

Natural England Commissioned Report NECR113

Higher Level Stewardship permissive access evaluation

First published 11 June 2013



Foreword

Natural England commission a range of reports from external contractors to provide evidence and advice to assist us in delivering our duties. The views in this report are those of the authors and do not necessarily represent those of Natural England.

Background

This research was commissioned to establish the extent to which permissive access options under Higher Level Stewardship (HLS) have delivered their intended outcomes and how access agreements have been experienced by land managers and other key stakeholders. It presents a range of perspectives and opinions that help define the value and benefits delivered by the permissive access options that have been available.

The motivations of agreement holders for providing permissive access, the benefits gained, problems encountered, the influence of payments and the potential of voluntary provision had not previously been explored.

The quality of the access provided, its targeting and linkage to the wider access network, and promotion of the access to local communities were all considered in the research from the perspective of agreement holders and local stakeholders. The views of representatives from

national user groups were also sought. This research did not attempt to monitor usage.

Changes were made to the funding arrangements for HLS permissive access in December 2010, with a voluntary approach to provision replacing annual payments for new and changed agreements.

This research was commissioned as part of the overall evaluation of Environmental Stewardship and the results will be used in the analysis of policy options for future permissive access and statutory dedications.

This report should be cited as: Powell, J., Taylor, K., Kambites, C, and Lewis, N. (2012) *Higher Level Stewardship Permissive Access Evaluation*, Report to Natural England. CCRI: Gloucester Natural England Commissioned Report NECR113.

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Keywords – permissive access, Environmental Stewardship, HLS, evaluation, Rural Development Programme for England (RDPE)

Further information

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ISBN 978-1-78354-017-4

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Higher Level Stewardship Permissive Access Evaluation

Final Report

**To
Natural England**

**By
The Countryside and Community Research Institute
in association with
Asken Ltd**

Acknowledgements:

CCRI and Asken would like to acknowledge the help and guidance given by members of the Defra/NE project steering group, namely David Devaney and Lesley Taylor of Defra, and Darren Braine and Alison Hill at Natural England throughout the course of the work. Without their assistance this project would not have been possible. We also want to express our thanks to all the people who gave freely of their time to respond to our questions during the research – farmers, landowners and representatives of other stakeholders, both employees and volunteers.

Summary of Project

Project Title: Higher Level Stewardship Permissive Access Evaluation

Client Reference: HLS Permissive Access Evaluation Contract 23706

Start Date: October 2011

Finish Date: September 2012

Duration: 11 months

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When quoting this report use the following citation:

Powell, J., Taylor, K., Kambites, C, and Lewis, N. (2012) *Higher Level Stewardship Permissive Access Evaluation*, Report to Natural England. CCRI: Gloucester. Natural England Commissioned Report NECR113.

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Abbreviations used in the report

AONB	Area of Outstanding Natural Beauty
CAP	Common Agricultural Policy
CCRI	Countryside and Community Research Institute
CLA	Country Land and Business Association
CRoW Act	Countryside and Rights of Way Act 2000
CSS	Countryside Stewardship Scheme
Defra	Department for Environment, Food and Rural Affairs
ELS	Entry Level Stewardship
ES	Environmental Stewardship
ESA	Environmentally Sensitive Area
HLS	Higher Level Stewardship
LAF	Local Access Forum
LHA	Local Highway Authority
NE	Natural England
NPA	National Park Authority
NT	National Trust
OELS	Organic Entry Level Stewardship
PRoW	Public Rights of Way
RDPE	Rural Development Programme for England
ROWIP	Rights of Way Improvement Plan
TAN	Technical Advice Note

