

NFAF 34/1

Item 5: Officer's Report (Cath Hart)

This paper covers:

- Common Agricultural Policy consultation response from NFAF
- First meeting of the Asserting and Protecting the Public Rights joint NFAF/HCAF/SDLAF sub-group
- Coastal access

Common Agricultural Policy consultation response from NFAF

The following letter was submitted on behalf of NFAF:

Dear Sir/Madam

I am writing on behalf of New Forest Access Forum, the statutory Local Access Forum for the wider New Forest area, as provided for under the Countryside and Rights of Way Act (2002).

The Forum are disappointed at the lack of provision for public access. We welcome references to educational access but, pivotally, other than a possibility of small capital grants which may include improvements to access infrastructure, there seems to be no consideration given to promoting the integration of public access with other environmental or economic benefits.

Furthermore, the proposals remove the current protection under GAEC 8 which requires land managers to undertake their duties and responsibilities towards rights of way or face a fine in CAP funding. This is an important measure to ensure cross-compliance with public rights of way responsibilities and, whilst it might not often be invoked, it is a valuable tool for local authorities in encouraging land managers to carry out their duties with respect to public paths. It would seem to be a cost-free measure to retain, and we hope that this can be reinstated.

We ask that you take the above points into account and that access can be given greater prominence.

Yours sincerely

Alastair Duncan
Chairman

New cross-Forum sub-group: Asserting and Protecting Public Rights

Notes from the first meeting of this group, on 10th October, are given below. Ruth, Lynden and Tracey represent NFAF on the group, along with HCAF and SDAF members.

Background:

Obstructions can broadly be grouped into "historic" (which includes map anomalies) and those that are more "recent". Hampshire has over 450 "historic" obstructions, and the backlog of more recent cases is building.

Recent cases: The approach has been to put HCC resources into addressing landowner responsibilities e.g. cutting back side vegetation, replacing or mending structures, etc. It's easier than chasing/enforcing, but costly. Other issues are addressed through visiting or corresponding with landowners. Enforcement is the end point, but there is no formal enforcement policy in place.

Historic cases: Anomalies are dealt with by the same team that deals with Definitive Map Modification Orders. The available resources don't allow the backlog to be proactively tackled; anomalies are dealt with as and when an issue such as a property sale arises. Again, there is no formal policy in place.

HCC thoughts:

Need to:

- Reduce number of new obstructions, and stop new obstructions becoming a problem
- Be confident about when to serve Notice, and that Notices will be followed through
- Develop a policy that is endorsed by Members
- Ask LAFs for views on what are the most important areas to use resources on, e.g.
 - Is Ploughing & Cropping a big issue? Or something else?
 - Who should pay for a diversion that sorts out an anomaly?
- Work with LAFs to look at how priorities are decided, taking into account why we have priorities in the first place, and at improving the prioritisation process

Immediate Questions for the Group:

- How can more problems be prevented and fixed without them coming to HCC?
- What can HCC do to get problems resolved better?

Longer Term Objective for the Group and/or LAFs:

To develop advice to HCC on the following matters:

- An enhanced policy on enforcement which includes a statement of priorities
- More streamlined processes for handling obstruction and nuisance cases
- Improved education and preventative measures
- Increased staff capacity
- A plan for dealing with the backlog of cases

Group Discussion/Ideas:

Prevention

- Education is key. Suggested actions:
 - Articles in Farmers Weekly and/or NFU / CLA newsletters
 - Work with local agricultural colleges. Do colleges have a module on access?
 - Could Hampshire Country Learning be involved?
 - Proactively write to farmers / landowners – letter to come from PC, from LAF or from user groups (not from HCC)
 - Educate the public too – and show landowners how the public are being educated
 - TV coverage – aspirationally something on Countryfile. Coverage of the Parish Conference would be good
 - Use Social Media (could Country Learning advise/help?) to reach 'new' audience. Develop apps etc to reach younger generation. Need to link educational messages to something more interesting. Continue to use website to reach traditional audience
 - Information plates on fingerposts saying report obstructions to PCs
- Messages:

- What landowners can and can't do. Even co-operative landowners think it's OK to put a new fence across a path if they install a gate or stile
- How to use the Small Grants Scheme and Stiles-to-Gates
- Tax-payers give money to farmers, ROW are the opportunity to show people what farmers have done with that money

Resolution

- Letters to landowners should say matter will be referred to Rural Payments Agency if not resolved (*post-meeting note: but GAEC8 not in new CAP*)
- Develop a list of objective criteria with an associated weighting system. Take action by serving Notice against the top 'X' backlog cases and/or new cases that score over 'X' points (where X is a number that keeps enforcement at an achievable level). Review after a year
- Get more publicity for existing volunteer work. Promote goodwill. Show that volunteering works. Note that finding out who landowner is will be difficult for volunteers, as can be getting permission.
- Parish Councils have powers to resolve local issues.
 - Inspire PCs to get involved (but how?)
 - Could LAGAN/CAMS system send problem report to the Parish Council with a covering message 'let us know if you can fix it'?
 - Encourage the public to report obstructions to the PC

Prioritisation

- The same priorities should apply to maintenance and enforcement issues, and they can also be applied to anomalies. Sometimes issues on the maintenance or anomalies list will jump to the enforcement list
- Priorities should include:
 - Usage – i.e. Higher likely use = higher priority
No figures on actual use. Do have figures on complaints – could cross-reference complaints and anomalies, but would need to take demographics into account, e.g. who is likely to complain
 - Predicted speed of resolution – i.e. do the quick fixes
 - Deliverability
 - Longevity – length of time it's been an issue

Next steps

Access Team to discuss ideas put forward by this Group, investigate as appropriate, and report back.

Access Team to draft some priorities and propose a weighting system for discussion by this Group.

Coastal access

Hansard records that Mike Thornton MP (Eastleigh, Liberal Democrat) asked the Secretary of State for Environment, Food and Rural Affairs "when the England Coast Path will be extended to areas in Hampshire." Dan Rogerson MP (North Cornwall, Liberal Democrat) responded "The Government is continuing the programme to extend the coastal path network around the English coast. We have not set a timetable for extending the English coastal path into Hampshire. We will be implementing coastal access step-by-step by tailoring the amount of activity to the resources available."