# Country Side ISSN 0968-459X

ISSN 0968-459X VOLUME 8 NUMBER 2 SUMMER 2000

# Recreation

Exchanging and Spreading Information to develop best Policy and Practice in Countryside Recreation



#### I N S I D E

- Right to Roam potential problems
- · Local Access Forums
- Access Legislation proposals
- · National Cycle Network
- Windermere and Waterskiing
- · News Section
- Training and Events Diary



## **Contents**

<b>Editorial</b>
Off the Track: Problems Looming for the
Right to Roam
Marion Shoard, Author and Lecturer
Proposals for Access Legislation in Scotland
Richard Davison, Recreation Group Officer, Scottish Natural
Heritage
Governing Access? Local Countryside Access
Forums. A Caution from the Recent History
of a Countryside Access Liaison Group.
Gavin Parker, University of Surrey12
Cycle Routes - Out and About in the
Countryside
Michael Woods, Consultant18
Windermere and Water-skiing: Access
Dilemma for the Future?
Mark Ellison, Loughborough University21
News Section26
Training and Events Diary

If you would like to have a flier or advert distributed with Countryside Recreation, which goes to 3000 individuals working in the fields of recreation, tourism and leisure, please contact the Network Manager for details. A modest fee is charged to cover the increased cost of including the flier with the mail-out.



#### **Countryside Recreation Network**

#### CRN is a network which:

- is UK wide
- gives easy access to information on countryside and related recreation matters
- reaches organisations and individuals in the public, private and voluntary sectors networks thousands of interested people

The Network helps the work of agencies and individuals in three areas:

#### Research:

to encourage co-operation between members in identifying and promoting the need for research related to countryside recreation, to encourage joint ventures in undertaking research, and to disseminate information about members' recreation programmes.

#### Liaison

to promote information exchange relating to countryside recreation, and to foster general debate about relevant trends and issues.

#### **Good Practice:**

to spread information to develop best practice through training and professional development in provision for and management of countryside recreation.

Chair: John Thomson, Scottish Natural Heritage

Vice-chair: Eileen McKeever, Environment Agency

Countryside Recreation is free and is published four times a year. We welcome articles and letters from all readers. The copy date for the next issue is 11th August 2000.

Visit CRN on the Internet!
See our home page on http://www.cf.ac.uk/crn/

For more information, please contact:
Emma Barratt, Network Manager
Department of City & Regional Planning
University of Wales, Cardiff
Glamorgan Building,
King Edward VII Avenue,
Cardiff, CF10 3WA
Tel: 029 2087 4970
Fax: 029 2087 4728
e-mail: crn@cf.ac.uk

Editors: Emma Barratt and Kevin Bishop

The views expressed within this journal are not necessarily those of the Countryside Recreation Network, member agencies nor the editors. Whilst every care has been taken to ensure the information contained in this issue is accurate, readers should obtain independent confirmation of any information upon which they with to rely.

## Editorial

#### Improved Access: Finding the Way

The present Westminster Government came to power in 1997 committed to giving people greater freedom to enjoy the countryside. Three years on, it and the three devolved administrations within the UK are all deeply embroiled in the complex and at times contentious task of converting that noble but ill-defined aspiration into the practical reality of improved recreational opportunities on the ground.

Difficult questions inevitably arise. Where should the new freedom apply? Should it apply at all times of day and night, at all seasons of the year? Which activities should benefit from it? How are conflicts with other legitimate activities, and conservation interests and obligations, to be resolved or (preferably) averted? Where are the resources to manage it to come from? Most controversially of all, perhaps, what sanctions are to be deployed to ensure that those enjoying the new right do not abuse it?

Interestingly, the administrations north and south of the border, despite their similar political complexion, have come up with very different answers to many of these questions. To some extent these reflect the differing circumstances and traditions of the two countries. But perhaps they reflect too the power of constitutional innovation to release radicalism in other spheres of public policy. We shall see. At least, though, we shall now have the opportunity to compare and evaluate contrasting ways of pursuing the same goal within these islands - especially if, as seems likely, Northern Ireland chooses another path again.

Many of the issues raised by the Governments' access agenda were explored at the CRN conference held in the Peak District in April. Some of the material presented there is reproduced in summary form in this newsletter. Other articles illuminate other important facets of the current debate: the relationship between access and conservation, conflict between different recreational uses, the operation of mechanisms for building consensus at the local level. All serve to demonstrate the high relevance of CRN's work to a hot political topic. As Marion Shoard says in her piece, that should be a cause for celebration, whatever the hassle that may go with the role.

John Thomson, Chairman

# Off the Track: Problems Looming for the Right to Roam

Marion Shoard, Author and Lecturer

In creating a new a right of access to the countryside of England and Wales, the government could simply have announced that on a particular appointed day the law of trespass would be overturned, so that a general prohibition against being present in the countryside would be replaced by a general right to be present. Exemptions and exceptions could have been provided for obvious and easy-to-understand reasons, say, an exclusion for people's gardens to safeguard their desire for privacy, another for land under growing crops so they would not be damaged. Further temporary exemptions could have been added to deal with obvious and easy-tounderstand events, like the shooting of game or the felling of trees. There would have been no need to define particular areas to be covered by the right, for anywhere that was not being excluded would have been included. There would have been no need to conjure up explanations for landowners affected as to why they were being hit while other landowners were being left alone. And there would have been no need to devise a means of communicating to walkers the news that certain stretches of countryside were becoming available to them while other not necessarily all that dissimilar stretches of countryside were remaining out of bounds. A right of access along these straightforward lines is not some ludicrously fanciful extremist ramblers' fantasy. Exactly such a right works perfectly well in Scandinavia and is about to be introduced no further away than Scotland.

Instead, the new Labour government in Westminster, if not for the Labour-led executive in Edinburgh, decided that such a straightforward approach was far too simple. Apparently in the belief that if landowners could be divided they would put up less resistance, Tony Blair, John Prescott and Michael Meacher took it for granted from the outset that whatever might be going to happen north of the

border, the right of access in England and Wales was going to be arbitrarily restricted. And the restrictions were not going to be simple. They were going to be such as would be bound to give rise to everburgeoning complexity. As a result, the prospects for the new right are now beset by an array of problems.

The government decided to restrict the new right to five particular landscape types - mountain, moor, heath, down and common land, which cover about four million acres or ten per cent of the land surface. Some of these access land types are ones which even an expert would find hard to define, let alone a Sunday afternoon walker. To make things even more puzzling one of the five types of countryside selected is not even a type of countryside at all. Common land is not necessarily heather and birches: it is whatever has been registered as a common: here in Derbyshire the 83 commons scattered through the county include disused quarries, stretches of limestone grassland, marshes, woods and bits of road verge. But at least we know what is common land and what is not. The same is far from true of mountain, moorland, heath and down. What's called a "moor" in the Somerset Levels is very different from either the so-called "moors" on the edge of York or the North Yorkshire Moors.

Even if you've decided you mean North-York-Moorstype moorland rather than other things called moors, it turns out to be far from easy to define just what you mean. If you try and brand moorland by vegetation type, you face the difficulty that such semi-natural vegetation is constantly changing naturally and can be even more dramatically altered by deliberate changes to, say, the grazing regime. Mountains can (perhaps) be defined by height, but heathland and downland are if anything even more problematic than moorland.

Once the enormity of all this sank in, the unfortunate officials faced with the task of making the government's scheme flesh seem to have given up. The Countryside and Rights of Way Bill is remarkable for the absence of definitions of the kinds of land to which the right of public access is actually supposed to apply. This is just as well. How could any definitions have coped with those countless hillsides in which you see heath, down or moor gradually merging into, indeed been taken over by scattered trees, here thin, there becoming dense woodland, the whole scene changing its shape from year to year? In shrinking from dilemmas such as this, the legislators have been entirely sensible. But they have not disposed of their problems in so doing. All they have done is replace one set of problems for another. For of course the land to be covered by the new right has got to be delineated in some way or other. And what the government has decided is that instead of it consisting of types of land which can be defined, it will actually consist of areas which officials draw upon maps - areas which bear some resemblance, but a varying one, to the five types of countryside originally mentioned. The land covered by the new right is now to be whatever the officials of the Countryside Agency and the Countryside Council for Wales say it is, within the constraint that it must consist at least " predominantly" of one or more of the five types of land originally specified, whatever these five types of land actually are now that no one seems even to be trying to define them any more. This desire is understandable, but a price has to be paid for getting rid of the problem of definition. Whatever logic there was to the selection of the original five types of landscape, and presumably there was some logic, although we never seem to be guite told what it was, now goes by the board. To create nice tidy chunks of access land on their maps, the agencies can and doubtless will include whole swathes of land which have nothing to do with the original five types. Bits of woodland, for example, which are surrounded by down or heath can now be cheerfully thrown open. But how are the owners of these woods supposed to understand why this is

legitimate when the owners of other woods remain untouched? How are walkers to understand why they can walk in woods that happen to have been embraced by the mappers but not woods which have not? What goes for woods will presumably go for streams, meadows, private roads and tracks and much else. Natural and artificial vegetative change during the ten-year life of a designation will mean that the areas selected will come to bear less and less connection with the five types of land which the new right was supposed be all about.

The mapping process will invest in unelected bureaucrats a degree of arbitrary power which is perhaps unfortunate. The three-stage process through which their handiwork is unveiled, consulted upon and appealed promises to enshroud the countryside in one of the most monumental, dreary but completely inescapable wrangles which we have ever seen. Complaints that the whole thing breaches landowners' human rights will gain added weight from the new element of arbitrariness which has been introduced.

As if the problems springing directly from the choice of a partial as opposed to a universal approach to access were not enough, the government has chosen to bury its necessarily complicated proposal in further unnecessary complications.

In other European countries where rights of access exist, the responsibility for administering the right rests more or less straightforwardly in the hands of local authorities. The thinking behind this is that they are democratically accountable, are responsive to local needs, and, very important this, they are in a position to dovetail the implementation of access rights with their other areas of activity - the drawing up of countryside management plans, the purchase of land, communication with the public, the provision of rangers and traffic management like providing car parks and banning particular types of traffic where this is considered necessary. There are provisions for appeal against decisions taken at local level to national arms of government; and there are

national agencies to be sure which provide extremely useful advice and back-up to local authorities, and which oversee the publication of information about access rights to the general population including immigrants and foreign visitors.

Under our proposed new system, it is the new, little-known national agencies which assume primary responsibility, with councils being allocated a walk-on role, except in national parks. Local authorities outside the parks will have five main tasks. They will put up signs indicating access land. Second, they will set up and organise local access forums. Third, they will be expected to manage sites which become popular, for instance through the introduction of bylaws and wardens. Fourth, local councils will be expected to secure access to islands of stranded access land. Fifth, they will be expected to enforce access rights where these have been contravened.

This division of function will mean that the public will have no idea who is really responsible for implementing the new right. They will not know who to complain to when it goes wrong. The division will create the usual confusion accompanying the split of closely related functions. But it is worse than that.

Local councils could be forgiven for seeing themselves as being asked to do the national agencies' dirty work. Whichever way you look at things, they won't be getting any of the glory if the system works because they won't be taking any of the interesting decisions. The determination of which land will be covered by the new right, the mapping of access land, the publicising of the location of such land, the determination of closures and restrictions, the adjudication of what to do when the rules are broken - all these things will fall to the national agencies.

