

countryside access

PUBLIC FOOTPATH
START POINT 1/4 M

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START
POINT

a guide for
local authority
councillors



Registered charity number 1093577

a great time for access

Countryside access issues are in the news. In the South East and Lower North West regions, the mapping of 'open country' has delivered its first public benefits. Here the public can now enjoy access on foot to many areas of land that were previously forbidden. For the first time ever many of our most beautiful landscapes can be enjoyed by all.

Paths too, continue to make the news, with notorious landowners calling for restrictions to public rights across their land, or taking matters into their own hands by erecting obstacles to restrict access. Thankfully however, the stereotypical rambler versus farmer conflicts do not tell the whole story. The true value of our countryside paths, recognised during the foot and mouth outbreak in 2001, will not easily be forgotten.

Another subject rarely out of the news is the link between a lack of physical activity and ill health. Government studies have found up to two thirds of men and three quarters of women aren't active enough to protect themselves against problems like obesity, heart disease and diabetes. A third of English children are now overweight or obese. Walking is one of the best and easiest ways of taking daily healthy activity as well as enjoying the benefits of being out in the countryside and green spaces to our physical and mental health.



Sarah Bove

Our paths are an historic feature of our landscape, like hedgerows and dry-stone walls. They have become established over hundreds of years, providing access to work, school, and places of worship. As traffic-free links between communities paths have a major role to play in a sustainable transport network.

With your help and determination England's path network and open access areas can be completely opened up at last, fulfilling their potential as a valuable resource for the public.

the benefits of countryside access

The benefits of walking and access to the countryside are many and varied. In most cases these benefits are wide-ranging and have substantial positive effects for local authorities who make countryside access a priority.

Health

Walking is the closest thing to the perfect form of exercise, with clear and proven benefits to physical and mental health; it is also one of the easiest forms of exercise to build into busy lifestyles in a sustainable way. The NHS advises a minimum of 30 minutes a day of moderate activity, five days a week for adults, an hour every day for children. By providing and maintaining paths and access land for walkers, and by making it clear where these resources are, local authorities contribute to the health of the nation.

Economic

The economic benefits of walking are great, and yet they had not been truly appreciated until the foot and mouth outbreak, when all paths in England were closed and the outcry from the tourist industry and other rural businesses made decision makers take notice. Recent research carried out for The Ramblers' Association found that 527 million walking trips are made to the English countryside each year. While making these trips walkers spend £6.14 billion, generating up to £2.8 billion in profit for local businesses and supporting up to a quarter of a million jobs.





Social

The social benefits of countryside access can sometimes be overlooked. Local path networks and access land play an essential part in promoting social interaction and building community spirit. The educational benefits of access are countless. There is surely no better way to understand and appreciate the natural world than by walking in it, taking time to study and marvel at nature. Countryside access also provides opportunities to gain first-hand experience of farming, fostering an understanding and appreciation of farming practices.

Recreational

Perhaps the most apparent benefits of countryside access are those relating to recreational use. Walking is Britain's most popular outdoor activity, with 77% of the population going for a walk for pleasure at least once a month. With this in mind, any efforts made by local authorities to improve walking opportunities will benefit a majority of local people. Rights of way may often be taken for granted, but they are certainly put to good use – whether for walking the dog, taking a gentle stroll or embarking on a day-long hike. In our towns and cities, rights of way provide access to green corridors and quiet public space away from traffic and fumes.

Sustainable transport

Having built up over decades of use, it is unsurprising that the public path network often provides direct pedestrian routes to schools, shops, and places of work and worship. Walking should be the mode of choice for journeys under a mile. By properly maintaining rights of way, authorities can get people out of their cars and walking. While the provision of safe routes to schools is seen as a priority by all authorities, strategies to deliver these routes rarely tie-in with public rights of way, despite the fact that this resource already exists on the ground.

the need for political support and adequate funding

Without political support and adequate funding, countryside access opportunities become severely limited. In the case of paths a vicious circle develops – paths that are not maintained are not used, leading them to become more obstructed, meaning that fewer and fewer people use them.

Only through a proactive approach to maintenance and improvement, which needs political support and adequate funding, can local authorities ensure that countryside access resources are open and usable for all. Resources such as the path network and open access areas should be seen as the valuable asset they are, providing enormous public benefits as outlined in this leaflet.

Rights of way and access land are cheap to provide and maintain. A relatively small increase in investment for work on paths and access can make an enormous difference to the condition of these resources.

Government funding is available for capital projects on the path network via the Local Transport Plan process. For this reason, Rights of Way Improvement Plan provisions must be included in Local Transport Plans. The relevant staff teams need to work closely together and be aware of the linkages between their areas of work.



Public rights of way and open access are dealt with by local authorities (counties, unitaries, metropolitan districts, London boroughs), in their various guises as highway authority, access authority, or surveying authority. Titles aside, these authorities have a number of duties and powers relating to public rights of way and open access land. For rights of way, these are contained in a number of Acts of Parliament from 1949 to 2000. On access land, duties and powers of local authorities are contained in the Countryside and Rights of Way (CRoW) Act 2000.

local authority duties and powers

Rights of way

Public rights of way are highways in law. So, local paths have the same statutory protection as 'A' roads. Highway authorities have a duty to assert and protect the public's right to the use and enjoyment of any highway for which they are the highway authority. This means that they must prevent the obstruction of public rights of way. Highway authorities must also signpost paths where they leave a surfaced road, and keep the definitive map (legal record of paths) up to date.

Highway authorities have wide-ranging powers to improve rights of way, such as waymarking the line of a path and improving drainage. Authorities also have the power to create new rights of way. Following the enactment of the CRoW Act 2000, highway authorities have a duty to produce a 'Rights of Way Improvement Plan'. This must assess the extent to which the local rights of way network meets the needs of the local community, including the less-able, and must include an action plan to take forward its findings.

Open access land

The CRoW Act 2000 creates a new legal right of access on foot to many areas of open, uncultivated countryside. This means walkers will have a legal right to explore away from paths on approximately four million acres of mountain, moor, heath, down, and common land in England and Wales. The new right will come into effect in England region by region between September 2004 and November 2005. For more information see www.countrysideaccess.gov.uk

Access authorities have new powers under CRoW, which are intended to enable them to undertake practical management of access land, and set up the infrastructure to make the new access land available to walkers. They include the power to make byelaws, appoint wardens, erect and maintain notices and improve means of access to access land. For more information see www.defra.gov.uk/wildlife-countryside/cl/dclfin.pdf

help for local authorities

The following help is available to local authorities to improve and promote countryside access:

Volunteer assistance

The Ramblers' Association, along with other user groups, has a number of practical work teams who help local authorities to maintain and improve rights of way. Local RA groups also assist with path survey work and by reporting problems on the network.

Ramblers' Association publications

'Rights of Way – A Guide to Law and Practice' is the indispensable definitive guide to rights of way matters. It's available from the RA, priced £20 (plus £5 p&p).

'Footpath worker' is a periodical, containing news and articles for those with an interest in rights of way. It's available on a subscription basis from the RA, priced £12 for a volume of four issues.

Factsheets and leaflets: The Ramblers' Association has a large selection of factsheets and leaflets on rights of way and access. See www.ramblers.org.uk/info for more information.

The Countryside Agency

The Agency is the statutory body set up to promote access to the countryside (among many other tasks). Staff there are available to assist councils with issues such as definitive maps, local access forums, and improvement plans. See www.countryside.gov.uk

Access Management Grant Scheme

The Government has made a fund available to access authorities in the financial years 2004/5, 2005/6 and 2006/7. The scheme is co-ordinated by the Countryside Agency, Local Government Association and Association of National Park Authorities. It came into effect on 31 March 2004 and is available to local authorities outside National Parks. Each access authority will be required to undertake an assessment of its area to identify what actions will be necessary to implement the new rights locally, and to develop a local implementation plan, agreed by the local access forum. For more information call the Countryside Agency on 0161 237 1060 or email AMGSadmin@countryside.gov.uk

IPRoW

The Institute of Public Rights of Way Officers is the organisation representing professionals in the public rights of way and access fields. See www.iprow.co.uk

The Good Practice Guide

Designed to promote good practice in local authorities on rights of way work. This can be found at www.prowgpg.org.uk. It is published jointly by IPRoW, the Countryside Agency, CSS (formerly the County Surveyors Society), and the LGA.

This leaflet is designed for members of local authorities in England: the people who have decision making powers on countryside access issues.

COAST PATH
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The Ramblers' Association

The Association is a national charity with over 142,000 members. We have been working for walkers for over 65 years.

Please get in touch if you would like any more information on the issues raised in this leaflet, would like to discuss the Ramblers' Association's policies, or would like contact details for your local Ramblers representatives.

We would, of course, be delighted to welcome you as a member of The Ramblers' Association. Please phone 020 7339 8536 and quote reference 'CL4' to take advantage of a 20% discount on our standard membership fees.

Our website, www.ramblers.org.uk, is widely recognized as the leading online resource for walkers. Please visit it and find out more about our work.

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