible for overseeing search and rescue initiatives.

Visitor risk management expands upon these traditional views to formally recognise that hazards, natural or not, only present a risk when the "people factor" is calculated in. Therefore public safety became not a resource management issue, but a visitor management issue.

Also, while Park Wardens have gained immense knowledge and respect in the area of search and rescue, visitor safety is not solely the responsibility of Park Wardens; *all* staff play an important role in ensuring the safety of visitors, and visitors themselves play the key role in ensuring their own personal safety.

With the recognition that public safety is a visitor management issue, it became very clear that Parks Canada needed to know more about the people that visit, and especially about the people that become "casualties".

This analysis on recreational activity is referred to as Risk Assessment. A cross section of field staff are brought together to undertake the risk assessment and ultimately oversee the implementation and monitoring of a public safety programme. The team is made up of visitor management staff, conservation

staff, and general work staff. The first exercise of the team is to identify which of the 40 recreational activities that are permitted within Protected Heritage Areas occurs upon their own site.

Risk Assessment is a combination of staff "brainstorming", review of past incidents, and site surveys to identify public safety issues. An inventory is made of factors such as what activity the casualty was participating in at the time of the incident; the location of the incident; characteristics of the casualty; factors leading to the incident; and risk control measures in place. A Risk Assessment classifies three basic categories of hazards:

- **Environmental:** hazards naturally inherent in the environment, such as cliffs or wild animals;
- **Infrastructure:** hazards associated with facilities provided such as trails, buildings, signage and brochures; and
- **Human character:** hazards inherent in the behaviour of the visitor such as use of drugs or alcohol; level of preparedness; age; or group dynamics.

Risk Assessment information is used to identify strengths and weaknesses within the existing safety strategy and to set a foundation for rationalising risk control measures. To prioritise which risk issues warrant allocation of extra resources the following factors are considered:

- the probability of an incident recurring in the same, or similar, setting;
- the potential severity of the incident; and
- the likelihood of a visitor being aware of the risk associated with a particular activity or location hazard.

Following Risk Assessment, the Visitor Risk Management Team reviews the risk control measures that already exist, such as signage, fencing and search and rescue services. These are reviewed to:

- evaluate their appropriateness;
- ensure that they are being delivered effectively; and
- identify any opportunities for sponsorship and revenue generation.

This evaluation process may identify new risk control measures. These may include things such as:

- provision of new fencing at steep cliffs;
- reallocation of resources from lower to higher priority risk areas;
- prohibiting an activity in a particular area; or
- providing the opportunity to have volunteer "Friends"

agencies deliver certain types of prevention programmes or messages.

The first field test of Visitor Risk Management took place in 1993. The purpose of the exercise was two-fold; first, to produce a Public Safety Plan for Banff National Park; and secondly, to refine the proposed Visitor Risk Management process.

At the onset of the exercise we established the following guidelines:

- to share the responsibility amongst all groups and staff;
- to support other park objectives such as cultural integrity, environmental sustainability and enhanced visitor experience;
- to share risk and hazard information to ensure complete understanding of risk by all staff and the public;
- to work with others outside the park service through partnerships in preventing and responding to incidents;
- to thoroughly understand all the factors that lead to incidents thus ensuring the implementation of effective and practical solutions;
- to practise due diligence by examining all risk issues through a structured process;
- to support cost-effective solutions for long-term effectiveness

The resulting Banff Safety Plan, based on these principles, provides the following:

- A framework for making public safety decisions. This provides a consistent outline for how issues will be managed, what will be considered in the process, and by whom.
- An overview of risks. This gives the percentage of the total

visiting public involved in different types of incidents. It also highlights which activities result in the most frequent incidents, where they occur, and documents characteristics of visitors and casualties.

- A detailed analysis of activities. For each activity this gives a detailed analysis of the associated risks, hazards, types of injuries, casualties, dangerous areas, and existing risk control.
- A list of issues to be resolved. This list summarises and prioritises all issues, and outlines service objectives. Also outlined are revenue generation opportunities.
- Multi-Year Operational Planning. This summarises staff and funding required to resource the proposed levels of service. It outlines annual expenditure and estimated revenue generation.

A number of publications associated with visitor risk management are available including:
The Visitor Risk Management Handbook: Guidelines for Visitor Safety Planning, 1994

For further information on these initiatives please contact:
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 Tel: 001 819 994 2745, or
 Jennie Sparkes, Visitor Risk Management Coordinator
 Tel: 001 819 994 5528 or 001 613 938 5749.

