

Consultation on improving opportunities to access the outdoors for responsible recreation – Questions

Please return this form by post or email to reach the Welsh Government no later than 2 October 2015

Consultation Response Form

Your name:

Organisation (if applicable):

email / telephone number:

Your address:

Question 1: What are your views on the principles outlined above [section 2]? If you would suggest changing them, please explain how and why.

Comments

I agree with the principles and that there should be a simpler approach to improving opportunities for outdoor recreation and activities. A big part of this is to ensure point 3 and 6 are managed well which most likely will come down to Local Authorities and therefore LA's will need guidance to set a standard of what is acceptable.

Question 2: Tell us your views on the issues highlighted above [section 4], and whether there are other key challenges you believe need to be resolved?

Comments

There will always be a certain level of disagreement or blame between user groups but there are simple solutions which would definitely help the situation which comes down to communication within Local Authorities. The Countryside Code of Conduct is well known and really now that we are considering other types of activities and outdoor recreation, further work and promotion on a standard code for all LA's would help to standardise across Wales what is expected.

There are large areas of development in Cardiff which will affect many paths but thankfully due to the legislation, it allows some sort of control of creating a desirable connected network and allows us to resolve the anomalies in time.

Question 3: What changes, if any, do you think need to be made to improve and simplify the procedures for recording, creating, diverting or closing public rights of way?

Comments

We have already created our PROW network to be visible online and are currently in the process of confirming a new Definitive Map which hasn't been completed since they were first created. There is definitely a need to digitise the maps and statements and ideally it could be all on one central site as not all LA's have a budget to manage these upgrades.

Procedures for creating, diverting or stopping up rights of way are expensive and we have found that even though we advertise in the paper, it is the onsite notices that are recognised by the public of any changes and the consultation with local community councils and community organisations. I would definitely welcome a way we could link changes to rights of way with the online definitive maps so it was all centralised and advertising costs would be massively reduced. A single event order would definitely simplify the process.

Question 4: What changes, if any, do you think need to be made to improve and simplify the provisions available to local authorities for making improvements on the ground?

Comments

The British Standards for types of furniture on rights of way is clear and simple enough but we find that many landowners do not want to contribute any costs to maintaining them and often enough it is LA's who end up taking on the burden. Due to a reduction in staff, we have to choose which cases we will take forward as they are costly and time consuming therefore clearer guidance on enforcement procedures for the more regular situations would be welcome.

Standard signage (especially when there are cows in the field) and enforcement procedures should be included in the landowner's guidance so that they are clear on

what they need to consider and guidance on ensuring they are using British Standards on types of furniture if they are going to consider having stock on their land.

Basically it seems certain LA's are very proactive and create guidance or information/signage within their area but it should be that we are all using the same information to ensure we are all clearly providing the same information from a governing body to provide more clout and impact.

Question 5: What non-legislative changes would you like to see in the meantime that you believe would help to improve the rights of way network in Wales and reduce the burden on local authorities?

Comments

A standardised Code of Conduct for shared use paths (cycling, walking, horseriding) which can be actively promoted across Wales. This would need to include clear guidance on how to create cycle routes on footpaths or footways (Cycle Track Act) to ensure all paths are registered correctly and could be included as a layer on the Definitive Map.

Standardised signage and guidance for stock in fields (cows) and dogs on leads. There is not any signage about cows in fields and it would benefit walkers if they were more aware and could choose their route accordingly depending on the time of year.

Question 6: How should the number, role, membership, and purpose of local access forums be redefined?

Comments

In the Appendix document, point 35, it proposes to prevent the LAF chair being an officer or a member of the Appointing Authority. This would, in our case, prevent Cllr Bob Derbyshire from carrying out a role that, as far as we have seen, works well and has provided the group with a voice to raise issues which need a person of influence to support.

Similar to having regional coast path meetings, we would benefit by having regional LAF meetings with the officers to improve cross border communication and project work. For example, we are keen to work with volunteer groups but on our own do not have the capacity to manage a scheme but this could be considered in partnership with another LAF.

The number of members and years appointed is appropriate but the procedure for appointing new members is lengthy and could be simplified to ensure a quicker turnaround time between LAF cycles. This would improve a seamless crossover between transition years.