This situation seems to have come about partly because the new agencies have been created, need to have something to do and fancy taking on a highprofile new responsibility. But there is a real danger that local authorities will feel unenthusiastic about their role in making the new right of access work. They may wonder why they are being marginalised. The five tasks councils have been handed may be the most menial ones, but that doesn't mean they are easy ones. If local authorities do not throw themselves into their new tasks things won't go well. Take the issue of stranded land. Stretches of land suitable for access status but surrounded by land which is not can be surprisingly numerous. Access to such land will have to be achieved on an individual basis. Up till now, the creation of the odd public footpath to inaccessible land in this way has proved so difficult and expensive that it has rarely happened. It will only happen in the case of stranded access land if local authorities put a colossal effort into making it happen. If they fail in this regard, a lot of the stranded land which won't be opened up will probably be in the south of England. Since the new right anyway offers so little to lowland walkers (down and lowland heath make up only four per cent of the 4 million acres involved) the news that even the little they are supposed to get will not actually materialise may exacerbate a customer satisfaction deficit already burgeoning for other reasons I have already alluded to.

If local councils are unlikely to crack the problem of stranded land, signage is likely to present them with a problem which may seem simple but is actually likely to prove an even bigger weakness in the new system. Signing access land will be down to local authorities, but it will be discretionary, not mandatory. Councils will know that the more energetically they draw access land to the public's attention the more visitors will come and therefore the more pressure there will be on them to find the resources for managing this use with car-parks, rubbish-bin provision, wardening, by-laws and so on, all of which will be expensive and, for sure, under-financed. For local councils, access areas may take on some of the characteristics of country parks as the public fasten on particular areas which become opened up. But whereas country parks are

as the public fasten on particular areas which become opened up. But whereas country parks are provided where and when the local authority wants them, and the local authority reaps the rewards in terms of public gratitude, they will be expected to provide similar facilities to areas selected by another body in places they may think unsuitable. If, however, local councils do not provide the maintenance expected of them problems like erosion, wildlife disturbance, litter and so on can be expected to materialise.

Well, if as I suggest, the new access regime for England and Wales is going to pose problems, what will be the outcome? One thing I think they mean is that the new system is not going to bed down easily and win universal acceptance, of the kind enjoyed by, say, the public footpath system. I suspect it will retain a provisional feel. This will make it more vulnerable than it would otherwise be to continuous revision and meddling of one kind or another by future governments. The fact that the system is being controlled by national agencies will of course make it easier for such changes to be made. Sooner or later of course a government hostile to the whole idea of access to the countryside will come along. The many complications of the new system will present it with a ready means of castration. The 28 days of unexplained exclusion could be added to. The bar on Bank Holiday and weekend exclusion could be abolished. Entry could be confined to a few access points and all the other forms of dilution being mooted during the Bill's committee stage in the House of Commons could be effected. Slashing the resources available to the Countryside Agency for access would make the whole process of emasculation easier.

All this might sound ominously familiar to some of you. It's not unlike the fate which befell the access to open country provisions of the 1949 National Parks and Access to the Countryside Act. Local authorities were not enthusiastic; but central government retained quite a lot of power to get councils to take action if necessary. A change of government in 1951

and the advent of thirteen years of Conservative rule meant that central government chose not to take the action needed to get the system to take off and, outside a handful of areas, notably the Peak District National Park, it withered away.

So will the new system peter out and eventually be forgotten? Well, downbeat though you may feel I've been up to till now, I don't actually think it will. There may be disadvantages in placing the system in the hands of the national agencies, but their energy and commitment will, I believe, ensure that access maps really will have been drawn up and pushed through the consultation and appeal processes before a Conservative government is likely to be elected. Once access land is on the maps, a future government will find it hard to abolish it, however much it waters down the meaning of the idea. This stage was of course never have reached with the provisions of the 1949 Act, which were almost immediately at the tender mercy of a hostile government. This time demarcation of access land is likely to prove irreversible.

This is partly because the world has become so different from the way it was in the 1950s. The idea of public access to the countryside, whatever the form in which it is implemented, has touched a chord in an increasingly democratic and undeferential age. The idea of access will undoubtedly survive the current proposals.

Although these will at most open up only 10 per cent of the land, and that subject to considerable exemptions, the existence of something called a "right to roam" will change people's attitude to their presence in the landscape. They will start feeling they have a right to be in the countryside instead of thinking of themselves as trespassers. So there will be a change in the psychology of the people: they will think they have got more entitlement and that that entitlement involves being able to be off the public footpaths. As a result, both people who are more adventurous and people who can't be bothered to study maps will roam around more and more. There

is probably going to be a lot more generalised trespassing over land not covered by the new scheme. And the absence of a logic for the limitations in the new proposals will encourage people to demand the right to go wherever they want.

While this is going on, a very different access regime will be taking shape across the border in Scotland. English and Welsh people holidaying north of the border will find that the strange limitations on access to the countryside which apply at home are unknown there. As in Scandinavia, they'll be able to go wherever their presence will do no harm. As in Scandinavia, this system is likely to work with no apparent difficulties. When they get back home, the English and Welsh will wonder why they can't have the same system here. In the Borders the contrast between the two approaches will become particularly striking, and doubtless will be highlighted by the media, for whom it will become a peculiar anomaly. Politicians wrestling with the fiddly

and problematic aspects of the system devised for England and Wales will be increasingly drawn to an obvious solution: standardise the system throughout the UK - but on the Scottish model. In other countries which have taken a partialist rather than a universalist approach to access to the countryside, like Germany and Denmark, the tendency has been for the scope of the law to be ever further widened. This is, I think, where we are heading. It is looking as if it will be a rough ride, but at least we are going in the right direction.

Marion Shoard is the author of <u>This Land is our Land</u> (Gaia Books, 1997) and <u>A Right to Roam</u> (Oxford University Press, 1999). This article is a summary of a speech given at the Countryside Recreation Network's conference "Managing the Challenge of Access" at Buxton, Derbyshire on 17 April, 2000. The full text of the speech will be available in the conference proceedings which will be published by Countryside Recreation Network, price £15. To order a copy, please contact the CRN office.

# Proposals for Access Legislation in Scotland

Richard Davison, Recreation Group Officer, Scottish Natural Heritage

#### Introduction

Access to the outdoors in Scotland is a devolved issue for the Scottish Parliament to address. This has resulted in a markedly different and wider approach to developing proposals for access legislation in Scotland. This paper describes the process followed, summarises the main proposals and outlines the next steps in terms of the legislation and its implementation.

#### **Process**

In October 1997, the Government asked Scottish Natural Heritage (SNH) to provide advice on appropriate changes to the law relating to access in Scotland. It stated that "...The Government is committed to giving people greater freedom to enjoy the countryside. However, Scotland has distinctive laws and traditions relating to access, which are different from those in England & Wales, and it would not be appropriate to consider this issue on a GB basis. We need measures appropriate to Scotland, and this is something [we] would expect the Scottish Parliament to address.".

The Government went on to say that it had "...asked SNH to consult anyone with an interest in the subject, whether from a land-holding or recreational point of view, and offer advice. SNH might wish to use the existing Access Forum to assist in the consultation or it may decide to set up a separate group. Whatever means is chosen, [we] expect SNH to complete the exercise by the end of 1998.".

The Access Forum was established by SNH in 1994. Its membership is small to promote effective working; balanced, so that there are roughly equal numbers of recreation groups, land management interests and relevant public agencies; and representative, mainly of the "umbrella" organisations which can inform and consult their own memberships about the Forum's work. The main role of the Forum is to debate and resolve access issues at a national level on the premise that the public have an expectation of access to the

countryside and that the countryside is a place where people work and live and where a wide range of land uses are managed. The Forum is serviced by SNH.

Although its remit covers all aspects of access, the Forum was established with an initial membership appropriate for considering access to the open hill because it seemed possible to make early progress on this issue. A separate group, called the Access Forum (Inland Water), was established in 1996 to explore access issues relating to water-based recreation on inland waters. The group has the same tripartite structure, many common members with the Access Forum and is serviced by sportscotland.

On receipt of the Governments' request, SNH asked the Access Forum to act as its advisory group. Given the wider debate on access, the membership of the initial hill-based group was expanded to include the Scottish Rights of Way Society, Forestry Commission and the Scottish Crofters' Union. The Access Forum (Inland Water) has also been involved in developing the advice. The term "Access Forum" is used throughout to cover both groups described above.

In March 1998, the Access Forum (through SNH) issued a short consultation leaflet asking people to consider what the main needs for change were and what changes were needed in the law. SNH also consulted practitioners to discuss technical issues, including how the current law is used and what advantages and disadvantages it offers.

A detailed study of the access arrangements in Norway, Sweden, Denmark and Germany was commissioned from Peter Scott Planning Services. A sub-group of the Forum identified areas of agreement and disagreement on the existing law. A legal Opinion was sought from Professor Douglas Cusine of the University of Aberdeen on key issues and detailed comments were provided by Scottish Wildlife & Countryside Link.

The advice of the Forum was submitted to SNH in October 1998. SNH decided to accept the advice and to add its own "commentary". These were then submitted to the Scottish Office. In February 1999, the Government accepted the advice as the starting point for legislation and asked SNH to prepare a draft Scottish Outdoor Access Code and to involve the Access Forum in this work. The details of the draft Code were sorted out by a sub-group of the Access Forum. On its own initiative, the Access Forum established a sub-group to explore in more detail the issues relating to paths.

In July 1999, the Government issued a White Paper on Land Reform which set out the basic legislative proposals for access. The consultation generated a large number of responses, with many from landowners and farmers.

The draft Code, together with the paper on paths, were submitted to SNH in September 1999. These, in turn, were passed to the Scottish Executive in November. Copies of these can be found on our website (www.snh.gov.uk). Since then, there have been further refinements made to the Code.

Legislation is currently being drafted by the Scottish Executive. Prior to being considered by the Scottish Parliament, the draft Bill, together with a copy of the draft Scottish Outdoor Access Code, will be put out to consultation. This is expected to happen by the early summer.

#### The Need for Change

SNH and the Access Forum agreed that there were four key needs for change.

The first need is for a distinctive new approach, based on a modernised law designed to meet Scotland's needs. It was concluded that the existing law would not deliver the Government's commitments, particularly because: much current access is insecure and uncertain; the land manager has few, if any, effective remedies against irresponsible behaviour; public rights can only be

asserted through often costly and complex procedures; it is based on often out-dated case law; and, it favours the confident user and the land manager who does not wish to encourage access. It results in resources being concentrated on asserting rights, in access being tolerated with little promotion or signposting to help the visitor, and in solutions being short-term. These problems are particularly evident in the lowlands where there is a clear shortage of paths offering the public assured and welcoming access.

The second need is for the concerns of land managers to be addressed. The concerns of land managers are not well addressed under the existing law or by current arrangements for managing access. Whilst most people behave responsibly, some do not and this can cause significant problems for land Some irresponsible behaviour (eg. managers. poaching, vandalism, poor dog control, litter dropping) is already covered by legislation but there is often little support available to the land manager faced with such behaviour. Past effort at encouraging responsible behaviour through education and information has often been inconsistent and under-funded. Whilst the Country Code has been available for many years, as have a growing number of activity codes of conduct, the messages have not been well promoted and so knowledge of them is quite low.