Jennie Sparkes participated in a Countryside Recreation Network workshop in June: 'Playing Safe? Managing Visitor Safety'.
 The proceedings from this workshop are available from CRN, price £8.00 incl p&p

ENVIRONMENT	Remote wilderness	Wilderness	Rural countryside	Urban countryside	Urban
FREQUENCY OF USE	Low	Moderate	Considerable	High	Extreme
LEVEL OF SELF RELIANCE	Advanced	Advanced	Moderate	Minor	Minimal
LEVEL OF INTERVENTION	Minimal	Minor	Moderate	Major	Major
RISK CONTROL	VISITOR SELF-RELIANCE		INTERVENTION BY PARKS CANADA		

Risk control depends upon the skills of the visitor and the environmental conditions (simplified chart based on Jennie Sparkes' Risk Control Spectrum)

Access and Recreation on National Trust Land

An update on the National Trust's Access Review



The implications of footpath repair and of visitor facilities will be examined more critically.

The National Trust was established for the "permanent preservation" of its properties, land of great beauty, historic interest and nature conservation value. Land is held for the benefit of the nation and one of the main ways of providing benefit is to allow access.

Around 50 million visits are made annually to Trust countryside; its coast, woodlands, parks, downlands, heaths, rivers, lakes, moor and mountains — throughout England, Wales and Northern Ireland. The number of visitors, including walkers, cyclists, canoeists, rock climbers and horse riders, grew dramatically in the 1970s and 80s.

Will numbers continue to grow? Are these visitors damaging the very countryside they come to enjoy? What impacts do different activities have? Can the National Trust preserve countryside and wildlife, and still welcome millions of visitors? Most access is free; should it continue to be? Or should people now expect to pay?

The National Trust has examined these questions over the last two years during an Access Review. Many other issues were raised in the course of the Review, such as traffic, dogs, quiet versus noisy enjoyment, visitors' needs and expectations, conflicting activities and training group use.

The main findings have been published in a report 'Open Countryside (Report of the Access Review Working Party, The National Trust, 1995)'. This establishes the principles, set out below, which will guide the Trust's management of access. It describes the impacts of access, and ways in which it can be

integrated with other objectives such as nature conservation. It considers visitors in general, and eighteen recreational activities — from angling to off road vehicles — in detail.

Supply and Demand for Access

Virtually every Trust property provides some access. Over 40 activities take place in total, and some properties cater for more than 20. Providing access costs the Trust at least £6 million each year: over 450 staff spend much of their time on access management.

Despite this, there is a demonstrable requirement for more access. There are demands for more access for walkers, cyclists, horse riders, canoeists, rock climbers, training groups and school parties. There is demand for sitting and playing places, especially close to towns and villages. There are pressures for more access in the uplands and the lowlands, on land and on water.

Conflicting needs

But there are more complex and conflicting needs than just 'more access'. Many visitors come to the countryside in cars, and require easy and convenient car parking. On the other hand, the amount of traffic in rural areas is a matter of national concern. Many people wish to protect countryside tourist sites from excessive traffic, provided alternatives are available.

There is a need for more information, helpful signs, easy access for people of all ages and abilities, tea rooms and lavatories. There is a need for more access for those using four wheel drive vehicles, jet skis and for training groups. On the other hand, great importance is attached to remoteness, tranquillity, peace and quiet; areas which are hard to find and have a feeling of wilderness about them.

There is a need for more places for dogs to run free. But there are problems of dog fouling, stock-worrying and calls for stricter controls.

Activities can conflict with each other: cyclists and horses; riders and walkers; jet skiers and swimmers; canoeists and anglers. In places, each activity is demanding its own 'territory'.

Most importantly, access can damage the very environment on which it depends. Deeply scarred upland footpaths provide an obvious example. There are many more serious, but less obvious, impacts.

Remoteness and tranquillity; freedom and fun

Many people think that peace and quiet, and unobtrusive activities, are particularly appropriate to National Trust land. Therefore these qualities will be safeguarded with particular care. Plans will identify 'Remote Areas' (which may well include areas close to towns) where access will not be positively encouraged, nor promoted. They will in no way be closed to the

public, but people will be encouraged to find them for themselves.

Virtually all the activities which take place at present can be continued and encouraged somewhere on Trust land. Even the noisier activities which are not, in fact, as damaging as might be expected, can continue, as long as use is legitimate and controlled. Free-ranging access, too, much enjoyed by walkers, can be promoted in places. The key is careful planning: which needs can best be met, and where? Pressures to accommodate too many activities on one property will be resisted strongly.

Impacts on the environment and conservation

Access is now regarded as a land-use in its own right. In many ways it is a force for good in the countryside. It provides stimulus for environmental enhancement, support for countryside issues and helps narrow the gap between 'town' and 'country'.

However, access can and does damage the environment, the landscape, nature conservation and archaeology. Such impacts include pollution from traffic and visitor facilities, disturbance to birds, erosion of archaeological sites and fragile vegetation, accidental fire and the death of farm stock from dog-worrying. Damage can be caused by work needed to make sites safe for the public, and by path construction.

All activities can cause damage, including quiet activities such as walking, fishing, caving, rock climbing and golf. The impacts of each activity have been summarised in 'Open Countryside' but further research is needed to provide more detail, and to link impacts and visitor numbers more closely.