Question 7: How should the rights and responsibilities surrounding dogs in the countryside be harmonised to provide greater certainty over what is acceptable and what is not, in a way that makes communicating messages about responsible dog ownership and handling more straightforward?

Comments

With standardised signage to clearly state that dogs should be on a lead when there is stock in a field is necessary. There is always going to be an issue of what it means to have your dog 'under control' and if we can help landowners by saying that all dogs must be on a lead when on a right of way that may resolve half the battle.

Question 8: How could current legislation be changed to make it easier to allow for a wider range of activities on existing and new paths?

Comments

Simplify the process to legally create shared use paths to allow cycling and have them displayed on the Definitive Map. Once these are all made available online you would be able to navigate across Wales or even Britain!

On another note, landowners' would need rights to be able to prevent certain types of activities held on their land due to farming, land management of stock/crops, etc. It may be better to allow landowner's to apply to have areas for recreation when suitable but in a simplified way rather than a massive legal procedure. This would allow control for areas where there may be environment protection, farming/landowner businesses, etc.

Question 9: How could legislation better strike a balance between the various demands of motorised users, landowners and the natural environment?

Comments

Comment from LAF Member:

I have carefully studied the contents and fully endorse the comments, and can only re-iterate my concern that none of this should be implemented unless there is adequate funding, to properly enforce legal responsibilities, to ensure that Land owners and farmers are not burdened with further financial costs, or hampered in their efforts to run a business efficiently on their property. It is already very difficult in such rural areas which are highly populated, without the stress and conflicts of interest, which are bound to arise if free access is open to all.

However, I am sure you are aware of the implications in this consultation and that you will do all in your power to protect our environment in the best interests of all.

Angela Giddings (Member of Cardiff LAF)

Question 10: How should the need for new or improved access opportunities be identified, planned, and provided?

Comments

LA's should already be undertaking the review of their network of paths and access areas as this is part of managing their existing network and desirable routes which could be created. The idea of making it a requirement should fit in with the ROWIP as part of their review. Requiring additional mapping would obviously come with a cost and that would need to be reflected in the funding opportunities for LA's.

Question 11: What are your views on the benefits and challenges of creating a right of responsible recreation to all land in Wales?

Comments

There are many issues of enforcement of misuse/damage or poor conduct on rights of way in specific areas which can cause distress to landowners therefore we need to consider the landowner's rights to act to protect the paths and their land. If we were to ensure they were safeguarded than they would be more confident and support the idea of more open access for recreation. There could be a potential for a more active and safe environment for various outdoor recreation.

In agreement with Cardiff Council Parks comments:

The definition of what is responsible recreation will be key to success. Unfortunately although the majority of people will probably work within whatever framework is provided, there will still be a minority of people that flout the rules and continue to cause problems - both in terms of risk to others and damage to natural assets. How is it envisaged that control can be exercised?

Wales is a much smaller area than Scotland, Sweden or Norway - whilst in the vast majority of the Principality, the framework may work very well, in the south eastern part of Wales where the population density is at its highest, there will be considerable challenges which risk destroying some of the assets that we value so highly.

Question 12: What approach do you advocate to improve opportunities for responsible access for recreation on inland waters?

Comments

The option to fall in line with the Land Reform (Scotland) Act 2003 seems like a good option to consider as it would become more standardised for Britain and familiar to the public. This would also allow for core paths to hold status and be improved for access. Commercial organisations should definitely contribute to the maintenance of waterways and banks the same as an event/race would contribute to the costings to use the prowl network or parks.

Question 13: What approach do you advocate to improve opportunities for responsible access for recreation on the coast and in the marine environment?

Comments

The more accessible and keeping with the environment the route can be will only help to encourage more visitors. Keeping the coastline tidy and from being damaged by misuse is always going to be a challenge and will depend on the location.

Question 14: What would be the advantages and disadvantages of a statutory code of conduct for outdoor recreation in Wales?

Comments

It will not necessary be enforceable but it means that we are all promoting and publicising the same message. A simple code similar to countryside code would be brilliant and it may be that a series of simple codes to suit situations would work best (shared use paths; water recreation; coastal; countryside; bridleways).

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:
