



National Audit Office

**DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL
AFFAIRS AND THE COUNTRYSIDE AGENCY**

The right of access to open countryside

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SUMMARY AND RECOMMENDATIONS



1 The introduction of 'open access' enables the public to walk across large areas of countryside without being restricted to footpaths. The new right of public access, often referred to as the 'right to roam',¹ applies to 865,000 hectares (6.5 per cent) of land in England and covers mountains, moors, heaths, downs and registered common land. The right includes walking, bird watching and climbing, but does not permit camping, hunting or organised games without the landowner's permission (see paragraph 1.1 and Appendix 1).

2 The Countryside Agency (the Agency)², in conjunction with the Department for Environment, Food and Rural Affairs (the Department), introduced open access on an area by area basis between September 2004 and October 2005, ahead of the Department's public service agreement target of December 2005. The open access project has been a unique exercise, and achieving this deadline involved addressing landowners' concerns about what land would be included and what impact it would have on their businesses (such as farming and shooting). This report provides an early assessment of whether the project has been successful in opening up land to public access in practice and what more can be done to enable the public to use this new right. Our main sources of evidence include 79 site visits to access land, 'mystery shopping' exercises at tourist information centres and of the Agency's telephone helpline, a review of the countryside access website, and focus group discussions with stakeholders (see paragraphs 1.2, 1.8-1.9 and Appendix 2).

3 Open access has only been in place for a short period and it remains early to measure take-up. We encountered few other walkers during many of our site tests, although this might reflect the timing of our visits. The first main test of usage is likely to be in the summer holidays in 2006 when demand should be higher. The Agency has commissioned a survey to measure usage, which will include information about the demographic, socio-economic and ethnic groupings of users (paragraph 1.5).

4 The Agency, the Department and access authorities³ have had some success in raising general awareness of open access through media campaigns, leaflets and events. Polling conducted by a market research firm for the Agency in 2005 indicated that 53 per cent of those surveyed had heard of the right to roam and 31 per cent of open access, an increase of 10 per cent on similar polling a year earlier (paragraph 2.3).

1 The new right was established by the Countryside and Rights of Way Act 2000.

2 From October 2006, the Countryside Agency will cease to exist and its responsibilities for open access will transfer to its successor body Natural England.

3 Access authorities are national park authorities and local highway authorities.

5 The Agency spent £52.6 million implementing the open access programme, compared to an estimate of £28 million, and once all other costs are included, total central government expenditure to the end of March 2006 amounted to some £69 million.⁴ Ongoing running costs are expected to be £13 million in 2006-07. The Agency did not pilot test implementation as they believed this would add two years to the timescale and would not enable them to complete the project by 2005, although they did not adequately assess the risks of foregoing pilot testing. As a result, the Agency underestimated the work involved in determining what qualified as mountain, moor, heath and down, and how to map it. The Agency tightened up its project management procedures in 2003 by introducing additional project planning, training relevant staff in project management and establishing proper reporting and monitoring arrangements (paragraphs 1.6-1.7 and Appendix 3).

Overall conclusion

6 The right of access was successfully introduced two months ahead of target and in nearly all the sites that we tested, we were able to gain access and walk across such land without obstruction. Increasing familiarity with the new arrangements, and improved information on how to find and use access land, will encourage people to exercise their rights and should increase the benefits of the initiative over time. The benefits cannot be easily quantified in financial terms, however, and so it is difficult to establish to what extent the outcome justified the costs incurred. The costs were much higher than estimated, largely because the Agency had not anticipated the scale of the work involved and because of an absence of adequate project management at the outset.

Our findings in more detail

7 Ordnance Survey updated and revised the majority of their maps in sufficient time to make clear where new open access rights exist. The Ordnance Survey maps provide the definitive source of information on where to find open access land and could not be printed until the Agency finalised the statutory map in each area. All 69 of the Ordnance Survey Explorer series maps covering the first four of the eight areas open to access (representing 70 per cent of total access land in England) were issued when the right came into effect in these areas. In total 100 of the 232 updated maps (43 per cent) were released in time for the commencement of open access in each area and the remainder were available within two to six months of the relevant date (paragraph 2.2).

8 At 1 November 2005 over 99 per cent of access land was open without restrictions to people without dogs. There were restrictions on 25 per cent of access land to exclude people with dogs, to protect wildlife or heritage sites, for example, or to protect grouse moors (paragraph 3.12).