Reconciling conflicts

Most conflict between access and conservation, and between different forms of access, can be reconciled by planning and management. Codes of Conduct, Liaison Groups, permits, licences, Access Agreements, zoning by time or space, promotion strategies, effective information and especially the presence of countryside staff, are all successful management mechanisms.

However, if such management is not practicable or adequate, access will be restricted on sensitive sites, as it is at present. Restrictions will usually be seasonal, for example during bird-nesting, or temporary, for a recovery period. Only a very few sites are closed altogether for conservation reasons. But if use continues to increase and if practicalities dictate, the Trust may have to be prepared to close more sites for recovery in the future. If serious damage is suspected, the precautionary principle will operate; in other words recreational activity may have to be banned or further restricted. This will only be invoked with sound reason and after discussion with interested parties.

Planning cannot be carried out in isolation. The Trust will continue and extend its planning and consultation with neighbours, tenants, adjoining land owners, user groups, local people and other access providers and managers. This will ensure that access is planned within and beyond National Trust boundaries.

More access or more conservation?

Given the need to plan carefully, and to put priority emphasis on long-term preservation, the Trust hopes to provide more access on its land. Opportunities will be sought to provide more Rights of Way and linkages in the Rights of Way network; more routes for walkers, horse-riders and cyclists; promotion of cycling as a means of transport; more access for canoeists; more provision for field studies through the Countryside Education Programme, more access on lowland farmland and more information on where to go and what to do. Informal access on foot will continue to be free, but there may be charges for facilities, events, and commercial uses.

After such planning and assessment, there may need to be a variety of restrictions and controls. Certain activities require more emphasis on conservation and, in some cases, closer control. These include fishing, caving, shooting, bait digging and golf course management. The Trust is particularly concerned to encourage more responsibility among dog owners, and to institute dog zoning, which will include some areas where there are no dogs or dogs on leads only.

Access-related countryside traffic is a major concern. There are ways of reducing it, for example through local rather than national marketing, car parking disincentives, park-and-ride schemes and better provision for cyclists. Various initiatives are already under way, and more will be done to address this problem. The environmental impacts of visitor facilities, such as use of water, materials and energy, too, will be assessed and mitigated.

Access and the Trust in 2000

The National Trust is in a unique position to address the demand for more access, the conflicting needs and the impacts. The rapid increase in the number of visitors seen in the 1970s and '80s is now levelling off. However, participation in some activities continues to rise, numbers of active middle-aged will increase, as will numbers of young children. As part of sustainable management the needs of the future must be assessed and predicted. Access must provide for people's needs, but must not erode local distinctiveness, nor disturb 'spirit of place'.

The report 'Open Countryside' was prepared for consideration by the Trust's committees and staff and is publicly available. Copies can be obtained from the same address. Price £10.00 inc. p & p

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Vision without Strategy: The Rural White Paper

Professor Philip Lowe reviews the new Rural White Paper

October saw the government publish 'Rural England: A Nation Committed to a Living Countryside'. Just over a year earlier, the Minister of Agriculture and the Secretary of State for the Environment had announced their intention jointly to produce a rural White Paper. It had been 16 years since the last White Paper on agriculture and over that period the basic underpinnings of agricultural policy had been removed. A fundamental review of policy therefore seemed timely, if not overdue, and its rural, rather than farming, orientation represented a welcome recognition of the changing and heterogeneous nature of the economy and society of rural areas. In keeping with this shift, the White Paper was jointly produced by the Department of the Environment and MAFF, thereby providing an opportunity not only to review existing policies but also to examine the problems that fall between departmental responsibilities and to consider basic resource and institutional questions. Its preparation included an extensive consultation exercise involving some 380 organisations, sectoral and regional seminars and various commissioned studies. All of this served to raise expectations, not all of which could be fulfilled. When it was published, though, the White Paper was generally dismissed by the press who could see little of substance that was new in it. It does, indeed, lack many new proposals or a strategy, or targets, or tangible resource commitments. And it makes a virtue out of rejecting new controls or regulations.

The vision

What the White Paper does not lack is vision, even if at times the vision is soft focused. The countryside is seen as a precious "natural asset" and the rural way of life as the repository of the essential spirit of Englishness. Policies must be founded on the principle of sustainable development which means "managing the countryside in ways that meet current needs without compromising the ability of future generations to meet theirs". At the heart of this is a vision of rural communities:- as "active communities which take the initiative to solve their problems themselves", that are "close-knit and balanced", and that nurture "traditions of independence, partnership and voluntary action".