The third need is to engage and involve local communities and land managers to a much greater extent. Communities, including land managers, are often not involved in the preparation of access strategies, in the early development of proposals or in the management of facilities. Perhaps the most significant need, particularly compared with elsewhere in northern Europe, is to improve the sense of responsibility for and stewardship of the natural heritage and countryside generally by the public and local communities. The fourth need is for better mechanisms and additional resources for facilitating and managing access. Whilst new routes and local path networks are being created, progress

has generally been limited and slow, and the provision of routes and networks is poorer than in countries like England, France or Germany. Off-road provision for cycling and horse riding is particularly poor. More investment is needed in support, dialogue, involvement and practical help, particularly as, given the scale of informal recreation, it is clear that the current levels of investment is too small. Although many local authorities have sought to act positively, the current legal framework works against real progress and results in low levels of investment and a generally limited and reactive approach by many local authorities.

#### The Proposals

All interests on the Forum, and SNH, concluded that the existing law does not provide a sensible or workable foundation for providing people with greater freedoms to enjoy the countryside. distinctive new approach is needed which is underpinned by a modernised law designed to meet Scotland's needs. The Forum and SNH recommended that Scotland's tradition of tolerance towards public access should be confirmed as a statutory right of access to all land and water, exercised responsibly, for informal recreation and passage. This right should be one part of a balanced package which includes: safeguards for privacy, land management operations and conservation; a new code of responsible behaviour; a major programme of information, promotion and education; obligations on local authorities and land managers; better powers for facilitating and managing access; a co-operative approach in which the needs of all interests are respected; and, additional resources.

This package will satisfy the Government's commitment to giving people greater freedoms to enjoy the countryside and help it to implement its new policy agenda on:

 land reform - access will be an essential part of any stronger emphasis on land stewardship aimed at meeting the future economic, environmental and social needs of society;

- rural development encouraging people to visit Scotland and meeting their needs will play a key role in helping to deliver the Government's new agenda aimed at supporting local rural development in a sustainable way;
- transport making better provision of safe, offroad routes for walking and cycling will help the Government to persuade people to make less use of their cars and thus deliver a more sustainable transport system;
- health encouraging people to walk, cycle or ride will help to get more people active and thus help the Government to reverse the extremely poor health record of Scotland's population;
- social inclusion providing good access, particularly close to where people live, will help those without a car and those with disabilities to enjoy and appreciate the countryside and thus help the Government to implement its policy of "social inclusion" and to show that the European Convention of Human Rights is being utilised to improve society.

It is proposed that the right of access will:

- extend to all land and inland water in Scotland, except for buildings and their curtilages, and for places where public access is already restricted by the law;
- be available to any person, either on their own or in a social group (such as with family or friends) or as part of a club outing;
- extend to any time of the day or night (though the degree of responsibility increases at night time);
- be available for a wide range of informal open-air recreation activities and for passage (this includes walking, cycling, horse riding, canoeing, climbing).

There are a number of qualifications on the right of access which aim to protect the interests of others and the outdoor environment. As proposed, the right of access would not extend to:

- any building or its curtilage (defined as "land or water immediately surrounding a building and which serves the purposes of the building in some necessary or reasonable way"), or places where public access is already restricted by the law;
- field sports, angling or any motorised activity on land or inland water;
- taking anything away from the outdoors;
- any organised event or activity which is large-scale or requires facilities, services or the regular or exclusive use of a specific area.
- anyone behaving irresponsibly and causing damage or significant disturbance (the law already provides sanctions against many forms of irresponsible behaviour and these will continue).

Responsible behaviour will be defined through a new Scottish Outdoor Access Code, which will indicate how the right of access is expected to operate in most situations. It will be the reference point for the much shorter codes which, at a later stage, will be needed for general public use. Several shorter codes will be produced over the coming months. The Code will be an evidential document (similar to codes for health & safety and disability discrimination). When someone is not following the Code and, after being asked to modify his or her behaviour, fails to do so and damage or significant disturbance occurs, that person forfeits the right of access because he or she is not exercising it responsibly. In this situation, the land manager would be entitled to ask the person to leave. SNH will have a duty to promote the Code and responsible behaviour generally. A major educational and promotional effort is essential.

Landowners and occupiers will be required not to obstruct, interfere with or intimidate people from exercising the right of access. Equally, they will be able to manage how people exercise the right by, for example, asking people to follow an alternative route whilst a management operation is underway.

It is expected that the legislation will place a duty on all public bodies to recognise, accommodate and protect the right of access and the responsibilities set out in this Code in their policies, plans and actions. Councils will be required to:

- establish at least one local access forum to achieve complete coverage of their areas;
- · facilitate and plan for access in their areas;
- identify, and create a public record of the core path network for their areas;
- ensure that its core path network is well-defined, accessible, protected and managed; and to
- prepare a subject plan on access.

The "core path network" is a new concept. The local authority will identify the network through a subject plan and by involving the local access forum. Having identified the network, the local authority will then need to ensure that it is well-defined, accessible, protected and managed.

Councils already have a range of powers to provide facilities in the countryside. The new legislation will add considerably to these powers, particularly in relation to:

- · the removal of obstructions from paths;
- the employment of ranger services over any land or water; and
- the introduction of management rules and byelaws over any land or water.

The creation of local access forums is seen as vital to ensure that all key local interest groups, including land managers, users, local agencies, and local communities, work together at a local level. These forums will have a tripartite structure (ie. land managers, users and public agencies) and will have an advisory and mediatory role, and act as a consultee on the diversion and closure of paths in a core path network, and on the introduction of management schemes.

Liability is a key issue. It is expected that the legislation will make clear that people exercising the right of access should do so at their own risk. However, land managers will still be liable for reckless or negligent acts.

#### The Next Steps

The draft legislation is currently in preparation and it is expected that it and a draft of the new Scottish Outdoor Access Code will be put out to consultation in early summer, 2000. Following consultation, a draft Bill will be laid before the Scottish Parliament for detailed consideration. The exact timetable is not yet clear but it likely that the legislation would be agreed by early 2001.

Attention is already turning to how the legislation and the Code will be implemented. Three initiatives are of particular importance.

- A study is underway of seven local authorities to determine how the legislation might be most effectively and efficiently implemented and to identify more clearly the resource implications that will arise. This study will provide the background information for formal guidance and help to identify the support that local authorities will need.
- A feasibility study into the creation of a national baseline inventory of all paths and tracks is nearing completion. This inventory would provide the basis for identifying the new core path networks. Depending upon feasibility and costs, the inventory should be completed during the second half of 2001.
- A programme for promoting the new Code and responsible behaviour generally will be developed during 2000. Several projects are reviewing past campaigns, other types of code and the capacity of existing partner organisations to become involved.

#### Conclusions

Access to the outdoors in Scotland is a devolved issue and for the Scottish Parliament to decide on and this has led to a markedly different approach from that in England & Wales. Whilst the process has been a long one and is still continuing, the request from Government was to review the legal arrangements to the countryside as a whole, and not just to open countryside. Furthermore, the Access Forum in Scotland has had a direct, participatory role in the development of the proposals for access legislation.

The proposals for a right of access to land and water, exercised responsibly, for informal recreation and passage, for a new Scottish Outdoor Access Code setting out what constitutes responsible behaviour, for stronger duties and powers, and for more emphasis on information, management and education, are a Scottish solution to Scottish needs. They align Scotland very much with Scandinavian approaches. Implementation must be done effectively and work is already in hand to sort out the best ways of doing so.

Dr Richard Davison presented this paper at the CRN conference, "Managing the Challenge of Access" in April 2000. He is the Recreation Group Officer for Scottish Natural Heritage and can be contacted at Scottish Natural Heritage, 2 Anderson Place, Edinburgh, EH6 5NP.

The draft legislation is not yet ready. It is now expected to be put out to consultation, along with a draft Scottish Outdoor Access Code, in the autumn of 2000.

# Governing Access? Local Countryside Access Forums. A Caution from the Recent History of Countryside Access Liaison Groups.

Gavin Parker, University of Surrey

The new provisions for countryside access in England and Wales, to be legislated under the Countryside Access and Rights of Way Bill, aka the 'Right to Roam' legislation, looms large. This article provides a brief review of arrangements for countryside access liaison and consultation and points toward some of the potential difficulties that may be faced by the proposed, and seemingly integral, Local Countryside Access Forums (LCAFs) (Countryside Agency 1999b,c). In doing so research into countryside access liaison groups (CALGs), carried out during the 1990s, (Parker 1997; 1995) is used to compare how such previous arrangements to consult with access stakeholders have fared and indicate how such forums may work in the future.

Consultation and public participation have long been exhorted in British planning. Attempts to engage the public in policy-making and decision-making more generally has had a somewhat fraught, if not disappointing, history. Some attempts to encourage public participation have been genuinely inspired by a desire to engage people in the decision-making processes affecting them, while others have been carried out more begrudgingly and for some others more Machiavellian motives may have inspired their operation. Gyford (1991:p53) playfully sums this up:

'There is a general point that relations between the public can vary from 'keeping them happy' (but in the dark?) to allowing them an active share in decisionmaking'

Indeed Skeffington in the much vaunted 1969 report on public participation in planning (MHLG 1969) recognised, in its own rather paternalistic way, that

there were at least two different types of 'public': the 'actives' and the 'passives'. One challenge for policymakers has been to find ways of stimulating the interest and incorporating the views of the passive majority. The second has been to incorporate legitimately and accountably, the claims of the minority of actives. They, by definition, are already engaged, but for some their involvement represents a double-edged sword. They may serve a very useful role in ensuring accountability or local 'ownership', but by the same token may unbalance the democratic process or marginalise other stakeholder interests. Encouragingly over the last few years some local authorities and other Quangos have attempted to deepen their public consultation / participation through the use of mechanisms such as focus groups and citizen panels (see Wilcox 1994; Environmental Resolve 1995; Davies 1999; Darke 1999). The Environment Agency is one such example using a variety of mechanisms to canvas opinion in preparing their new Local Environment Action Plans (LEAPs) (see Environment Agency 1998; Selman & Wragg 1999).

So what has all this to do with countryside access? As readers of this publication may have noted the Government have set up a National Countryside Access Forum (NCAF) and propose to set up Local Countryside Access Forums. These will probably operate along County lines in order to plan, implement and help manage the new access arrangements and to assist in planning and determining other access matters (Countryside

Agency 1999a; DETR 2000). The aim, if LCAFs are put in place, is that the governance of access will be shared amongst these new bodies, the local

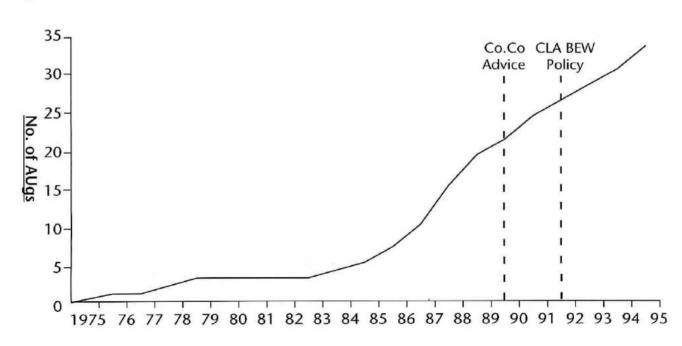
authorities and the Countryside Agency (see Countryside Agency 1999c).

