

Agenda Item 9

FUTURE OF PUBLIC ACCESS IN STEWARDSHIP SCHEMES

11/04/15

INTRODUCTION

Mid & West Berkshire LAF have concerns about the loss of permissive access and wrote a letter to the Dan Rogerson MP (Parliamentary Under Secretary for Water, Forestry, Rural Affairs and Resource Management) under DEFRA. The letter and response is displayed on HUDDLE. The Mid & West Berkshire Chair and the Vice Chair of the South Lincolnshire and Rutland LAF have been discussing a way forward with this, due to our common concerns identified in the report "The Future of Higher Level Stewardship Permissive Access" also on HUDDLE in the Permissive Access folder.

This draft discussion document is outlining a framework for the South Lincolnshire and Rutland LAF to comment on. The comments will be taken onboard and a report and consultation paper will be created then recirculated for final approval. With the South Lincolnshire and Rutland LAFs approval the report and consultation paper will be passed to the Mid and West Berkshire LAF for their comments. The aim is to create a joint report covering all our interests. It is felt important to get this right, as it may be the last opportunity local access forums have to make a change in Government and CAP policy.

The other LAFs which have shown an interest in this work are the South Downs National Park, Worcestershire and of course Leicestershire. Once the changes have been made to reflect items raised by the Mid and West Berkshire LAF the document will be sent to the Leicestershire LAF for their views. Following on from that the report and consultation paper will be sent to South Downs National Park LAF and Worcestershire LAF for their comments.

The report and consultation document can then be dispersed through the regions of those LAFs mentioned above with the responses from the consultations coming back to the South Linc's and Rutland LAF for summarising. Following analysis of the consultation document the South Lincolnshire and Rutland LAF will make the decision on how to take the project forward.

All the above is on the proviso that the South Lincolnshire and Rutland LAF agree to this process.

We are fully aware of the current financial climate and the reduction in Government and Local Authority budgets but by the Government's own admission, an improvement in public health would reduce the costs to the NHS by having a healthier population. There is now overwhelming evidence that accessing the countryside helps improve individuals general health and wellbeing. Natural England in their presentation "The benefits of Nature for Health and Wellbeing" (<http://letnaturefeedyoursenses.org/wp-content/uploads/pdf-downloads/NE-HealthWellbeing-SarahPreston.pdf>) displays the need for more access to the countryside. So with these issues in mind this report is designed to provide recommendations which can be delivered in our current financial climate and plan for what should happen in the future whether we are still in EEC or not.

MAKING OUR NEEDS KNOWN AND INFLUENCING DECISION MAKERS

What is apparent is the need for a louder voice than a number of different LAFs saying the same thing, to different people when a matter is the concern of the majority of the LAFs. With the loss of the LAF co-ordinators and Natural England's reduced staffing levels it is necessary to look at how the LAFs can get their message over when it affects National policy. The England Access Forum was disbanded in 2010. The details of the remit of the England Access Forum and the reasons for its failing, are not available at the time of writing this document. When these details are available they will be added to this document. It must be remembered that it is the role of the LAFs to act as advisors. When looking at the National Access Forums for Wales and Scotland their remit appears to advise on National issues but take account of local matters. Whilst some LAFs may be concerned about what appears to be a National issue others may not. To establish a National issue it should be identified by the number of LAFs indicating it is a National issue that requires investigating further. The process for doing this maybe through the Regional chairs identifying an issue. Then informing the England Access Forum. The England Access Forum would then inform all LAFs of the issue and ask if they wanted it investigated at a National level . If the response was "Yes" for above a defined percentage (percentage figure to be determined could be above 70%) then the issue would be investigated at a National level. National Access Forum would draft a project proposal for approval by the LAFs. Currently there are 8 Regional LAFs. The regions consist of:

Region	Number of LAFs
East Mid's	9
East of England	10
North East	5
North West	10
South East	17
South West	12
West Mid's	10
York's and Humber	13

The details of how the England Access Forum membership and the processes they follow are outside the remit of this document and will only be further investigated if there is further interest from other LAFs.