Executive Summary

- 1) An evaluation of permissive access under HLS options was carried out over the period October 2011 – March 2012. The evaluation included telephone and face-to-face interviews with a sample of HLS permissive access agreement holders, and face-to-face interviews with a range of national and local level stakeholders representing user groups and other interested bodies such as local authorities. A sample of 221 agreement holders randomly selected from eight evaluation areas were contacted by telephone, and an additional 20 'ex-agreement' holders who provided access under classic schemes were also contacted by telephone. Face-to-face interviews were carried out with 33 agreement holders and 32 stakeholders in the eight selected evaluation areas. Evaluation areas were selected to ensure coverage of different farm types in upland and lowland areas of England.
- 2) The aim of the study was to evaluate the contribution of HLS permissive access options, and explore the potential for future voluntary provision of access. This requires judgements on the 'value' of access to different stakeholders, which is a difficult concept to define in terms of the study's subject matter, and depends very much on the viewpoint of the person undertaking the valuation, whether it is an agreement holder, a user of access, or some other stakeholder such as a representative of a local authority or non-government organisation. To a user, the value of access might lie in the fact that it opens up an area that was previously closed, or avoids a busy road, or that it enables links with other forms of countryside access. For a landowner or an agreement holder providing access, the value might lie in the 'feel-good' factor arising from an altruistic action, or in formalising what is already happening on the ground through informal use. Ultimately the value of permissive access to agreement holders consists of a balance between positive impacts of providing access, and the actual or perceived negative impacts of having more people visiting actively managed farmland.
- 3) The research indicates that the HLS Permissive Access options have provided additional access to the countryside, in terms of area of open access, length of footpath, bridleway, and to a lesser extent, disabled access (note that provision of large scale access for the less mobile was never the intention of the Scheme). The majority of this access can be classified as 'new' access, while an estimated 42% of the access now under HLS permissive access options was already being used informally by the public in some way. Entry into HLS, however, has formalised this access, creating benefits to land managers through provision of greater measures of control over those using the access, and to the user through providing reassurance that they are not trespassing. A wide range of benefits has been delivered through permissive access options in HLS agreements for both agreement holders and users, including: improved relationships between agreement holders and local communities, higher levels of contact between farmers and the public, greater accessibility to a range of sites of interest, improved safety by getting horses and/or people off dangerous roads, and in some cases, permissive access agreements enable access to specific sites of interest, or creation of links with public rights of way.
- 4) The survey evidence reveals a strong element of altruism in the provision of access. A significant proportion of farmers and land managers are providing access, not for financial gain (although a minority indicate this is an important factor), but to fulfil a recognised local demand. The study also indicates benefits in terms of better relationships between farmers and the public, and better

relationships with local communities making use of the resource. These benefits are recognised and valued by permissive access agreement holders.

- 5) Views of users came through discussions with representatives of user groups. The evidence suggests that some permissive access is heavily used on a daily basis, while access in more remote areas is rarely visited. Site visits reinforced this view suggesting that some access had very light use, while other areas (usually those closer to population centres) received regular use, even in mid-winter. The survey of agreement holders and site visits revealed that the main beneficiaries are local users, in particular walkers and dog-walkers. To a lesser extent (in terms of numbers) horse riders seem to have benefitted as a significant proportion of the permissive access routes are bridleways (a much higher proportion than within the PRow network). In the majority of cases examined in detail the focus of the permissive access agreement holder was on providing benefits to the local community, rather than providing access for visitors from further afield. This is in keeping with the aims of access provision through an agri-environment mechanism, though there are some instances of high levels of use of permissive access routes, for example in Devon, where an agreement has created a link between two villages, and another that links to a coastal site.
- 6) A small number of local stakeholders in the eight evaluation areas thought that there had been a missed opportunity to target and provide access closer to population centres, or to provide better links to the existing PRow network, which might have resulted in higher levels of use. In Leicestershire, for example, some local stakeholders indicated the need for more access provision close to population centres. The evidence from the survey, however, shows that while few of the sites surveyed are close to urban areas over 80% of the permissive paths and bridleways have links to the PRow network (in this context PRow is only referring to other cross-field paths and bridleways as part of the definitive rights of way network, and excluding roads). In addition, even in rural areas, many of the permissive access sites surveyed had evidence of high levels of use by local residents and/or visitors. In cases where links to other footpaths and rights of way are not made this may be due to lack of proximity to other rights of way, or to the fact that a PRow exists on another land holding, while agreements are with individual land managers.
- 7) Promotion of HLS permissive access was identified as an area where improvements could be made. The evidence suggests that promotion is limited, and a significant number of agreement holders were unaware or unsure of how their access was promoted. A total of 23% of telephone survey respondents indicated that they themselves were the main form of promotion, while 17% perceived that there was no promotion of the access in their agreement. A relatively small proportion of agreement holders were aware of the Natural England Conservation Walks and Rides website, and some stated that Natural England signs were the only form of promotion of their site. A small proportion of agreement holders felt that the current level of promotion, along with 'word of mouth', was sufficient for local people. A larger proportion of local stakeholders suggested that promotion of permissive access was inadequate, and general awareness of the location of sites was low. A small number of sites were heavily promoted by the agreement holders themselves, through leaflets, local media (including radio), brochures, listings in guided walks publications, and through map boards in villages.
- 8) The quality of the access in terms of infrastructure and interest is generally good. The quality ranged from extremely high to poor, including sites where farmers had provided additional interpretation

boards, parking, wider footpaths, way-marking, and actively advertised for people to visit, as well as sites where it was difficult to find the entrance, there was little information about where to go, and evidence of damage (e.g. littering, fires, vehicular use). The vast majority were well signed, though some would benefit from some way-marking as a single map at an entrance was not always sufficient to help users find their way around the longer routes. Infrastructure in the form of gates and stiles was generally good. In many cases, the access enables people to visit features of interest including historic sites, woodland, viewpoints, and water features. At least half of all access sites visited had good car parking facilities, and many could be reached by bus services. Only a small number provided disabled access, but here the quality of car parking was higher.