Over the last twenty-five years or so planners have attempted in a variety of ways to consult and liaise with interest groups. The Skeffington report itself recommended local consultation forums (see Fagence 1977) and government has recently steered public policy towards enhanced public involvement (DETR 1998). The rise of such fora has included liaison arrangements concerned specifically with access and Rights of Way. As early as the mid-1970s there were groups operating as Countryside Access Liaison Groups (CALGs) trying to discuss how best to enable appropriate countryside access in their localities.

Figure 1 shows how long and how many CALGs have been set up (this number does not include the range of other groups and bodies set up to consider particular projects or single aspects of the access policy environment). Many of the CALGs predate the Countryside Commission advice to local authorities that access forums might be a 'good idea' (Countryside Commission 1987; Parker 1997). The Figure also shows how policy documents such as A Better Way Forward produced by the Country Landowners' Association (1991) had some influence on CALG formation. At that time the Country Landowners' Association called for almost identical forums Countryside Recreation Advisory Groups (CRAGs) to be established by local authorities.

Undoubtedly Skeffington reminded local authorities that they should seek to liaise with the public, but this also coincided with increased public awareness, perhaps reflexivity, about both the countryside and planning-related matters in the 1970s (see Healey 1997; Shoard 1980). Both conspired to allow increased interest in decision-making, with





Years (sample 33 groups as at 31/3/95)

consequent protests and dissatisfaction with planners and the planning system generally (see Simmle 1974).

The guidelines for LCAF membership are yet to be published by the Countryside Agency but are not likely to prescribe membership too tightly by interest group. The difficulty that is faced by any such group seeking to be 'inclusive' is that there are very many stakeholders. Just looking at the 2,132 responses to the access consultation published by the DETR in February 1999 (DETR 1999) shows the scale of interest and the range of groups who are now active in countryside access matters.

Figure 2. Occurrence of representative groups of CALGS surveyed

County Council	29
District Council	17
Countryside Commission	14
Ramblers Association	28
Open Spaces Society	12
Country Landowners Association	26
National Farmers Union	26
Rural Community Council	11
British Horse Society	26
Motor Organisations Land Access & Rec. Assoc. (or Member Organisations)	24
Cyclists Touring Club/Mountain Bike Fed	14
Sports Council	2
Council for the Protection of Rural England	5
Others (local groups etc.)	78

Figure 2 illustrates how CALGs have been peopled by the usual suspects in the access policy community (e.g. the Ramblers' Association, CLA, NFU, CTC). They have also had good representation from local groups, but have lacked representation from wildlife and conservation groups. This is a deficiency that will surely be remedied in the new LCAFs, especially as a proportion of the members of the NCAF are from organisations with explicit conservation remits i.e. English Nature, Environment Agency, RSPB, CPRE.

CALGs represent useful inroads for localised interests and national interests to engage in the governance of countryside recreation. While CALGs have provided a convenient method for Highways Authorities and other actors, such as the Country Landowners Association, the National Farmers' Union and Ramblers' Association to influence each others' attitudes and policies, it is also the case that such groups have the potential to create problems for local authorities (and by inference for the Countryside Agency). These forums also present local authorities with the challenge of stabilising such interests in an increasingly contested and politicised policy area. LCAFs are likely to present local authorities with a similar if not accentuated challenge to their predecessor groups, especially given the complexity and potential expense of the task that the new legislation and subsequent policy (e.g. on 'other' countryside; see Countryside Agency 1999b) will bring.

The new LCAFs are more than likely to be made up of many individuals who were representatives on the CALGs or other similar forums. It should be remembered that CALGs have operated under a very different access policy environment in the '80s and '90s and there are relationships across the country that need to be repaired as all interests, but especially user groups, became more and more frustrated by the access situation. The process of building trust and engineering a willingness to work together cannot be underestimated for the new LCAFs. It is to be seen how, for example, the provisions for landowners to gift areas for public access will work out – shades of the 1949 Act and Access Agreements there perhaps (see Parker & Ravenscroft 1999).

The CALGs have had a mix between three 'types' of member and that is likely to persist with LCAFs. These were paid representatives of interest groups or government agencies; unpaid representatives from other large/ national interests such as the RA or the CLA; unpaid representatives of minority or local groups. This split can give rise to differentials of

power and ability to give over sufficient time to the work of the group. This was not a big issue with CALGs as they met infrequently and the workload was relatively light, in part reflecting the policy environment. However, this problem is set to rise given the expected workload that LCAFs are likely to expect in organising new access land, working out applications for exceptions, considering land definitions and other related access matters (including the knotty area of individual Rights of Way disputes; see Countryside Agency 1999c).

The Countryside Agency has been considering at length how best to operationalise LCAFs. Discussions at the level of the National Countryside Access Forum (see Countryside Agency 2000) have acknowledged that such local groups should be setup carefully; with clear terms of reference, well defined powers and appropriate representation of access interests. Such words are logical and look good on paper, but what does this mean? That the ground rules should be explicit and agreed by the group was a finding of the CALG work, but there are other issues to be considered, not least the issue of 'inclusivity' as mentioned above.

There is a danger that LCAFs may become submerged under the sheer weight of work that new access proposals are likely to require. And this is not all. Such groups can suffer from a variety of other problems - they may be 'captured' by a particular interest and become unrepresentative. Presently the LCAF structure is being designed to avoid this by retaining decision-making powers at the local authority level and also with the Countryside Agency (Countryside Agency 1999b). However this may of itself compromise the ability of the LCAF to deliver locally relevant solutions to access provision. There are also issues beyond the internal operation of the groups. For example there are issues about the extra burden on already stretched countryside staff within local authorities and the recurring funding issue for countryside access.

Access is political and attempts to enrol interests in working through the new access policies are likely to give rise to local difficulties. LCAFs will become high profile consultation groups and it is quite likely that they will intensify calls for local authorities to perform better. A telling quote from a local authority interviewee during the CALG study shows what can happen if local authorities do not, or cannot perform:

'[CALG members] got more informed on the subject because we had an open policy about our failings and they used it as ammunition against us...if you set up a liaison meeting you are, even if you don't realise it, asking people to help and saying 'we value your contribution'...if you don't do anything...you've turned a potential friend into an enemy.'

(quoted in Parker 1997:p171)

LCAFs will need to begin their work on a good, clear and conducive footing. The way that the group culture develops will have as much bearing on the workability of the LCAF as much as any other single factor. The CALG work showed that even this is not enough, and after a honeymoon period without the desired results CALGs could suffer from more and more politicking or simply become moribund. One answer to this was to make sure that CALGs had a foothold on the local political process. For example their views could be heard by the relevant council committee and good reason given for not implementing their recommendations would need to be given by the local authority (or Countryside Agency).

In the light of this care will need to be taken to avoid interest group 'capture' (see Daugbjerg & Marsh 1998) making the operation of the groups transparent – potentially by making the meetings open to the public might address this. Questions will need to answered about how both 'host' local authorities and the Forums, overseen by volunteers, will be able to cope with the time investment required due to the potential complexity of new access planning. Especially in the first years of Right

to Roam. There are issues about the ability of such Forums to deal with specific, often complex, cases. Perhaps more fundamentally, there has been little said about how local authorities will fund the new legislation, with LCAFs appearing to be a crucial element of the new plans. In what has traditionally been a 'Cinderella' function for local government we can only hope things don't 'turn ugly' if Local Authorities have to find resources from within their own budgets.

The discussions surrounding LCAFs have thus far given rise to a number of points that will need to be addressed both by the Countryside Agency / DETR, but also at the LCAF level by the local authorities themselves.

What are the cost implications of the new legislation and the LCAFS to Local Authorities and how will they be met?

Issue of costs (and relative costs) to different members of LCAFs.

Have the Local Authority overall ability to fulfil new (and pre-existing) legal obligations)?

What is the appropriate relationship between LCAFs and the NCAF, Countryside Agency?

How can issues of legitimacy and accountability be adequately addressed?

What are the criteria for the NCAF / Countryside Agency vetoing locally distinctive proposals?

How will the criteria for membership be devised and revised locally?

To what degree should it be that decision-making powers are vested in LCAFs (or retained by the Countryside Agency / Local Authority)? How to ensure transparency and the avoidance of interest group 'capture'?

There is no doubt that the LCAFs can be a useful addition to the work of local authority countryside managers and planners. They have the possibility of allowing for better public 'voice' and representation. However, the history of public participation in planning policy and the specific experience of CALGs and countryside access politics more widely shows us that the LCAFs may become the heat conductors as 'New' access is forged. As such the LCAFs are likely to need a nurturing environment as they evolve.

#### Note

A more in-depth paper detailing the findings of the CALG study is available on request from the author.

#### References

Arnstein, S. (1969) 'A Ladder of Citizen Participation'. Journal of the American Institute of Planners, Vol. 35 (4) pp216-224.

Country Landowners' Association (1991) Recreation and Access in the Countryside: A Better Way Forward. London, CLA.

Countryside Agency (1999a) The National Countryside Access Forum Starts Work Press release, July 21st 1999 Archived at www.countryside.gov.uk.

Countryside Agency (1999b) Minutes of the 2nd NCAF meeting 10th September 1999. Located at the Countryside Agency website www.countryside.gov.uk/who/f\_meet

Countryside Agency (1999c) – Local Countryside Access Forums
Paper presented to the 3rd Meeting of the NCAF, 1st November
1999. Located at the Countryside Agency website
www.countryside.gov.uk/who/f\_meet

Countryside Agency (2000) 'Local Countryside Access Forums'
Countryside Agency website www.countryside.gov/who/f\_meet

Darke, R. (1999) 'Public Speaking Rights in Local Authority Planning Committees'. *Planning Practice and Research*. Vol. 14 (2) pp171-183.

Daugbjerg, C. & Marsh, D. (1998) 'Explaining Policy Outcomes' pp52-71 in Marsh, D. (Ed.) Comparing Policy Networks Buckingham, OUP.

Davies, A. (1999) 'Where Do We Go From Here? Environmental Focus Groups and Planning Policy Formulation'. *Local Environment*, Vol. 4 (3) pp295-316.

DETR (1998) Modern Local Government. In Touch with the People, Department of the Environment, Transport and the Regions. London, Stationary Office.

DETR (1999) Analysis of Responses on Access to the Open Countryside of England and Wales. London, Department of the Environment, Transport and the Regions.

DETR (2000) 'Countryside Access and Wildlife Protection - We're On our Way', Press Release No.151 3rd March 2000. London, Department of the Environment, Transport and the Regions.

Environment Agency (1998) Consensus Building for Sustainable Development, Bristol, Environment Agency.

Environmental Resolve (1995) *Beyond Compromise*. London, Environment Council.

Fagence, M. (1977) Citizen Participation in Planning, Oxford, Pergamon.

Gyford, J. (1991) Citizens, Consumers and Councils, Basingstoke, Macmillan.

Healey, P. (1997) Collaborative Planning, Basingstoke, Macmillan.

MHLG (1969) *People and Planning*, Ministry for Housing and Local Government 'The Skeffington Report'. London, HMSO.