IMMEDIATE ACTION REQUIRED FOR PERMISSIVE EASY ACCESS ROUTES

There are 56 Easy Access sites remaining (April 2015, see appendix A). Both the LAFs and Natural England recognise the lack of opportunities for the disabled to access the countryside. It is therefore

essential that funding is found to continue to provide good quality permissive “easy access” routes in the countryside. It is important that funding is provided to every Highway Authority for permissive access, again the pot should be split amongst the Highway Authorities in accordance to area (square miles).

All highway authorities, even the smallest in terms of area should be provided with a reasonable sum of money to enable them to create an easy access permissive route of at least 1000 metres. The easy access site permissive agreement should run for 10 years. The route literature provided for these routes should be in accordance with Countryside for All route literature format. The LAFs should have the responsibility for awarding permissive route status. The Highway authority should assist in promoting the routes. DEFRA/Natural England should make the payments to the farmers/landowners for these routes.

FUNDING FURTHER PERMISSIVE ACCESS ROUTES

Whilst the current financial climate exists it is understood that DEFRA will find it difficult to fund further routes until the CAP agreement 2021. In order for LAFs to fund further permissive routes prior to the new CAP agreement, Natural England should provide training and assistance for LAFs to access suitable funding streams to enable them to offer payments for permissive access.

ACTION REQUIRED 2016

Create an “England Access Forum” to represent LAFs on the specific issues:

Influence Government and CAP to include funding permissive access on 10 year agreements for perpetuity to be bound into the 2021 CAP agreement and all the following CAP agreements, provided we are still part of the EEC.

Influence Government to create a reasonable size pot of money for funding permissive access. Urban LAFs may not have any HLS sites so they should have the option where they can then donate their funding to their neighbouring LAF. However the urban LAF should have a say in where the money is spent. This is to ensure people in their area benefit from the permissive route, as it would be one of the routes their users would be most likely to use e.g. close to the urban area as a link to the PRoW network.

Influence Government to allocate the pot of money available in accordance with the highway authority’s area of land. With the highway authorities with the lowest land area being provided with a reasonable sum to ensure they can provide a reasonable amount of permissive routes.

Influence Government to announce the allocation percentage for each LAF by 2019, the minimum funds for small (by area) highway authorities and maximum funds for large (by area) highway authorities.

Influence Government to pass the responsibility to awarding permissive access funding to the LAFs. This is due to the LAFs having the knowledge of the access requirements of the locality. Hence the LAF will be responsible for the proportion of types of permissive routes in their LAF area. DEFRA would still be responsible for actual payment to landowners/farmers.

Influence Government to create a permissive access rate for restricted bridleways.

Influence Government to maintain a web site for all permissive routes in a format similar to the current permissive access web site.

Influence Government to create the option of the opportunity to upgrade PRoW to a higher level status through permissive access payments, whilst protecting its PRoW status.

Examples displayed below (note HN references relate to the references in the Higher Level Stewardship: Environmental Stewardship handbook , third edition):

a) PRoW – Public Footpath upgrade to permissive bridlepath

Current payment for Footpath £0.45 per mtr

Current payment for Bridlepath (HN4 & HN6) £0.90 per mtr

Payment made for upgrade £0.45 per mtr

Responsibility for maintenance = 50% of route length highway authority

50% of route length recipient of permissive access payment.

b) PRoW – Public Footpath upgrade to Access for people with reduced mobility (HN5)

Current payment for Footpath £0.45 per mtr

Current payment for HN5 £1.00 per mtr

Payment made for upgrade £0.55 per mtr

Responsibility for maintenance = 45% of route length highway authority

55% of route length recipient of permissive access payment.

c) PRoW – Public Footpath upgrade to Countryside and Rights of Way (CRoW) Act access for people with reduced mobility (HN7)

Current payment for Footpath £0.45 per mtr

Current payment for HN7 £1.05 per mtr

Payment made for upgrade £0.60 per mtr

Responsibility for maintenance = 43% of route length highway authority

57% of route length recipient of permissive access payment.