True to this vision and its implication that "local people are generally best placed to identify their own needs and the solutions to them", the White Paper places considerable emphasis on being responsive to rural communities, on encouraging them to express their own needs and on expanding the scope for these needs to be met locally through community effort. Thus it proposes a much more active role for parish councils in managing local affairs, through greater delegation of functions from district and county councils and through taking on additional responsibilities, for example, for crime prevention and community transport. Local authorities are urged to be more

sensitive to their rural areas, for example in preparing Rural Strategies and promoting community development, and legislation is proposed to provide a framework of formal consultation between parish and county and district councils. A range of agencies — from the Training and Enterprise Councils to the Housing Corporation, to the Ambulance Service, to transport operators — are pressed to be more responsive to specifically rural requirements, and a Rural Citizen's Charter Initiative is promised to help ensure that public service providers address the needs of their rural customers.

The Government for its part promises to "listen to what people in the countryside have to say" and "to work in partnership with local people rather than impose top-down solutions". Far from being the last word, therefore, the White Paper is intended to act as a catalyst for further debate. To improve the Government's own responsiveness to rural issues, the remit of the Cabinet Committee dealing with the environment will be expanded to include oversight of rural dimensions of policies across government, including responsibility for reviewing progress with the implementation of the White Paper. The Government Offices for the Regions are also directed to meet regularly with representatives of rural communities and to work closely with the countryside agencies and the separate regional organisation of MAFF.

In keeping with the general orientation towards local facilitation, there are a few tangible policy developments. In the planning field, for example, a new Rural Business Use Class is proposed to encourage local authorities to be more relaxed about allowing new businesses in rural locations by placing limitations on their unbridled expansion. More flexibility is also to be allowed in permitting development on grade 3a agricultural land. Local planning authorities are required to consider the impact on village shops of proposed new retail developments. A new rate relief scheme is suggested specifically for general stores and post offices in villages.

The follow-up

At the same time, the Government is promising to follow up the White Paper with various advisory documents and good practice guides on such matters as health and social care in rural areas, the coordination and integration of transport services, sustainable tourism, managing common land, village design, lighting for rural roads, and planning for rural diversification. All this is very admirable. It is also refreshing for a government to admit that it does not necessarily know best; that to sustain a living countryside requires of government a certain "humility" which calls not only for sensitivity on its part but also the fostering of mutual tolerance towards and between rural ways of life. But does this excuse the lack of an overall strategy or specific targets

or are we to accept entirely the philosophy of the White Paper that "many small scale changes which respect the real differences in local circumstances are what are most likely to succeed"?

Significantly, the only fields in which there are strategic commitments are those of agriculture and conservation where strong and focused lobbies exist but also where government action is constrained by European policy. An unequivocal commitment is given to seek further, fundamental reform of the Common Agricultural Policy through the progressive reduction of production-related support and the eventual abolition of supply controls, while opposing any proposals for CAP reform which could disadvantage UK farmers. Care of the environment must also be made central to the development of the CAP. In the short term, the Government will seek to contain CAP expenditure and to ensure that a greater proportion of direct payments to farmers goes towards the encouragement of environmentally beneficial farming. Towards this end, an expansion of the Countryside Stewardship Scheme is promised and the establishment of a steering group, including MAFF, DOE, the Countryside Commission, English Nature and English Heritage, to oversee the development of all incentive schemes for environmental land management, as well as national and regional consultative fora. The government will also press for the inclusion of environmental and consumer representatives on the European Commission's agricultural advisory committees. The most tangible medium term commitments contained in the White Paper are drawn from the discussions and negotiations that have followed the publication of the UK Biodiversity Action Plan, and give rise to the one and only mention of "costed targets" in the entire White Paper, including "targets agreed by Government [that] will form the basis of our nature conservation effort over the next two decades".

The strategy?

The question remains whether the White Paper's vision for rural communities can be realised without a strategy. Many would find attractive the objective of "thriving rural communities, in which people's basic needs for housing, shopping, transport and other services are met", but this localised decentralised vision cannot be achieved by local action alone. Not everything can be resolved at the parish pump. Belatedly, for example, the government has recognised the possibly terminal damage that its promiscuous approach to out-of-town shopping developments may have inflicted not only on the high street but also on the viability of market towns. There is no equivalent recognition, though, of the impact of its right-to-buy policy on the availability of rural social housing, and the White Paper makes no constructive proposals that would significantly

increase the supply of affordable housing.

Likewise, its particular communitarian vision blinds it to problems of inequality that arise essentially from social change within rural communities. Take the issue of the car dependency of rural living which impacts so profoundly on those without ready access to private transport. Rather than seek to address the problem the White Paper lamely accepts that "the ownership of two cars may not be a luxury in rural areas" and proposes a pattern of development which under present circumstances will further increase such dependency and undermine the viability of public transport. Its only solution to this strategic problem is to pass it on to parish councils. Rural community interests need to take a leaf out of the conservationists' book and, in responding to the White Paper, press for costed targets for basic levels of mobility and of access to social housing for rural people.