Mol, A. & Law, J. (1994) 'Regions, Networks and Fluids. Social Studies of Science, Vol. 24 pp641-671.

Parker, G. (1995) Countryside Access Liaison Groups. An Assessment. Unpublished Report to the Countryside Commission. November 1995.

Parker, G. (1997) Citizens' Rights and Private Property Rights in the English Countryside. Unpublished PhD, University of Bristol.

Parker, G. (1999) 'Rights, Symbolic Violence and the Micro-Politics of the Rural. The Case of the Parish Paths Partnership Scheme'. *Environment and Planning* 'A' Vol. 31 pp1207-1222.

Parker, G. & Ravenscroft, N. (1999) 'Benevolence, Nationalism and Hegemony. Fifty Years of the National Parks and Access to the Countryside Act 1949'. *Leisure Studies*, Vol. 18 pp297-313.

Selman, P. & Wragg, A. (1999) 'Networks of Co-operation and Knowledge in 'Wider Countryside' Planning'. Journal of Environmental Planning and Management, Vol. 42 (5) pp649-670.

Shoard, M. (1980) The Theft of the Countryside, London, Temple Smith.

Simmie, J. (1974) Citizens in Conflict, London, Hutchinson.

Wilcox, D (1994) The Guide to Effective Participation. Brighton, Delta Press.

Dr Gavin Parker MRTPL is a lecturer at the University of Surrey and can be contacted at the School of Management Studies, University of Surrey, Guildford, Surrey, GU2 7XH. Direct Tel: +44 (0)1483 876366

Since this article was written the Countryside Agency have published the draft guidelines for LCAFs on the web: http://www.countryside.gov.uk

# The National Cycle Network - Ways for Wildlife?

By Michael Woods, Consultant, Michael J. Woods & Associates



Escaping from the hustle and bustle of the town

In June of this year, the first 5,000 miles of the National Cycle Network was opened, releasing a web of routes for cyclists, walkers and wheelchair users and passing within 2 miles of one third of the population. Co-ordinated by Sustrans and partly funded by the Millennium Commission, the original intention was to have 3,500 miles of route in place by this year. Not only is the scheme on time but it is also delivering 50% more route than it originally promised. Five thousand more miles are to follow giving a further 10 million people access to the Network by 2005.

Sustrans has always perceived the Network as helping to fulfil sustainable transport goals, encouraging more people to use bicycles rather than cars for short journeys in order to achieve the aims set out in the National Cycling Strategy of doubling and then redoubling the number of cyclists. The urban sections of the Network, mainly on traffic calmed and quiet roads, are the ones most likely to accomplish this. Nevertheless the importance of the longer rural paths has not been overlooked. Encouraging people to cycle in the countryside for fun, especially if they can reach their chosen route from home by bicycle, may only be a small step from a modal shift to substitute a bike for a car over short distances.

At the same time, the significance to local economies of rural cyclists can be quantified. The C2C, which runs from Cumbria to the east coast at Tynemouth and Sunderland, was opened in 1995. It is a route which can be treated as a challenge and ridden in less than 24 hours but most bike riders tackle its mountainous 140 or so miles over four or five days. They move slowly and cause neither pollution nor congestion, but they are generally more inclined to stay in bed and breakfast, pubs or hotels than camp. Hungry as hunters but reluctant to carry much food, they also help to keep the village shops alive. By 1997, work by the University of Sunderland indicated that they were injecting £1.1 million a year into the hard pressed local economy (1).

Les Lumsden sees the Network in a similar light (see his article in 'Countryside Recreation', volume 7, number 2, Summer 1999). On the other hand, some wildlife organisations consider the National Cycle Network to be a mainly rural pressure, exerting yet another recreational demand on the countryside. Generally speaking the wildlife benefits arising from the conversion of a disused railway line to a Sustrans' route outweigh the disadvantages. The actual area required for a path is rarely more than 2.5 metres wide by the length of the particular piece of trackbed so that the remainder of the land area, by far the majority, is available for nature conservation.

Sustrans has often found that initial concerns from farmers and landowners, fearful that additional access will bring even more pressure from trespass, have turned to gratitude as problems of trespass have actually diminished. Provided with a facility on which users feel confident and with a surface which provides all weather use, neighbouring footpaths and bridleways are often forsaken for the new path. This tends to concentrate use into areas which can withstand it rather than dissipating it over a wider area.

At the same time, hard level paths offer a wonderful opportunity for wheel chair users to reach real countryside. So often the sort of places that most wheelchair users can get to is substitute countryside such as country house gardens and large parks. The National Cycle Network enables people with a wide range of disabilities to attain the genuine article. There is a continuing battle with so-called 'access controls', many of them erected years ago in the mistaken belief that these large lumps of steel actually excluded motorbikes. Latterly it has been realised that these controls are actually barriers and, while young motorcyclists use their local knowledge and may obtain access to the path over neighbouring private land, the controls exclude the



Many old railway lines are finding new uses as cycle paths or 'greenways'

disabled, buggies, tandems, trailers and very often any other bicycle which is not a standard single person bike. Sustrans is now campaigning to remove as many as possible.

With high quality paths running through areas, which are themselves often of high quality for wildlife conservation, the future attraction of the National Cycle Network will be high. Furthermore, this is just a skeleton onto which a greater structure can be built. The future benefits are almost limitless.

#### References

(1) Cope, Doxford and Hill (1998) Monitoring tourism on the UK's first long distance cycle route; Journal of Sustainable Tourism Vol.6, No.3 pp.210 -223
(2) Tensen, D. and Zoest, J. van 1983. Keuze van hoogwatervluchtplaatsen op Terschelling. Unpubl. Report L.U. Wageningen/RIN Texel: 71pp. Cited by Cor J. Smit and George J. M. Visser in 'Effects of disturbance on shorebirds: a summary of existing knowledge from the Dutch Wadden Sea and Delta area' for Wader Survey Group Bulletin 68, 'Disturbance to Waterfowl on Esturies' edited by Nick Davidson and Phil Rothwell.

Michael Woods has been involved with the construction and management of traffic free routes for cyclists and walkers for more than 25 years. His consultancy, Michael J Woods and Associates, is retailed by Sustrans to give wildlife advice and is closely involved with the negotiation, construction and management of the traffic free sections of the National Cycle Network. He is vice-chairman of The Mammal Society.

He can be contacted at Michael J Woods and Associates, Axbridge Road, Cheddar, Somerset. BS27 3BZ; Tel: 01934 742843; Fax: 01934 7445454.

# Windermere and Water-skiing: Access dilemma for the future?

Mark Ellison, Loughborough University



Will rising levels of pressure from various conservation and amenity organisations turn UK water-skiers into an endangered species?

#### Introduction

Currently there is a much publicised debate concerning the public being allowed greater access to the countryside, and with the passage of the Countryside and Rights of Way Bill this will certainly be the case for, and to the benefit of, a limited number of 'traditional' countryside recreational activities. However, at the same time other equally legitimate countryside recreational activities are finding that their access is becoming more constrained.

Anyone with an interest in countryside recreation cannot have failed to have heard about the

Government's recent decision to approve a 10mph speed limit byelaw on Lake Windermere in the Lake District National Park. This decision has not been taken lightly: it was the culmination of an eventful nine year process initiated by the Lake District National Park Authority including a three month public inquiry, the Secretary of State deciding against his Inspector, the threat of a Judicial Review, and dramatised even further by a change in Government. The result of the decision is that water-skiing will now be effectively banned from the Lake District National Park as Lake Windermere is the only remaining lake in the National Park where this activity is permitted. Of the 16 larger

lakes in the Lake District, only four have a public right of navigation; Windermere, Coniston, Derwent Water and Ullswater. In the late 1970s and early 1980s the National Park Authority (NPA) imposed 10mph speed limit byelaws on Coniston, Derwent Water and Ullswater. These were made along with an informal agreement with the Sports Council (SC) (now Sport England) that Lake Windermere would be maintained for recreational activities requiring speeds above 10mph. The Lake District NPA even went so far as to apply for funding from the SC to build a water-skiing centre on the shores of the lake. However, as a result of the rising levels of conflict between the ever-more diverse users and growing pressure from various conservation and amenity organisations the NPA's supportive stance toward water-skiing changed, leading it in 1991 to propose a byelaw that would create a 10mph speed limit, effectively prohibiting water-skiing and power boating. The Government's decision to allow the introduction of this byelaw has potentially serious ramifications for adherents of water-skiing as it has set a very threatening precedent.

Over the past 15 years water-skiing has become increasingly constrained in opportunities for water space with several facilities operating at saturation levels and many sites having waiting lists. New sites are urgently required (Jackson et al, 1995), yet this precedent may seriously affect that already limited supply. The British Water Ski Federation (BWSF) argues that some of the most nationally important sites for recreational water-skiing are in National Parks, notably Lake Windermere, where it is claimed that 20% of all water-skiing in the country takes place (ASH, 1994), and various rivers in the Norfolk Broads.

National Parks, which have conservation and recreation as the two primary objects of their designation, are often seen as exemplars of good practice in countryside management. Therefore, a review of each NPA's policies concerning access for water-skiing will give an indication of the future of the activity nation-wide. Before each NPA's stance is discussed a brief background on central government policy will be given.

#### The Government's Viewpoint

Until the Windermere announcement, the Government had not really become directly involved in the issue of water-based motorised activities. However, through reports it commissioned and direct statements, it has indicated its viewpoint.

In 1991 the Government's most recent review of the National Park system was published, the Edwards Report 'Fit for the Future'. Among the Report's many recommendations was that the second purpose of National Parks should be redefined to stipulate that only 'quiet' enjoyment should be promoted. However, the Government turned down this recommendation on the grounds that quietness is a personal, subjective and variable perception incapable of legal definition. Another, very relevant, recommendation was that any sporting sites of national and/or international importance should be retained, subject to appropriate management.

The Select Committee of the House of Commons in its 1995 report 'Environmental Impact of Leisure Activities' concluded that the impact of water based recreation on the environment is relatively minor and can be managed within the current organisational and legislative framework. With the introduction of the 1995 Environment Act and an accompanying Circular 12/96 the Government stated that NPAs should promote the widest range of opportunities for recreation, thus reinforcing the ideology that particular activities should not be excluded throughout the National Parks as a matter of principle.

#### **National Park Authorities Policies**

Initially the National Parks with modest resources for water-skiing will be explored, leading to those with greater resources.

Dartmoor and Northumberland National Parks have the smallest water resources, and as a result make no mention of water-skiing in their National Park Management Plans. However the 1,086 hectare Kielder Water reservoir lies just to the west of Northumberland National Park and water-skiing is very successfully managed on a zoned basis.

Exmoor National Park contains only one sizeable reservoir suitable for water-skiing, Wimbleball Lake, but the NPA has resisted its introduction. There is very little activity on the coast due to physical constraints.

The North York Moors National Park lacks large reservoirs, most rivers are shallow and fast flowing, and the NPA considers water-skiing as not appropriate in the Park. However, it does tolerates it along the coast, much of which is designated as a Heritage Coast.

The Yorkshire Dales National Park has few resources for watersports generally, but extremely low-key water-skiing does occur on Semar Water. However, the BWSF states that the NPA are seeking to ban it.