- d) PRoW – Public Bridlepath upgrade to Access for people with reduced mobility (HN5)

Horses and cyclists still allowed to use the route

Minimum width still 3mts

Current payment for Bridlepath (HN4 & HN6) £0.90 per mtr

Current payment for HN5 £1.00 per mtr

Payment made for upgrade using the previous formula would equate to £0.10 per mtr. As more access to the countryside is required for people with disabilities maybe this amount should be re examined to encourage farmers/landowners to offer this upgrade.

Responsibility for maintenance = 90% of route length highway authority. The cost of maintenance is significantly higher than a bridlepath, maybe a Government subsidy should be provided to the Highway Authority for these type of upgrades.

10% of route length recipient of permissive access payment.

- e) PRoW – Public Bridlepath upgrade to Countryside and Rights of Way (CRoW) Act access for people with reduced mobility (HN7)

Horses and cyclists still allowed to use the route

Minimum width still 3mts

Current payment for Bridlepath (HN4 & HN6) £0.90 per mtr

Current payment for HN7 £1.05 per metre

Payment made for upgrade using the previous formula would equate to £0.15 per mtr. As more access to the countryside is required for people with disabilities maybe this amount should be re examined to encourage farmers/landowners to offer this upgrade.

Responsibility for maintenance = 90% of route length highway authority

10% of route length recipient of permissive access payment.

- f) PRoW – Restricted bridleway to allow for carriage driving. Upgrades from PRoW Public Footpath or Public Bridlepath should follow the same logic as identified in

a and b above. Restricted byways have a minimum width of 3 metres and a maximum width of 5 metres. Where there is a lack of carriage driving opportunities, the LAF may choose to accept a 3metre wide carriage way. To encourage farmers/landowners to agree to an upgrade to a 3metre bridleway a different payment may need to be made.

HLS SITES SUITABLE FOR WHEELCHAIRS Appendix A

Location	Number of Sites in 2012	Number of Sites in 2013	YEAR GRANT SUBSIDY ENDS							
			2013	2014	2015	2016	2017	2018	2019	2020
Bath & NE Somerset	0	0								
Bedfordshire	0	0								
Berkshire	0	0								
Buckinghamshire	0	0								
Cambridgeshire	0	0								
Cheshire	3	3	1							2
City of Bristol	0	0								
Cleveland	0	0								
Cornwall	1	1						1		
Cumbria	6	5	1	1		2			1	
Derbyshire	0	0								
Devon	4	3		1		1				1
Dorset	0	0								
Durham	4	3					2		1	
East Riding	0	0								
East Sussex	1	1								1
Essex *	1	1								1
Gloucestershire	0	0								
Greater Manchester	0	0								
Hampshire	0	0								
Herefordshire	2	0								
Hertfordshire	6	6						6		
Isle of Wight	0	0								
Isle of Scilly	0	0								
Kent	3	2				1	1			
Lancashire	5	5	1	1		1	1			1
Leicestershire & Rutland	0	0								
Lincolnshire	6	6	1			1	1	1	2	
London	0	0								
Merseyside	0	0								
Norfolk	4	4		1		1		2		
North Somerset	1	1		1						
North Yorkshire	8	6					1	1	1	3
Northamptonshire	1	1					1			
Northumberland	5	5		2			1		1	1
Nottinghamshire	2	2		1						1
Oxfordshire	1	0								
Shropshire	2	2							1	1
Somerset	2	2	1							1
South Gloucestershire	0	0								
South Yorkshire	2	2		2						
Staffordshire	2	2	1							1
Suffolk	1	1								1
Surrey	3	2				2				
Tyne & Wear	2	2		1				1		

HLS SITES SUITABLE FOR WHEELCHAIRS

continued

Location	Number of Sites in 2012	Number of Sites in 2013	YEAR GRANT SUBSIDY ENDS							
			2013	2014	2015	2016	2017	2018	2019	2020
Warwickshire	1	1		1						
West Midlands	1	1								1
West Sussex	0	0								
West Yorkshire	2	2							1	1
Wiltshire	1	1	1							
Worcestershire	2	2					1			1
TOTAL	85	75	7	12	0	9	9	12	8	18

* Essex previously had a site categorised incorrectly in 2012