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United Kingdom Day Visits Survey

The UK Day Visits Survey 1993 has just been published by the Countryside Recreation Network and is now available for £15 per copy (incl. p&p)

The Survey focuses on leisure day visits from home but also collects information about one-off business trips from home and day visits from holiday bases. The Survey recorded visits made by the adult population (15 plus years) in Great Britain to locations in the UK. It provides extensive information about participation in day visits and of the scale and value of visits. It also collates detailed information about the characteristics of leisure day visits made to towns, countryside and coasts.

Countryside Recreation Network

Generating electricity or controversy?

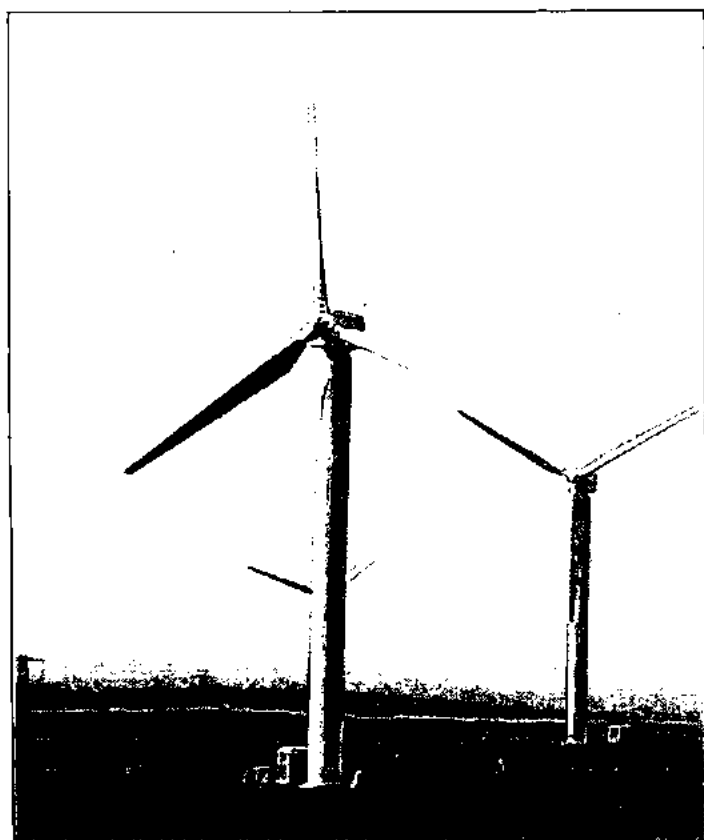
Public attitudes towards wind farms in Wales

Dr Kevin Bishop, Cardiff University

In Wales the Government's energy policy has resulted in more of a rush for wind rather than a dash for gas. In less than three years Wales has gone from having no commercial wind farms to six such wind farms, with 213 turbines, generating over 70,000 kW. Indeed, Wales currently boasts the largest wind farm in Europe (Llandinam—103 turbines). In addition to those already operating, there are in excess of 100 turbines with planning permission and over 600 awaiting determination (see figure 1.0).

This rush for wind has been 'fuelled' by Government subsidies under section 32 of the Electricity Act 1989 which established the Non-Fossil Fuel Obligation (NFFO).

Despite being a clean 'green' form of electricity generation, which does not cause air pollution or emit radiation, this rush for wind has become a matter of considerable controversy both within and beyond Wales, controversy that has split the non-governmental environmental movement, brought criticism of the practices of the Countryside Council for Wales and, apparently, divided local communities.



Wind turbines have gained local acceptance

The objective of the research reported in this article was to explore public attitudes towards wind farm developments in Wales. It was aimed at cutting through the hyperbole that surrounds existing and proposed wind farms and to ascertain whether media stories of "Giant Washing Machines in the Sky", "24 Hour Noise Hell"; "Beauty and the Bog Brush"; "Wind Farm Mania" are the views of a vociferous minority opposed to wind power or the tip of an iceberg of community discontent against this new form of development in the countryside.

The research was based on household surveys conducted in three case study areas centred around commercially operated wind farms in north, mid and south Wales (Rhyd-y-Groes, Llandinam and Taff Ely). This approach ensured that those interviewed had first hand experience of wind farms and avoided the problem of abstract findings related to hypothetical circumstances. A structured questionnaire was used to elicit attitudes towards wind energy and wind farms, with respondents selected in a semi-stratified manner by the interviewer in the field. In total, 268 interviews were conducted in the three study areas.

The majority of respondents (69%) were generally in favour of the development of wind power in Wales, only 21% were against and 10% of respondents were undecided/had no firm opinion. This general pattern in favour of wind power was reflected in the three study areas with over 70% of respondents in favour of the development of wind power in the Llandinam and Taff Ely study areas. The most resistance to the development of wind power was recorded in the vicinity of Rhyd-y-Groes wind farm where 37 respondents (32%) were against the development of wind power.