The Peak National Park Authority's new strategic National Park Management Plan is imminent, yet for more detailed issues the 1989 National Park Management will still be valid and it states that water-skiing is unlikely to be acceptable on any of its 48 larger reservoirs. However, it is permitted subject to rigorous conditions on Bottoms Reservoir because of its location on the fringe of the Park, and the BWSF has reported no problems with this use.

Snowdonia NPA states that water-skiing is prevalent and becoming problematic along the coast, particularly on the Lleyn peninsula and in the Barmouth and Conway estuaries. A policy in its 1997 Local Plan mentions that only two lakes in the Park are suitable for appropriate recreational access in general, however the NPA does not consider water-skiing as appropriate. Presently water-skiing does occur on Lake Geirionydd, but the NPA is proposing to stop this use though byelaw imposition, despite the BWSF's claim that there are no verified landowner conflicts, no inter-user conflicts and no conservation/environmental conflicts. The NPA even went as far on one occasion

as to persuade a lake owner who was proposing to introduce water-skiing to change his mind.

Pembrokeshire Coast has the longest coastline of all the National Parks, and although the NPA has no specific policies for water-skiing, it did mention in its 1994 National Park Management Plan 2nd Review that new motorised activities are generally considered inappropriate. Confusingly, an 8 knot speed limit byelaw covers the northern coast, effectively ruling out water-skiing, yet there is none on the southern coast. A more contentious issue in the Park is the case of Milford Haven, one of the world's largest natural harbours. In 1992 the Port Authority produced the Milford Haven Water Recreation Plan which the NPA supported and which is currently being revised. As a result of this there are currently five areas zoned for water-skiing which seem to work relatively well. The NPA has produced a Jet-Ski and Fast Power Craft code of practice, the only National Park to do so.

Llangorse Lake in the Brecon Beacons National Park is the only inland water in South Wales available to the public for water-skiing. In 1971 Brecon County Council attempted to impose byelaws to exclude water-skiing. However, these were resisted by local interests, and then rejected by the Secretary of State.

In the late 1980s discussion re-opened and byelaws were drafted, but the NPA decided not to proceed, as it felt it had insufficient resources, and it was not certain it would win the case. Although currently favouring a ban, the NPA feels that whatever long term action it decides to take will be heavily influenced by the outcome of the Lake Windermere issue. Consequently, it decided in the short term to support an initiative to introduce a voluntary agreement on the Lake that began in April 1999. This agreement essentially promotes a zoning policy for water-skiing on both a temporal and spatial basis.

The Broads has been an important venue for waterskiing since the sport's early days. It was restricted through speed limit bylaws to just 10 river stretches

in 1978, and the Broads is now one of the most important centres for water-skiing in England. Many skiers in the Eastern Region are given their introduction to the sport here (BA, 1997). The Broads Authority's (BA) 1993 draft Management Plan 'No Easy Answers' stated that the BA would seek to ban water-skiing from the Broads. However, during the consultation process the strength of opinion, including a document entitled 'The Future of Water Skiing on the Norfolk Broads', drawn up on behalf of the BWSF, led in 1994 to the BA setting up a Water-Ski Working Group to produce a comprehensive report. The Working Group reported back to the BA in 1997, and although not making any firm recommendations it put forward no fewer than eleven options and their likely consequences. The BA's '1997-98 Annual Report' stated (p. 12):

Having looked carefully at the 1997 report and discussed the issues in depth, Broads Authority officers reached the conclusion that <u>water-skiing</u> is not an appropriate activity in the Broads, and agree that members of the Broads Authority should be <u>recommended</u> to seek a cessation of <u>water-skiing</u> (Authors' emphasis).

When the Lake District National Park Authority proposed the 10mph byelaw for Lake Windermere there was predictable opposition primarily from the SC, the BWSF, and the Royal Yachting Association (RYA), which although acknowledging that there were conflicts between different lake users, urged consensus building with increased management, education and compromise solutions, as opposed to a total ban. They were supported by the local power boat businesses and the Cumbria Tourist Board and opposed by the Countryside Commission (now the Countryside Agency), the local authorities, the Ramblers, and the Friends of the Lake District, as well as numerous individuals. The SC's view was one very much of building partnership and co-operation including developing a Management Plan. After the 1997 change in Government the SC developed its Management Plan even further in an attempt to encourage the NPA to sensibly and thoroughly consider it. It now contained such clauses as: insisting

that boat drivers have proper qualifications, that noise emissions from motor engines are low, and that through a permit system there be a limit of 200 users per day on the Lake. It was also in favour of the speed limit being observed on Bank Holidays and from November until the end of March, all of which would seem to amount to a reasonable stance. Such a spirit of compromise is all the more remarkable when it appears that the NPA refused to talk to anyone who opposed its view (Gummer, 1999). Further evidence of this refusal to co-operate is that the NPA has various forums and working groups covering areas such as public rights of way, cycling, mountaineering and even off-road driving, yet none for water-based recreation on Lake Windermere, which it could be argued, is where one was most needed.

#### Conclusion

Evidently, there are substantive differences between the two sides of the argument, and whilst it appears one side is willing to make compromises and move towards a middle ground, the other is firmly rooted, not giving any ground at all.

The research showed that no NPA has regular contact, if any at all, with the BWSF, which is contrary to government advice in the 1995 Environment Act. Only very minor provision is made for water-skiers in National Parks and the majority of what exists is under severe threat. The most alarming is the introduction of the Windermere byelaw in 2005 and the serious threat of a ban on the Broads. Both of these sites are of such national importance for water-skiing that the loss of either could have devastating effects on the future of the activity. The BWSF appears to be doing all it can to ease conflicts and make the activity more environmentally sustainable, including publishing a 'Statement of Purpose and Environmental Commitment', yet the NPAs seem to be taking a more entrenched approach. National Parks, which cover 10% of England and Wales, have been set aside for the recreation and enjoyment of the nation. However, it appears that in the near future they will be no-go areas for those members of the nation who wish to waterski. Even more worryingly NPAs could start an

irreversible precedent whereby other countryside managers follow their lead, resulting in fewer and fewer resources being available nation-wide. This very realistic scenario appears to be lost on those supporters of the Lake Windermere decision who state that water-skiers have 5 years to find alternative sites.

Finally, in the Government's Lake Windermere decision letter the issue of balancing the interests of one group of users against the conflicting interests of a larger group was discussed. It stated that the interests of the latter should prevail. If this is so participants of all minority activities, such as off-road driving, mountainbiking, canoeing, climbing, horse-riding etc. should be duly concerned. It could be argued that the second purpose of National Parks. recreation/enjoyment, is slowly being eroded back to such an extent that participants of these activities begin to discover that their access rights are becoming more restricted also.

#### References

ASH Consulting Group (1994) North of England Watersports Study, Warrington: National Rivers Authority.

Broads Authority (1997) Assessment of the Impact of Water Skiing on the Broads: Water Ski Working Group, Norwich: Broads Authority.

Gummer, J. (1999) Lake Windermere's Plan. Country Life, January p.7.

Jackson, G., Glyptis, S. and Collins, M.F. (1995) Water Related Recreation: Participation, Trends and Issues. Research Paper 253 Bristol: National Rivers Authority.

Mark Ellison conducted the research on which this article is based with Mike Collins, and gratefully acknowledges Loughborough University's grant for undertaking the work. He dedicates this article to Professor Sue Glyptis, who had a biding love and interest in National Parks, and who instigated the project. Mark now works for an environmental organisation involved in the management of a National Park and can be contacted at 5 Hornbeam Grove, Leamington Spa, Warwickshire, CV31 1QX. Tel: 07971 958854 Email: markellison@talk21.com.

### News Releases

# NEW EXPLORER MAPS FROM ORDNANCE SURVEY

From March this year, 3 new areas of the country have been covered by the Ordnance Survey Explorer Map Series. Map numbers 276 (Northwich and Delamere Forest), 278 (Sheffield, Barnsley and Rotherham and 245 (National Forest) have been on sale since 23rd March.

Ordnance Survey have also started to include sites owned by the Woodland Trust on the Ordnance Survey Explorer maps. The Woodland Trust's sites can be identified by a purple border and an oak leaf symbol. Trust Chief Executive, Mike Townsend, says: "Now that our woodlands are being marked on these maps, it makes it much easier for people to see where their nearest freely accessible woods are." Woodland Trust sites are also marked on the Ordnance Survey's Outdoor Leisure Map Series.

For more information about the Ordnance Survey visit their website at: www.ordnancesurvey.gov.uk

For more information about the Woodland Trust, tel: 01476 581111 or visit their website at: www.woodland-trust.org.uk

# THE STATE OF THE ENVIRONMENT OF ENGLAND AND WALES - THE LAND.

The Environment Agency published the 4th in a series of "The State of the Environment" reports in March. The report "The State of the Environment of England and Wales - the Land" looks at the increased use of the land as a resource over the past century and asks how the land is coping with this use, whether our use of resources is sustainable and whether we are doing enough to protect the land for future generations. "We hope the new report will help cast the Environment Agency's responsibilities into the wider context of issues concerning the state of the land, and draw attention to what could be done more generally," says Dr Jan Pentreath, Chief Scientist for the Environment Agency.

The Environment Agency have identified five challenges to which the Agency feels solutions need to be found:

**Development Pressures:** Need to restrict development in floodplains, make city-living a magnet once more, make better use of brown field sites and bring contaminated land back into use.

**New thinking on farming:** Greater adoption of agrienvironment schemes.

**Health check of terrestrial species:** Monitoring possible problems like hormone-disruption and crop health.

**Human health:** Understanding the links between the environment and health issues.

**Soil quality:** The Agency is developing new techniques and will encourage other organisations to monitor soil quality and quantity to establish a national soil information bank.

The report covers a wide range of information and research, identifying trends and also inconsistencies in the data. The following six priorities for action have been identified:

Addressing climate change. This may bring benefits in terms of a longer growing season, but could significantly affect wildlife and the risk of flooding.

Better use of land-based resources. The population and number of households are rising. As a society, we are using too much and wasting too much.

Improving the condition of soils. Soils perform many functions, knowledge of their quality is limited but improving, and there is growing recognition of their importance. Farming practices have reduced soil organic matter contents in many areas, but more comprehensive information is needed.

Reversing the loss and degradation of habitats and species. Habitats, essential for our wildlife, have been lost through urbanisation, afforestation and changes in farming practices.

Addressing the risk of flooding. This depends on many factors including land use in catchments and the extent of developments in floodplains, as well as increasing awareness of the risk.

Enhancing urban and landscape quality. This forms a key element in people's quality of life but there is no agreed way of defining what it is and how it is changing over time. It is recognised, however, that more needs to be done to improve the quality of life in urban areas.

The State of the Environment reports are available from the Stationery Office. For more information tel: 0870 600 5522 or visit the Stationery Office website at www.tsonline.co.uk

For more information about the activities of the Environment Agency visit their website at: www.environment-agency.gov.uk or tel: 0845 933 3111.

# NEW BOUNDARIES FOR THE FORESTRY COMMISSION

As of 1st April 2000 the Forestry Commission has 8 new regional boundaries in England.

The regions are: North East England Conservancy, Yorkshire and the Humber Conservancy, North West England Conservancy, East Midlands Conservancy, West Midlands Conservancy, East England Conservancy, South West England Conservancy, and South East England Conservancy.

