

Public Bill Committee - Scrutiny Unit

Call for written evidence: Agriculture Bill

Submission from Cycling UK

Executive Summary:

Cycling UK welcomes the Bill's inclusion of public access to the countryside as a form of 'public good' to which agri-funding can be directed. However we wish to ensure that this funding is well targeted to deliver the greatest long term benefit for the public.

We believe that the maintenance and improvement of the public rights of way network should be a clear priority, particularly in order to secure improved countryside access on the urban fringe, and that therefore funding should support improvements in the network through the delivery of existing statutory Rights of Way Improvement Plans (RoWIPs).

Background:

1. Cycling UK was founded in 1878 and has 68,000 members and supporters. Cycling UK's central mission is to make cycling a safe, accessible, enjoyable and 'normal' activity for people of all ages and abilities. Our interests cover cycling both as a form of day-to-day transport and as a leisure activity, which can deliver health, economic, environmental, safety and quality of life benefits both for individuals and society.
2. Cycling UK collaborates closely with the Ramblers, British Horse Society and other access groups, to further our common interests in protecting and enhancing public access to and enjoyment of the countryside.
3. We applaud the inclusion of funding for public access to and enjoyment of the countryside as an area for funding. We believe that this is entirely in keeping with the Government's public statements on the inclusion of countryside access as a form of 'public good' and the importance of connecting people with the environment to improve their health and wellbeing in DEFRA's 25 Year Environment Plan.
4. Improvements in countryside access would encourage healthy outdoor recreation and greater engagement with nature, while also strengthening rural tourism. We believe that investment in delivering these public goods, particularly in peri-urban areas, could increase both the number and diversity of those who benefit from fresh air and green exercise, particularly by increasing opportunities people with disabilities and those living in towns and cities.
5. At present, just 22% of England's rights of way network are available for cycling or horse riding. Natural England's Stakeholder Working Group on Unrecorded Rights of Way¹ recommended in 2012 that a review should be carried out of how routes for cyclists could best fit in with the highways network to form an integrated whole, and

¹ <http://publications.naturalengland.org.uk/publication/40012>

provide for usage by all non-motorised users. We continue to believe this is long overdue.

The Bill as presented:

6. Although the Bill creates a power for the Secretary of State to fund access improvements and other public goods, the Bill contains no duties to do so. We are concerned that future funding for all the priority areas listed remains at the whim of ministers, instead of offering the long-term funding needed to plan and deliver comprehensive local rights of way networks, rather than individual isolated routes.
7. Additionally, we note that the Bill focuses on payments in order to support access rather than a clear commitment to fund improvements in access to (and understanding of) the countryside. Previous research by Natural England² has shown that focusing on improvements in the network ensures ongoing benefits for a wider demographic, particularly for disability, horse and cycle users.
8. We also note that the Bill permits the Secretary of State (SoS) to delegate responsibilities for running the scheme to any other person. This risks undermining existing legislation and duties that apply only to public bodies, in particular:
 - The duty to consider the statutory purposes of National Parks and AONBs
 - The duty to have regard to the purpose of conserving biodiversity
 - The advisory role of the Local Access Forum
 - The local Rights of Way Improvement Plan
12. As drafted, the Bill does not ensure that bodies responsible for agri-funding decisions will have the same duty to have regard to the above issues that extends to existing public bodies. We therefore consider it vital that the outcome must contain a clear method of ensuring that funding goes to those areas and projects which would deliver the greatest public benefit.
13. Previous funding arrangements, such as agri-environment schemes, saw funding offered for temporary permissive access agreements. Natural England published a review of the results and effectiveness of agri-environment schemes³ which found that increased access was included in only 16% of Higher Level Stewardship (HLS) agreements, and that “Reviews of access within the classic schemes concluded that value for money was low because too few agreements linked in to the existing network and/or provided routes that met public demand”.
14. Our concerns are further highlighted by the Explanatory Notes published alongside the Bill, which state that:
 19. Subsection (1)(b) will enable the Secretary of State to provide financial assistance to support public access to and enjoyment of the countryside, farmland and woodland. This subsection will also enable the provision of financial assistance to support understanding

² https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/371881/p4c-final-report.pdf

³ <http://publications.naturalengland.org.uk/publication/46002>

about the environmental benefits that land can provide. This subsection may be used, for example, to incentivise foresters to provide facilities for educational visits for schools, supporting pupils to visit natural environments and learn about the environment. This would contribute to the delivery of societal benefits including that of engagement with the environment. It may also be used to give financial assistance to farmers and land managers to share information about agroecology.

15. It seems incongruous that although these explanatory notes cite numerous examples of what agri-funding could be spent on, improvements to rights of way and access to the countryside are not among them. We seek to ensure that rights of way improvements, and specifically the delivery of Rights of Way Improvements Plans, are given the priority they merit.

The way ahead:

16. We believe that most cost effective way to increase cycling and walking in the countryside would be to improve existing rights of way and open more high quality, well surfaced, well signed and well maintained multi-user routes. This alone would mean that agri-funding was delivering a huge public good.
17. Routes in and around the urban fringe are particularly important both for public access, and as traffic-free connections to the surrounding countryside. Particular value is attached to linear features such as disused railway lines and riverside routes that often have limited agricultural value, rewarding farmers for dedicating these routes as permanent rights of way would be unlikely to negatively impact on agricultural operations or productivity.
18. In order to maximise the health, economic and rural tourism benefits of increased off-road access, Cycling UK recommends that public funding for countryside access should:
 - Offer farmers and landowners an annual payment to help better maintain existing rights of way and access across their land
 - Reimburse farmers and landowners for capital works that are required to create new routes across their land
 - Financially incentivise farmers and landowners to increase public access, particularly through improvements in the rights of way network, opening up disused railway lines as bridleways and creating promoted traffic-free routes on the urban fringe.
 - Integrate with environmental schemes, such as hedgerows and tree planting, in order to improve people's connection with the natural environment.
22. The Bill and its explanatory notes should provide a clearer message as to what public access funding should be spent on.
23. Under the Countryside and Rights of Way Act 2000 (CRoW), Rights of Way Improvement Plans (RoWIPs) are statutory documents which local highway authorities must develop and periodically update in consultation with local stakeholders. They

have the potential to identify and prioritise those improvements to countryside access in the area that would provide the greatest public benefit, varying from resurfacing footpaths and the replacement of stiles with gates through to the creation of new bridleways and cycle paths along disused railway lines.

24. Unfortunately, at present, RoWIPs remain unfunded and there is no statutory duty to deliver them. The mechanism for funding of public access as a public good could play a key role in ensuring that funding was prioritised towards practical improvements in access that would offer the greatest benefit for the wider public on a strategic scale.
25. There is also potential for RoWIPs to identify new areas of access land and improve connections to National Trails and the coastal path.
26. As a result, we feel that the best way to deliver best value for the public purse and the greatest possible long term benefit for the public would be to target public access funding towards the delivery of Rights of Way Improvement Plans.

Proposed probing amendment

27. We therefore invite members of the Committee to table a probing amendment as follows:

In clause 1(1)(b), after the word “woodland”, insert “including the delivery of Rights of Way Improvement Plans,”

28. This would allow the Committee to discuss the importance of increasing opportunities for off-road access to the countryside, including improvements to the extent, accessibility and maintenance standards of rights of way, and particularly the coherence of rights of way *networks*. We would welcome a ministerial assurance that addressing these issues will be a priority for funding, and that this will be spelt out in the explanatory notes to Clause 1 of the Bill and in drawing up plans and guidance relating to the allocation of funding under this clause.