

This response is sent on behalf of The Leicestershire Local Access Forum (LLAF). The observations given have been agreed following discussions between members of the Forum's planning group with the other members given an opportunity to comment. LLAF is of course an independent statutory body, set up as a result of the Countryside and Rights of Way Act (CROW) 2000, and exists to represent the interests of everyone concerned with access to the countryside and the public rights of way network including footpaths, bridleways and byways, cycleways and areas of open access. Section 94 of the CROW act makes it a statutory function of the forum to give advice to a range of bodies, including local authorities and government departments, on access issues.

We are responding by email as many of the questions in the online consultation are of a technical nature and outside our remit.

Our first observation is that changes as envisaged are bound to lead to winners and losers.

Upland farms for example have over half of their income from subsidy payments but these farmers keep our hills as they are and a valuable leisure resource essential to the health and general wellbeing of the population. We would wish to see subsidy continue, if directly linked to public access and the maintenance of stiles, gates etc.

Another concern is for smaller family farms. The beautiful patchwork which is most of our countryside will be lost if we encourage mega farms at the cost of smaller units. The large enterprises may well be more productive which is important but we need to bear in mind the environment and the general Englishness of our rural areas. The hedgerows and stone walls that separate the smaller units are invaluable wildlife corridors and many species of bird in particular will be at risk if these are lost.

In the interests of the safety of those travelling by non motorised means we think that subsidies to landowners should be in part targeted at provision of off-road routes. Non motorised travel is good for the environment and good for the general health, fitness and wellbeing of those enjoying it.

The countryside many of us crave and where we want to encourage more people to get out and enjoy nature is not natural in the true sense – it is largely man made and is maintained as it is by people working the land and the creatures that graze it. As such it is proper that they should get some public support in recognition of this fact. Support for farmers to maintain walls, gates, stiles and other infrastructure on access points to the countryside should be provided where needed but subsidies for gates and stiles should only be provided when the landowner can demonstrate a need to enclose livestock. Encouragement should be given to remove them, and hence the financial burden, in favour of gaps.

There is also a widely recognised need to improve public access to the countryside and subsidies to landowners /occupiers of marginal land should be able to assist them whilst at the same time being used to create additions and improvements to the public rights of way network. This could involve landowners / occupiers being recompensed for creating off-road links to close gaps in the rights of way network especially where the present link is a metalled highway which can no longer be used safely.

When we use the term targeted it is in the belief that under Stewardship/HLS schemes money was given out for access where there was little or no public demand or need. By targeted we mean that it should only be on offer where there is a demonstrable public benefit from the access being offered with priority being given to missing safe links. We also think that funding should be directed towards smaller privately owned farms

especially on marginal land and not large corporate or institutional organisations. Bodies like the National Trust, Wildlife Trusts, Woodland Trust or RSPB have other funding sources they could use to create accessible routes on their land. Also the large farming conglomerates will be more productive and profitable and should be able to compete without any subsidy

We would therefore wish to make some specific suggestions:

1. Money should continue going to agri-environment schemes for permissive access schemes which work for farmers and users.
2. Access funds provided previously have not produced best public value, partly because of underuse of the facilities provided due to a lack of awareness and poor publicity, and in some cases due to a lack of maintenance. We would suggest that any new tracks created should be added to the Definitive Map of Public Rights of Way so that they will be publicised via OS maps and subject to a well-established reporting and inspection system by regular users and highway authority staff.
3. Payment for improvements to the public rights of way network where the route in question is deemed of sufficient public benefit by the local Rights of Way Authority in consultation with the local LAF.
4. Preference to be given to routes aiding all non-motorised users (that is, pedestrians, cyclists and equestrians) providing higher rights where needed and suitable, with priority being given to smaller privately owned farms, hill farms in particular.
5. Payment for maintenance on routes over privately owned land and in open access areas i.e. mowing of grass tracks, improving the accessibility of and maintenance of walls, gates and stiles and assistance with directional signage.
6. Agreements should be better policed than has been the case in the past, by improved cross-compliance but simpler regulation. This should be possible even with a desirable reduction in paperwork and red tape. Whenever landowners are applying for support under Stewardship, Woodland Management or any other public funding grant they must look after the environment and provide safe access to the public into any amenity land. We do not think the present level of inspection is adequate and would like to see a portal where the public can raise concerns for the inspectorate to look into. This should not be seen to be a threat by responsible landowners / managers.

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