For information on the regions and addresses contact the National Office for England, tel: 01223 314546 or visit the web site at: www.forestry.gov.uk

#### FREE FARMERS TOOLKIT

The Landcare Partnership, led by the Environment Agency, is working to raise awareness among farmers in the Salisbury area with the aim of improving the water quality of the River Avon. The kit provides information and advice about the problems of soil erosion and the damaging effect on rivers, and how good management can save money whilst improving the environment. It will be distributed free

to around 350 farmers in the area.

The Landcare Partners are; National Farmers Union, Country Landowners Association, MAFF (Farming and Rural Conservation Agency), Royal Society for the Protection of Birds, Wiltshire County Council, Salisbury District Council, Wessex Water. Bournemouth and West Hants Water Co. British Independent Agricultural Consultants, Game Trust. MOD (Defence Estates Conservancy Organisation), English Nature, Wiltshire Fisheries Association, Wessex Salmon and Rivers Trust and the Environment Agency. The project is funded by English Nature.

For further information please contact Public Relations, The Environment Agency, tel: 01392 444000 or visit the Environment Agency website at: www.environmentagency.gov.uk

#### NEW SOUTH DOWNS NATIONAL PARK

On 13th April the Countryside Agency announced that it would begin the process of designating the South Downs as a National Park.

The Countryside Agency are working on developing a vision of what the Downs, as a National Park, can accomplish. Marion Spain, Officer in charge of designation, said that before the boundary for the park can be defined it is necessary to increase public awareness and identify which areas of the current AONBs would benefit most. When the draft boundary is finally drawn up it will be subject to widespread public consultation.

The Countryside Agency are also looking to the future and considering how to maximise the recreational potential of the Downs whilst ensuring that areas of downland are restored and protected.

It is estimated that the designation process will take 2 - 3 years to complete.

The Sussex Downs Conservation Board have called

for all interested parties to work together to find the best possible solution for the Downs in the light of the Countryside Agency decision.

Lord Renton, the Board's Chairman, emphasised that "what is important is that it (the body in charge of the National Park) has sufficient powers to ensure the South Downs remain the unique feature of the countryside that they are today and that it has the confidence of the local people."

The Board outlined the following points as key areas to ensure future of the Downs:

- Conservation of the Downs must be properly funded to take into account:
  - landscape restoration to protect internationally rare wildlife
  - protection of the unique historic treasures within the South Downs
  - protection and extension of the remaining 3% of chalk grassland
- Sufficient involvement in planning to ensure that at the highest level, and within a framework of local accountability, the best interests of the South Downs will be fully taken into account to prevent any damaging development.
- A mandate to help those who live and work in the are in order that there is a healthy local economy to support the South Downs and its conservation
- Proper management of the large recreation demands of the area
  - promoting opportunities for quiet informal enjoyment
  - providing the resources to ensure full understanding of the special qualities of the area so that visitors are encouraged to enjoy the area without damaging it

West Sussex County Council is concerned that the designation of the South Downs as a National Park should take into account the differing landscape types that make up the South Downs.

lan Elliott, Chairman of West Sussex County Council, questions the need for the National Park designation saying "...the local authorities and the Sussex Downs Conservation Board have done an impressive job in managing the South Downs for recreational purposes..." and asks how it could be managed better by a National Park Authority.

Concern was also expressed by Mr Elliott over the need to consider the Downs as a part of their surroundings, especially in relation to planning issues, rather than isolating them. He said that the area "cannot be properly managed in isolation" and calls for special provisions to prevent the National Park Authority having sole planning control of the area of Downs included in the National Park

"All this could be made to work if the Government was genuinely willing to accept the challenge of a tailor-made Park for the Downs. This would ensure the protection of the proper interests of the communities by creating unique planning arrangements. These would challenge the local councils to maintain and build on their outstanding protective commitment to the Downs".

For more information visit the following web-sites: www.westsussex.gov.uk www.countryside.gov.uk or contact Martin Beaton, Sussex Downs Officer, tel: 01903 741234.

#### Sussex Downs on the Web

The Sussex Downs Conservation Board, in partnership with the East Hampshire Joint Advisory Committee and the Countryside Agency, have developed the South Downs Virtual Information Centre. The website holds information about the South Downs including links to Tourist Information Centres and will also promote public transport links.

Find out more about the site at: www.vic.org.uk

# MINISTER FOR AGRICULTURE BACKS COUNTRYSIDE ACCESS PROJECT

Nick Brown, the Minister for Agriculture is backing the BT Millennium Miles initiative which aims to identify 2,000 miles of navigable countryside which is suitable for access by people with a disability. It is hoped that by the end of 2001, 1,000 Millennium Miles will be identified in England, 500 miles in Wales and 250 miles each in Scotland and Northern Ireland.

Nick Brown MP commented: "The Government's new Countryside and Rights of Way Bill is intended to bring better opportunities to the countryside by giving all walkers a statutory right of access to open countryside and introducing improvements to the rights of way system."

BT, the Countryside Agency, the Countryside Council for Wales and other Government Agencies, including the Environment and Heritage Service Northern Ireland and Scottish Natural Heritage, have all given financial support to the project. It is also being supported by the main organisations representing disability in the UK, including RNIB, Scope and Radar, as well as other bodies such as the Forestry Commission, the National Trust, and the Ramblers Association.

For further information about the BT Millennium Miles project please contact Phil Chambers at the Fieldfare Trust, tel: (0114) 270 1668, or e-mail Fieldfare@btinternet.com.

#### THE STATE OF THE COUNTRYSIDE 2000

The Countryside Agency have published the second in their annual series of the State of the Countryside reports.

For copies of the report contact Countryside Agency Publications, tel: 0870 120 6466.

#### **ENVIRONMENT AGENCY ANNUAL REPORT**

In April the Environment Agency published its

"1998/99 Annual Conservation, Access and Recreation Report" which includes case studies and information on numbers and types of sites used for recreation and/or conservation.

For copies of this report contact the Environment Agency, tel: 01454 624 409.

#### **INCREASE IN OUTDOOR ADVENTURE**

The Association for Outdoor Learning (AfOL) reports a strong upsurge in use of the outdoors and adventure in schools and in youth work this year and for the future. This is a result of a telephone survey of 100 organisations who provide or use outdoor adventure to support the development of young people. Many organisations taking part reported increases in staff numbers and programme variety as a result of an increase in client numbers.

For further details contact: Association for Outdoor Learning on tel 01768 891065 or e-mail: afol@adventure-ed.co.uk.

#### BETTER BEACHES IN BRITAIN

The Marine Conservation Society has reported an increase in the number of clean beaches for holiday makers to visit in 2000. Kate Hutchinson, Coastal Pollution Officer for the Marine Conservation Society, said that this is a result of the extensive clean up programmes, with "fewer beaches failing the minimum water quality standard".

The Good Beach Guide, produced by the Marine Conservation Society, provides information on activities, amenities, bathing safety and disabled access for recommended beaches and is available on the web at: www.goodbeachguide.co.uk. A hardcopy is also available containing information on water quality and sewage discharges for over 1000 beaches in the UK.

For more information on the Marine Conservation Society visit their web site at: www.mcsuk.org or tel: 01989 566017

# DETR CONSULTATION PAPER - GUIDELINES ON MANAGEMENT AGREEMENT PAYMENTS

DETR are inviting views on the proposed revisions to the Financial Guidelines for Management Agreements, the final document of which will replace DoE/MAFF Circular 4/83. It is intended to accompany legislation changes concerning Sites of Special Scientific Interest (SSSIs), on their notification, protection and management, included in the Countryside Rights of Way Bill.

Further copies of the report are available from: Department of the Environment, Transport and the Regions, PO Box, Wetherby, West Yorkshire. LS23 7NB. Tel: 0870 1226 236.

To take part in this consultation comments or representations should be sent in writing to Mrs Jenny Wilson, Department of the Environment, Transport and the Regions, Room 922 Tollgate House, Houlton Street, Bristol, BS2 9DJ, or by e-mail to jenny\_wilson@detr.gsi.gov.uk no later than 11th August 2000.

#### MARINE BIODIVERSITY WEBSITE

www.irishsea-mis.org is the new website for the Irish Sea Marine Information System and provides information relevant to the Pembrokeshire and Wexford marine and coastal area, including topics on biodiversity, conservation, tourism and recreation.

The project was started in 1999 as a partnership between the Countryside Council for Wales (CCW), Pembrokeshire County Council (Wales), the Marine Institute (Ireland) and Wexford County Council (Ireland) to produce a demonstration Marine Information System for the coastal zone and adjacent marine area of Pembrokeshire and Wexford. The project was funded by the EU Maritime INTERREG Programme.

For further information on the MIS contact:

Chris Uttley (CCW) tel: +44 (0)1248 385660 or e-mail: c.uttley@ccw.gov.uk

Martina Hennessy (Marine Institute) tel: +353 (0) 14766536 or e-mail: Martina.Hennessy@maritime.ie

#### LAUNCH OF "GET BRITAIN MOVING" CAMPAIGN

An initiative to "Get Britain Moving" was launched on the 26th May. Developed by Tetley Tea in conjunction with the British Olympic Association, the project's aim is to increase the activity levels of the British public by encouraging people to build exercise and a healthier diet into their lifestyles.

This initiative follows the publication of the Tetley Activity 2000 Report which shows Britain as the "fattest nation in Europe", and is strongly supported by the Government.

Get Moving is being run through 200 leisure centres nationwide and everyone signing up receives a Get Moving starter pack and a water bottle.

Information is also available on the web at: www.sydneysportsstuff.co.uk or tel: 0845 601 1714.

#### WATERWAY RESTORATION SURVEY

Inland Waterways Amenity Advisory Council (IWAAC) has launched its new survey of canal restoration projects, including hundreds of miles of waterways and dozens of historic canal structures. It follows on from the 1998 survey and report "Waterway Restoration Priorities".

The survey was sent out in March 2000, the reassessment process will take place from July by the Council and the review will be published later this year.

For more information on this survey contact IWAAC, tel: 020 725 31745 or e-mail: iwaac@btinternet.com

#### **BIODIVERSITY IN ACTION**

The Farming and Wildlife Advisory Group (FWAG) have been inviting Farmers and the general public to join their local FWAG on a farm walk to see how Farm Biodiversity Action Plans (BAP) can encourage a rich diversity of wildlife to flourish on commercially run farms.

Biodiversity in Action was the theme for this year's National Farm Walk Week which began on 29th May and continued throughout June to allow more people to take part. Carole Ferguson of Bayer plc. said that: "the way forward in producing Biodiversity Action Plans for each county is to create a working partnership not only between FWAG and farmers but also including wildlife conservation groups, local authorities, commercial companies and individuals. Farm Walk Week is an excellent opportunity for the public and neighbouring farmers to see how action to improve wildlife habitats can be readily incorporated in to the whole farm management plan."

For further information about FWAG and its activities contact Jane Hampson, tel: 02476 696699.

#### THE VALUE OF DAY VISITS

On 27th May the Countryside Agency lauched the research note "English Countryside Day Visits", which is taken from "Leisure Day Visits" Report of the 1998 UK Day Visits Survey.

The main findings include:

- the volume of trips in 1998 (1,253 million) is similar to 1996
- £8.4 billion spend in 1998 is a significant increase from 1996 (+25% after adjusting for inflation)
- the average distance travelled to the countryside is 17.3 miles
- 63% of visitors are in the ABC1 social grade
- 87% of visitors own or have access to a car
- each visitor spending over 3 hours in the countryside spends an average of £15.30.