- 9) The study also evaluated the potential for voluntary provision of access without payment under HLS, as financial support for access provision has now ceased. Under the Spending Review 2010 decisions, funding for permissive access options in new HLS agreements ceased from 1st December 2010, however, provision of permissive access remains a scheme objective. The research suggests a complex picture. Without a payment incentive, the majority of landowners/land managers stated they would be unlikely to voluntarily provide *new* permissive access under HLS in the future. Reasons vary widely including changing commodity prices, concerns over temporary access becoming permanent, and changes in management/ownership as a younger generation takes over. The study also revealed that slightly more than half of agreement holders *currently* providing access indicated they might continue to provide this *existing* access on a voluntary basis, while only 20% indicated they would not continue to provide the existing access (the remainder were uncertain). The evidence collected from agreement holders suggests that a core of access will continue to be provided after current HLS access agreements end. The telephone survey also indicated the experience of providing access through their HLS agreement had not changed attitudes to access provision for the majority, while 26% indicated a positive change in their attitude to providing permissive access, and only 3% indicated a negative change in their attitude. The evidence suggests that the experience of access provision has led to an increase in the proportion of access that might be offered voluntarily in the future.
- 10) National and local stakeholders were more pessimistic about the future of voluntary access provision than the actual agreement holders, suggesting the majority of permissive access would be lost without financial support. Agreement holders were more positive, revealing a range of reasons for continuing to provide access. Where the access does not seem to be causing any management problems or difficulties, then agreement holders are more likely to let it continue, as there are some concerns that the costs of trying to stop people using the access might outweigh the benefits. Decisions about access provision are complex, and a wide range of factors beyond simple cost calculations influence the decision, including concerns about access becoming permanent, the safety of users, and public relations. The 'cost' of access provision certainly plays a role for some access providers (e.g. in terms of opportunity costs if market conditions change, costs of repairing damage, and time required for management) but some respondents also indicate a desire to provide something for the community, a wish to share the benefits of land management with the wider public, and a 'feel-good' factor from improved relationships with local communities.

1. Introduction

Aims and objectives

1.1 In Autumn 2011, Natural England (NE) commissioned an evaluation of the permissive access options delivered through Higher Level Stewardship (HLS) agreements within the Environmental Stewardship (ES) scheme.

1.2 The overall aim of the project was to evaluate the extent to which existing HLS permissive access agreements are delivering their intended outcomes, and the value that permissive access is delivering to agreement holders, access users, the wider public, and towards the outcomes for HLS as a whole. The project had two broad objectives:

Objective 1: To evaluate the extent to which existing HLS permissive access agreements are delivering their intended outcomes; whether there are any unintended (or indirect) impacts, and how these impacts are experienced by different stakeholders.

Objective 2: Assessment of the effect of the change to a voluntary approach to the delivery of the intended outcomes for HLS permissive access.

1.3 The research was carried out during the period November 2011 – March 2012.

Report structure

1.4 Section 2 of this report summarises the background to the study, a literature review can be found in Section 3 and Section 4 describes the project methodology. The subsequent sections describe and analyse the data according to the objectives of the research, with Section 5 exploring the impacts and value of the permissive access provided, Section 6 concentrates on the outcomes of permissive access, and Section 7 focuses on the change to a voluntary approach. Section 8 summarises the findings and draws conclusions. Detailed reports on each of the eight nodal areas studied can be found in Appendix 1 and the questionnaires used to gather data can be found in Appendix 2.

2. Background

Environmental Stewardship

Scheme set-up

2.1 Environmental Stewardship (ES) is an agri-environment scheme that provides funding to farmers and other land managers in England to deliver effective environmental management on their land. The scheme is a part of the Rural Development Programme for England (RDPE) which implements the EU Rural Development Regulation and Pillar 2 of the Common Agricultural Policy (CAP). The Programme is jointly funded by the EU through the European Agricultural Fund for Rural Development and the UK Government.

2.2 ES replaced Environmentally Sensitive Areas (ESA) and Countryside Stewardship Schemes (CSS). Although these earlier 'classic' schemes are now closed to new entrants, some agreements are still in operation though all will end by 30 September 2014. ES is open to all farmers and land managers across England. ES provides farmers and land managers with a financial incentive that supports and rewards them, through voluntary management agreements, for looking after England's countryside and its wildlife, landscapes, historic features and natural resources (soils and water) and for providing new opportunities for public access. The scheme is managed by Natural England (NE) on behalf of the Department for Environment, Food and Rural Affairs (Defra).