9 Most tourist information centres had some information leaflets about open access available, and two thirds of those we visited were able to answer our questions about open access. On occasion, when expressly asked about walking on new access land, staff advised walking on established routes or paths but this may reflect a broader impression that it may take some time for the concept of open access to establish itself in the public's mind (paragraphs 2.17-2.21).

10 The Agency's telephone helpline is primarily intended as an information source for land managers, but some leaflets also advertise it as a public helpline, which could result in some confusion. When we tested the helpline, the staff referred us to the countryside access website (paragraphs 2.11-2.14).

⁴ The other costs include the Department's own project costs and its funding of mapping appeals and access works in national parks. Financial information separating costs pre- and post-commencement of the new right was not readily available and so the cost figures to the end of March 2006 include some ongoing costs such as monitoring and restrictions processing costs.

11 The countryside access website⁵ is a comprehensive source of up-to-date information about access land, and the difficulties in searching and viewing information when we examined the website in November 2005 had begun to improve by the time we examined it again in April 2006. In our initial testing of the website, we found it difficult to determine where we could walk because the online maps of access land lacked recognisable detail and we could not differentiate between those restrictions applicable to everyone and those only for people with dogs. The Agency had begun to improve the website at the time of our testing and by April 2006 had upgraded the quality of the maps and how restrictions are shown. In both November 2005 and April 2006, two thirds of the 58 searches we carried out took us to the maps we wanted without difficulty but the remaining searches did not, partly because some places share a similar name or because the search function did not recognise certain place names (paragraphs 2.7-2.10).

12 Without adequate public transport links it is difficult for people from inner cities and those on low incomes to make use of open access land. Although we travelled by car and were able to park near each of the sites we visited, 20 per cent of the sites were accessible by bus or train. Some access authorities, such as the Peak District National Park Authority, had negotiated with neighbouring city councils to change or introduce weekend bus routes to improve transport links to access land. Many of the sites we visited did not offer toilet facilities, and the initial implementation of open access did not include plans to install such facilities (paragraph 3.2).

13 We gained access to land easily in 95 per cent of our visits but at remaining sites we came across impassable walls or gates. We were also able to walk across land without obstruction in over 90 per cent of cases. Work to improve access has been most successful when driven by people's actual needs, for example by providing gates where people otherwise climb fences or walls, and such an approach can minimise the risk that increased access will harm sensitive landscape or landowners' ability to manage their land (paragraphs 3.3-3.5).

14 At most sites we visited signs clearly indicated access land, although at 27 per cent of sites there were no signs when some would have been helpful. In four places we visited, outdated signs could cause confusion. When restrictions on access apply it is generally clear where people cannot go, but we found inconsistencies between information from the online maps and signs on the ground about dog restrictions, with eight sites we visited imposing rules on dogs when no restrictions existed according to the online maps (paragraphs 3.8-3.18).

15 It is too early to judge the effects of open access on vulnerable sites and land management practices. Preparatory work has taken place to anticipate and prevent harm but monitoring will be important to show how effective restrictions and other measures have been in minimising potential damage. Insufficient restrictions could lead to environmental damage; too many could unnecessarily prevent access to walkers. The Agency has a monitoring programme in place to address these risks (paragraph 3.14).

5 The website's address is www.countrysideaccess.gov.uk.



RECOMMENDATIONS⁶

- a Countryside access website:** The Agency should regularly review usage and feedback of its countryside access website to confirm that the information is easy to search, view and navigate.
- b Telephone helpline:** The Agency should either clarify the scope of the service offered to the public by its helpline or stop advertising (and advise third parties to stop advertising) the telephone number as a public helpline.
- c Tourist information centres:** The Agency should target specific guidance to tourist information centre staff, to enable them to respond to people's queries about using their new right and to encourage them to display leaflets and other material about open access.
- d Dogs and access land:** The Agency should encourage access authorities (national park authorities and local highway authorities) to make signs specifying dog-related rules on access land clear, consistent and accurate.
- e Increasing opportunities for the public to use the right of access:** The Agency should encourage access authorities to explore with their neighbouring councils the cost-effectiveness of diverting weekend bus services past open access land in order to enable people on low incomes and from urban areas to use their new right.
- f Applying lessons learned:** The Agency should pilot test any work required for its ten-year review of access land maps in order to develop accurate estimates of the likely cost.

⁶ References to 'the Agency' in the recommendations will apply to Natural England when that body takes over responsibilities for open access from the Countryside Agency on 1 October 2006.