The "Leisure Day Visits" full report (price £15), its free summary and the free "English Countryside Day Visits" research note are all available from Countryside Agency Publications, PO Box 125, Wetherby, West Yorkshire, LS23 7EP, tel: 0870 120 6466.

# PARTNERSHIP WITH THE PEOPLE CONSULTATION RESULTS

British Waterways (BW) have analysed over 16,500

responses to last year's consultation 'Partnership with the People' and the results have been summarised in their report to the Department of Environment, Transport and the Regions and the Scottish Executive.

Five recommendations have been made to the government by British Waterways as a result of the analysis of responses:

- BW should set up an improved consultative framework, both national and local. The new framework should ensure all stakeholders are represented and make special provision for stakeholders with a particular interest (such as in navigation) to discuss detailed issues.
- The Waterways Trust should be the new associated charitable trust.
- BW should launch an information based subscription service to provide local and national information to subscribers for a subscription that is less than that envisaged for the proposed membership scheme. The giving to good causes element that people wish to see should be satisfied by cause related committed giving through The Waterways Trust. BW and The Waterways Trust should respectively launch new products to be sold by the Trust as agency for BW and on its own account.
- BW should continue to give The Waterways Trust help. BW and The Waterways Trust should work to ensure the Trust establishes a clear and independent identity. The two organisations need to continue to work in partnership with each other and with other organisations for the benefit of the waterways.
- BW will make applications to The Waterways Trust to fund projects that are outside its statutory obligations for maintenance.

British Waterways is now awaiting response to the recommendations by ministers. This information was taken from the British Waterways Staff Newsletter

For more information about the consultation and the outcomes visit British Waterways website at:

#### HLF STRATEGIC FRAMEWORK RELEASED

The Heritage Lottery Fund has recently released its Strategic Framework for Wales 2000 - 2002. It outlines HLF's main strategic priorities which include strategic, cultural and heritage sector, and operational priorities.

For copies of the report, contact the HLF Office for Wales, tel: 029 2034 3413.

#### **HUNTING WITH DOGS REPORT**

The Report of the Committee of Inquiry into Hunting with Dogs in England and Wales was published on the 12th June by The Stationery Office (TSO). Commissioned by the Home Secretary, the report presents the findings of the Inquiry into the following points:

- The practical aspects of different types of hunting with dogs and its impact on the rural economy, agriculture and pest control, the social and cultural life of the countryside, the management and conservation of wildlife and animal welfare in particular areas of England and Wales.
- The consequences for these issues of any ban on hunting with dogs
- · How any ban might be implemented

The report is available from The Stationery Office (TSO) bookshops, cost £32.50, or on 0870 600 5522 quoting ISBN 0 10 147632 9. It is also available on the TSO website: www.thestationeryoffice.co.uk

#### GREATER PROTECTION FOR AONBS

Environment Minister, Michael Meacher, announced on 13th June that new measures are to be included in the Countryside and Rights of Way Bill which will strengthen the statutory status for AONBs.

For more information see the Department of the Environment, Transport and Regions website: www.press.detr.gov.uk/0006/0416.htm

#### **RIGHTS OF WAY SURVEY**

The Countryside Agency is calling for volunteers to join in their rights of way survey looking into the condition of England's rights of way.

Professional surveyors have already started work assessing whether rights of way are easy to follow; checking whether good is signage in place and whether obstacles obscure the paths. The survey is to find out how useable the network is and to identify the main factors that affect its condition.

The public is also being asked to take part by signing up to an area containing 9 - 15 km of paths and reporting back on the routes. Cyclists, walkers and horse riders are all being encouraged to take part, with an interactive website allowing people to register as surveyors, select a survey area and download a database, manual and forms.

For more information contact Gavin Stark on 01242 533444. Send contact details including a broad indication of the area in which you are prepared to work, to: Survey Manager, exeGesIS, SDM Ltd, Great House Barn, New Street, Talgarth, Brecon, Powys, LD3 0AH.

## Countryside Recreation and Training Events

#### **CRN WORKSHOPS FOR** 2000

#### Sustainable Transport 7th November 2000 Cardiff

Cost: To be announced

#### Access to Water December 2000 Venue and cost to be announced

#### CRN WORKSHOPS 2001 (provisional titles)

Social Inclusion and Access to Countryside Around Towns

Local Access Forums

Fundraising and the Lottery

#### **AUGUST 2000**

#### 7-11 August

Introduction to Rights of Way (Losehill Hall) Peak District National Park Cost: Contact organiser for details.

#### 25-28 August

IWA National Waterways Festival River Lee County Park, Waltham Abbey Cost: £5, Child Free

#### SEPTMBER 2000

#### 4-8 September

Monitoring for Nature Conservation (Plas Tan y Bwlch) Snowdonia National Park Cost: £440 (£220 subsidised fee) Includes all accommodation and

#### 4-9 September

Surveying and Map Interpretation (Losehill Hall) Peak District National Park Cost: Contact organiser for details

#### 6-8 September

Safety Management for Countryside **Projects** (The Footpath Trust) Cost: £300 (£75 for VQ candidates)

#### 7 September

Risk Assessment in Access Work (Environmental Trainers Network) Birmingham Cost: Contact organiser for details.

#### 7-8 September

Agriculture into the 21st Century (Losehill Hall) Peak District National Park Cost: £265 (£132.50 subsidised fee)

#### 12 September

Leading Small Environmental Projects (Environmental Trainers Network) Cardiff

Cost: £80+VAT

#### 13 - 14 September

The Scottish Natural Heritage

Conference: "Enjoyment and Understanding: finding the new balance between rights and responsibilities" (SNH) Glasgow

#### 14 September

Rights of Way - Surfaces and **Furniture** (IPROW) Bristol

Cost: contact IPROW for details

#### 14-15 September

European Conference: Sustainable Tourism and Development in National Parks and Protected Areas in (Plas Tan y Bwlch) Snowdonia National Park Cost: £120

#### 17-20 September

Developing Path Surveying Skills (The Footpath Trust) Wester Ross Cost: £400

#### 18-20 September

Breaking down the Barriers - working towards a countryside for all (Fieldfare Trust) Losehill Hall, Peak Park Study Centre Cost: £207.50

#### 21 September

Definitive Map Recording in the 21st Century (Rights of Way Law Review) Cost: Contact organiser for details

#### 25-27 September

Marketing Heritage Tourism Interpretative Sites, Agencies and Attractions (Plas Tan y Bwlch) Snowdonia National Park Cost: £350 Includes all accommodation and meals

#### 25-28 September

Local Action for Biodiversity Conservation (Plas Tan y Bwlch) Snowdonia National Park Cost: £381 (£191 subsidised fee) Includes all accommodation and meals.

#### 27 September

Enhancing Sites for Play in the Environment (Environmental Trainers Network) Birmingham Cost: £95.00+VAT

27 - 29 September

"Visitor Studies – Evaluating the Visitor Experience" University of Surrey, Guildford (CEI Associates)

A 3 day workshop aiming to provide an introduction to visitor studies and evaluation techniques. It is intended for anybody who has responsibility for planning and managing visitor service provision at countryside and heritage sties with a particular emphasis on interpretation and information provision. In practice, however, the methodologies employed can be adapted to other visitor services, for example, customer care.

Course Tutor: Carl Atkinson, Director of CEI Associates.

Cost: £425 / £212.50 subsidised fee

#### 28 & 29 September

IPROW Annual Seminar (IPROW) Stoke-on-Trent Cost: Contact IPROW for details

#### Contact details for training/events organisers

Black Environment Network (BEN) Tel/Fax: 0131 6227171

CEI Associates Ltd John Chapman. Tel: 0161 2743337, Fax: 0161 2744911.

Countryside Management Association lain Dunnett Tel: 01473 583179

Environment Trainers Network Ann Groves. Tel: 0121 3582155

Essex Tourism (Essex County Council)

Tel: 01245 437548 Jonathan Rochford Essex Woodland Trust Simon Leatherdale Tel: 01787 269766

Fieldfare Trust Graham Attridge Tel: 0114 2701668

**IPROW** 

The Training Development Officer. Tel: 07000 782317

IWA

Tel: 01992 702200

Kindrogan Field Centre Tel: 01250 881286.

Fax: 01250 881433. E-mail:

Losehill Hall. Sue Davies/Lyn Horan. Tel: 01433 620373

Plas Tan y Bwlch Dewi Jones.

Tel: 01766 590324. Fax: 01766 590274. E-mail: Rights of Way Law Review Tel: 01249 740273

101. 01217 / 102/3

Scottish Natural Heritage Debbie Greene/Helen Forster

Tel: 0131 4474784. Fax: 0131 4462405. E-mail:

Or visit

The Footpath Trust Rory Mcleod. Tel: 0134 865533

E-mail: rory@footpath.demon.co.uk

University of Edinburgh Ms Amy Middlemass Tel: 0131 6507236.

Fax: 0131 6624678. E-mail: Amy.Middlemass@ed.ac.uk

## Countryside Recreation Network Publications List

	Price (incl.postage)	Tick
Conference Proceedings		
Is the Honeypot Overflowing? (1998)	£15	
Making Access for All a Reality (1997)	£15	
Today's Thinking for Tomorrow's Countryside (1995)	£15	
Communities in their Countryside (1994)	£15	
Workshop Proceedings		
Using Local Distinctiveness as an Economic Development		
Tool (1999)	£8	
Just Walking the Dog (1999)	£8	
Sponsorshp (1998)	£8	
Making Ends Meet (1997)	£8	
GIS & Countryside Management - Theory and		
Application (1997)	£8	
Access to Water - Sharing Access on Reservoirs and		
Rivers (1997)	£8	
Do Visitor Survey's Count? – Making use of Surveys for		
Countryside Recreation (1996)	£8	
Consensus in the Countryside II (1996)	£8	
Consensus in the Countryside I - Reaching Shared		
Agreement in policy, planning and Management (1996)	£8	
A Brush with the Land – Art in the Countryside II (1996)	£8	
A Brush with the Land – Art in the Countryside I (1995)	£8	
Playing Safe? Managing Visitor Safety in the Countryside		
(1995)	£8	
GIS & Access to the Countryside	£8	
Sport in the Countryside (1995)	£8	
Recreational Travel (1994)	£8	
A Drive in the Country? - Examining the Problems of		
Recreational Travel (1994)	£7	
Environmental Economics, Sustainable Management		
and the Countryside (1994)	£6	
CRN Research Directory		
An annual directory of the research work carried out by the		
CRN agencies during the year		
Research Directory 1998	£5	
Research Directory 1997	£5	ā
Research Directory 1996	£2	<u> </u>
Research Directory 1995	£2	
In future the Research Directory will be available as a searchable		0.000
database on the CRN Website		
UK Day Visits Survey 1994 (1996)	£15	
UK Day Visits Survey 1993 (1995)	£15	_
		_

Please photocopy this page and send it with a cheque made payable to 'University of Wales Cardiff' at the following address: Countryside Recreation Network, Department of City & Regional Planning, Cardiff University, Glamorgan Building, King Edward VII Avenue, Cardiff, CF10 3WA.