These results reinforce existing published research which also indicates a strong consensus of local opinion in favour of wind power in areas where wind farms have been constructed and are now operating

Contrary to what might have been expected, respondents had become more positive towards wind power following construction of their local wind farm. The level of support for the local wind farm actually increased, in all three study areas, after the wind farm had been constructed and begun commercial generation of electricity; although the level of support for the Rhyd-y-Groes wind farm (55.3% in favour) was not as high as for either Llandinam (74% in favour) or Taff Ely (73.9%) in favour). Even when the views of respondents who had a personal interest in the wind farm (i.e. they had directly benefitted from the construction and/or operation of the wind farm) are discounted, the picture is still one of considerable support.

A positive, rather than negative, correlation was found between visibility of the wind turbines and local attitudes to the wind farm.

General attitudes towards the development of wind power in Wales

Study Area	For	Against	Neither	Don't Know
Llandinam	50 (76%)	11 (17%)	4 (6%)	1 (1%)
Rhyd-y-Groes	69 (61%)	37 (32%)	-	8 (7%)
Taff Ely	65 (74%)	8 (9%)	7 (8%)	8 (9%)
Total	184 (69%)	56 (21%)	11 (4%)	17 (6%)

The majority of respondents (62.3%) who could see the turbines from their houses were in favour of the local wind farm – a figure that was reflected in all three study areas.

The majority of respondents (78.7%) could not hear the wind turbines from their houses when they were operating. Surprisingly, 32 of the respondents (56%) who could hear the wind turbines from their houses were generally in favour of the development of wind power and only 21 (57%) opposed. Also, despite hearing the wind turbines, 31 of the respondents (54%) still supported the local wind farm and just 23 respondents (40%) were opposed.

Although the research highlighted considerable local support for the Llandinam wind farm (74% in favour) the statistics presented hide an important spatial dimension. There was a noticeable cluster of opposition to the west of the wind farm, with objections centred around noise levels and the disturbance they caused.

Opposition to the Rhyd-y-Groes wind farm centred more on visual impact than noise, which probably reflects the more open setting of this wind farm.

The responses to a question asking, "Are you in favour of the further expansion of wind power in Wales?", appear to reinforce the general pattern of considerable support for wind power. The majority of respondents (71%) were in favour of the further expansion of wind power in Wales, with or without conditions, and only 22% were opposed. Over 83% of respondents in the Llandinam study area and 75% of respondents in the Taff Ely study area supported the further expansion of wind power in Wales. The most resistance to further expansion of wind power was found in the Rhyd-y-Groes where just over half of the sample (59.7%) supported the further expansion of wind power.

The results seem to indicate that certain media reports that have focused upon opposition to existing wind farms are unrepresentative of the wider picture. The main problem identified by respondents was noise, followed by visual impact. Other problems often associated with wind farms—electro-

magnetic interference, safety, affect on wildlife, shadow flicker from sunlight etc.—were rarely mentioned by those interviewed.

This picture of support for wind power was further emphasised by the fact that 70.5% of respondents supported the further expansion of wind power in Wales, with or without objections. The conditions that respondents would like to see imposed related to: concerns about the size of wind farms (a preference for smaller groups of turbines); a real worry about the cumulative impact of several wind farms being developed in close proximity and a preference for a presumption against wind farm developments in 'special areas' (National Parks, SSSIs etc.).

The aspect of *visitors'* attitudes towards and perceptions of wind farms was not explored in this project but is an important area in need of further research. Many commentators have suggested that wind farms can spoil a sense of 'wilderness'—that they lead to the industrialisation of the countryside and destroy any concept of remoteness. Yet evidence from some of the wind farms that have been developed (e.g. Delabole in Cornwall) suggest that they have become a new tourist attraction and generated further interest in the local area.

*A copy of the full report "Love Them or Loathe Them? Public Attitudes Towards Wind Farms in Wales" can be obtained from the Publications Secretary at the address below.
Price £8.00 (including p&p)*

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Getting greens on the map

Kate Ashbrook explains how to set about registering land as a town or village green in England and Wales

If land has been used for certain types of recreation by the community for 20 years, and has not been registered under the 1965 Commons Registration Act, it may be possible to register it now as a town or village green.

The definition of a town or village green given in section 22 of the Commons Registration Act 1965 is land "on which the inhabitants of any locality have indulged in lawful sports and pastimes, as of right, for not less than 20 years".

If land was not registered when the original registration process ended on 31 July 1970, it ceased to be recognised in law as a green. However if, since then, a further 20 years of use has built up, it once again becomes eligible as a green. It also becomes eligible if the 20 years use had started but not been completed, by the time the registers closed.

Use must be predominantly by the inhabitants of a defined locality, i.e. from a particular and recognisable community close to the land, where most of the users live and work.

The definition of "lawful sports and pastimes" appears to be quite wide. As well as the more traditional activities of maypole dancing and playing cricket, uses such as flying a kite, picking blackberries, walking the dog (for the benefit of the human, not the dog), picnicking or just walking have all been held to apply.

These activities must have been carried out without force, without stealth or secrecy and without permission – in other words, as of right. And the use must have been continuous, without a substantial period of interruption.

This is all of particular interest because, whereas the law does not recognise that a right to roam – *jus spatiaudi* – can be obtained by prescription (as for a right of way), it appears that rights to particular activities, by people from a defined locality, can be recognised in law.

So any bit of waste land may qualify as a green, as well as the more obvious village centre green spaces.

If land appears to qualify as a green, it is for those who have used it to gather the evidence and submit a claim to the registration authority – the County, London Borough or Metropolitan Council. There are regulations which give some guidance to the authority on how to determine the application. Consideration of the application should focus exclusively on legal issues, rather than desirability of registration (similar to the claim of a public highway by definitive map modification order).

Some authorities have held public inquiries to determine applications, with leading counsel acting as the inspector – for example at Peartree Green, Southampton (Hampshire County Council); Emmet's Park at Binfield (Berkshire County Council) and Post Hill Quarries, Leeds (Leeds City Council).

Many communities have hurried to register land which was under threat of development, at Bradford on Avon, Wiltshire and Cuckoo Estate in Hanwell, West London for example.

However, there is a question, unresolved by the courts, as to what extent registration of land as a 'new' green gives it legal protection.

It is not certain that the nineteenth century legislation, which makes it an offence to do anything which injures the green or interrupts its use or enjoyment, or to encroach on a green, applies to 'new' greens. However, in the absence of a court judgement on this, it is safer to assume that this legislation (the Inclosure Act 1857 and the Commons Act 1876) does apply.

In any case, registration of land as a 'new' green gives it an important psychological boost, lifting its status in the eyes of potential developers and planning authorities and identifying it as land that is valued by the community.

Local people should, however, recognise that registration can take some time, so it is wise now to identify new land that might qualify, and might in future be threatened by development, and start obtaining evidence with a view to submitting a claim.

The Open Spaces Society is pleased to help and advise those wishing to make a claim (though we do ask you to join the society first). In addition, the Open Spaces Society has recently published a guide to registering land as a 'new' town or village green in England and Wales. This guide, "Getting Greens Registered", which was grant aided by the Countryside Commission, tells you what you need to know, and provides a form to use for collecting evidence. It also sets out a recommended procedure for authorities to follow when processing a claim.

"Getting Greens Registered" is available from the address below and is priced at £6.50 to OSS members and £9.00 to non-members.

Kate Ashbrook, is general secretary of the Open Spaces Society, and can be contacted at

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25a Bell Street
Henley on Thames
Oxfordshire
RG9 2BA

Publications

Why Adventure?

The Role and Value of Outdoor Adventure in Young People's Personal and Social Development

A review of research by Jon Barrett and Dr Roger Greenaway commissioned by the Foundation for Outdoor Adventure
Published October 1995,
price £12 inc p&p

What is the value to young people of adventure in the outdoors? Can such activities contribute to young people's development? What constitutes an effective outdoor adventure, and how do we know? How might the quality of young people's experiences be improved? What are the tools for effective evaluation?

'Why Adventure' provides an up-to-date picture of research relevant to the processes and the outcomes of young people's experiences of outdoor adventure. It includes an in-depth consideration of the role of outdoor adventure in work with young people in trouble and at risk, and discusses new directions for future research and evaluation

Available from
Foundation for Outdoor Adventure
(Publications)
PO Box 191
Coventry, CV1 3YP
Tel: 01203 675575

Summaries of the review are also available, price £1.00

Footprint

Footprint is a new comprehensive quarterly journal of report and record about walking. It publishes abstracts of articles about walking, including gear reviews, and serves as an index to all material published in many publications including *The Great Outdoors*, *Climber*, *The Countryman* etc. It publishes bibliographies of footpath guides, book reviews and original articles. It should provide an invaluable source of information for everyone who wishes to keep abreast of what is happening in the world of walking.

Subscription is £12.00 per annum, from:

Footprint
46a Station Road
Amersham
Bucks HP7 0BD

Countryside Recreation Training & Events

How Successful are You?

Evaluating Visitor Services
CEI
29 Nov-1 Dec, Castleton, Derbyshire

Active Recreation in the Countryside

Sustaining the Resource
Losehill Hall
30 Nov, Durham

Quality 2000

Recognising and Developing Quality in Outdoor Experience
Foundation for Outdoor Adventure
1 Dec, Chorley, Lancashire

New Directions in Environmental Education

Losehill Hall
4-6 Dec, Castleton, Derbyshire

Nature Conservation Law in Practice

Understanding and using the law to benefit wildlife
Losehill Hall
4-7 Dec, Castleton, Derbyshire

Modern Approaches to NVQ's and Management Training

IEEM
5 Dec, Nantwich, Cheshire

Tourism Development in Partnership

Joint ADC/ILAM seminar
6 Dec, London

Access for All?

Providing for people with disabilities in the countryside
Plas Tan y Bwlch
11-12 Dec, Gwynedd

Botanical Survey Methods

IEEM
Contact: 013422 826239
15 Dec, Richmond

Barriers to Women's Development

A workshop to identify and overcome barriers
Losehill Hall
9-10 Jan, Castleton, Derbyshire

Exploring the Internet

Limited places available at this practical workshop
CRN
11 Jan, Bristol

Practical Application of Countryside Law

Plas Tan y Bwlch
15-19 Jan, Gwynedd

Countryside Interpretation

Losehill Hall
19-26 Jan, Castleton, Derbyshire

Hands up for Hands On

Investigating Interactivities
CEI Scotland
22-23 January, North Queensferry

Seminar for Directors and Senior Managers of Countryside and Environmental Organisations

Plas Tan y Bwlch
22-25 Jan, Gwynedd

Volunteers in the Countryside

1: Building Volunteer Involvement
Losehill Hall
31 Jan-2 Feb, Castleton, Derbyshire

cont.....

Volunteers in the Countryside

2: Organising Volunteer Teams
Losehill Hall
2-4 Feb, Castleton, Derbyshire

Traditional Orchard Management

History and management of traditional cider orchards
BTCV
Contact: 01872 323601
2-4 Feb, Glastonbury, Somerset

Producing Low Cost Publications for Environmental Projects

Plas Tan y Bwlch
5-7 Feb, Gwynedd

A Common Vision

Communities and local environmental action
Plas Tan y Bwlch
5-9 Feb, Gwynedd

Recreation Assistants Training

Hands on introduction to basic skills, safety regulations and customer care
ILAM
6 Feb, South West

Fundraising

Losehill Hall
7-9 Feb, Castleton, Derbyshire

Local Distinctiveness

Losehill Hall
12-14 Feb, Castleton, Derbyshire

Advanced Management Planning Workshop

Plas Tan y Bwlch
12-15 Feb, Gwynedd

Producing successful lottery bids

Invaluable training for any organisation intending to apply for lottery bids
ILAM
13-14 Feb, Oldham

Consensus in the Countryside

Reaching shared agreement in policy, planning and management
CRN/The Environment Council
15 Feb, Exeter, Devon

Active Recreation in the Countryside

Sustaining the Resource
Losehill Hall
15-16 Feb, Castleton, Derbyshire

PPG9 in Practice

IEEM
Contact: 0115 9680092
19 Feb, Nottingham

Countryside Ranger Training

Losehill Hall
19-25 Feb, Castleton, Derbyshire

Event Organisation

How to deliver successful and quality events
ILAM
20 Feb, Midlands

A Way with Words

Writing Effectively for Your Visitors
CEI
26-28 Feb, Gwynedd

Youth work and quality experiences for young people in the outdoors

National Youth Agency/Foundation for Outdoor Adventure
29 Feb, Leicester

Developing a Parks Strategy

How the need for a parks strategy should be addressed
ILAM
5 Mar, London

Communications 1

Communications and presentation skills for rangers
SCRA
5-7 Mar, Kindrogan, Perthshire

Farming and Rights of Way

Preston Montford Field Centre
7-8 Mar, Shrewsbury

Schools, the Curriculum and the Countryside

For planners, outdoor education centres and countryside staff who wish to strengthen their links with schools
Low Bank Ground
11-15 March, Cumbria

Organisational Roles and Responsibilities

For rangers
SCRA
18-22 Mar, Kindrogan, Perthshire

Practical Sports Development Strategies

A practical course which will examine the role of the local authority, enabler and provider.
ILAM
16 Apr, Watford

Habitat Creation

Including planning and site visits
BTCV
Contact: 01247 852817
20-21 Apr, Londonderry

Brush with the Land 1996

A follow up to last year's very successful workshop on art in the countryside
CRN
21-22 May, Atlantic College, S. Wales

Tiebreak Touring Theatre are planning to tour their international hit, "Singing in the Rainforest", in Summer 1996 (see CRN News Vol 2 number 3); for further information or if you would like to book this production to appear at your organisation ring Tiebreak on (01603) 426374

CEI (Centre for Environmental Interpretation)—0161 2471067
CEI, Scotland—0131 6508017
CRN—01222 874970
Foundation for Outdoor Adventure—01203 675575

IEEM (Institute of Ecology and Environmental Management)
—01635 37715

ILAM—01401 874222

Losehill Hall—01433 620373

Low Bank Ground—015394 41314

National Youth Agency

—0116 2856789

Plas Tan y Bwlch—01766 590324 or 590334

Preston Montford Field Centre

—01743 850380

SCRA (Scottish Countryside Rangers Association)—01250 881286