2.3 There are three elements within ES: Entry Level Stewardship (ELS) (which includes Uplands Entry Level Stewardship), Organic Entry Level Stewardship (OELS), and Higher Level Stewardship (HLS). HLS is usually combined with an underlying ELS or OELS agreement. HLS aims to deliver significant environmental benefits in high-priority situations and areas, and is a competitive, highly targeted scheme with each application being assessed on its own merits. There are over 100 HLS target areas across England, with priorities for each of these set out in Target Area Statements. NE seek multi-objective agreements that can make the greatest total contribution to the identified environmental priorities for these areas. Agreements run for 10 years. Further details of the current scheme are set out in the HLS Handbook¹.

Permissive Access

2.4 Although most HLS options are EU co-funded, this was not the case with HLS permissive access annual payments which were funded directly by HM Treasury. As a result of Spending Review 2010 decisions, funding for permissive access options in new HLS agreements ceased from 1st December 2010, however, provision of permissive access remains a scheme objective. Applicants are now encouraged to provide permissive access voluntarily as part of an HLS agreement (especially in cases where it was part of a previous agri-environment scheme agreement). Existing agreements are being honoured, but changes to access options or the location of permissive access within agreements are not (now) accepted. (See the following link: <http://www.naturalengland.org.uk/ourwork/farming/funding/es/hls/usefuldocumentshls.aspx>). All existing agreements can be found on the NE Conservation Walks and Rides Website², which provides a source of information to potential users.

¹ Natural England (2010) Higher Level Stewardship: Environmental Stewardship handbook, third edition (NE227).
<http://www.naturalengland.org.uk/ourwork/farming/funding/es/hls/usefuldocumentshls.aspx>

² The Natural England Conservation Walks and Rides website can be found on the following link: <http://cwr.naturalengland.org.uk/>

2.5 The first (2005), second (2008), and third (2010) editions of the HLS Handbook³ describe the access options in detail. The access options that were available until 1st December 2010 were:

- HN1 Linear and open access – base payment
- HN2 Permissive open access
- HN3 Permissive footpath access
- HN4 Permissive bridleway/cycle path access
- HN5 Access for people with reduced mobility
- HN6 Upgrading Countryside and Rights of Way (CRoW) Act access for cyclists/horses
- HN7 Upgrading Countryside and Rights of Way (CRoW) Act access for people with reduced mobility

Educational Access

2.6 Until 1st December 2010, educational access was also an option within HLS as follows:

- HN8 Educational access – base payment
- HN9 Educational access – payment per visit

Although educational access annual payments were discontinued as part of the Government's Spending Review decisions, they were re-instated from mid-March 2011 for educational visits by schoolchildren up to age 16, and for supervised care farming visits for vulnerable groups of people.

2.7 Whilst educational access is out of the scope of this evaluation, it has been taken into account where there are clear linkages with the other HLS access options.

Permissive Access in 'classic' schemes

2.8 Permissive open access was available through the Environmentally Sensitive Areas (ESA) scheme, whilst a range of permissive access options were available through the Countryside Stewardship Scheme (CSS) including open access, footpaths, bridleways and disabled access. All classic scheme agreements will have expired by the end of September 2014. A small sample of classic scheme agreement holders (n=20) whose agreements had recently expired were interviewed by telephone in this study. These were carefully selected to avoid duplication with the sample of current HLS agreement holders.

³ Available at <http://www.naturalengland.org.uk/ourwork/farming/funding/es/hls/usefuldocumentshls.aspx>

3. Literature Review

3.1 A search revealed very little academic literature on permissive access options in HLS. However, there are a number of policy documents at national and local level concerned with access to the countryside.

3.2 The national policy background for HLS access options is set by four technical advice notes produced by the Rural Development Service (one of the three organisations amalgamated to form Natural England, and initial deliverer of Environmental Stewardship) in 2006:

- Technical Advice Note 45: Assessing objectives, selection criteria, targeting and consultation.
- Technical Advice Note 46: Eligibility for access payments under Higher Level Stewardship.
- Technical Advice Note 47: Countryside and Rights of Way Act and Environmental Stewardship.
- Technical Advice Note 48: Access - legal issues, cross compliance and planning consent.

3.3 Technical Advice Note (TAN) 45 suggests that new access developed under HLS must either “*enable people to see and enjoy the landscape, wildlife, history of an area, or the conservation improvements under the scheme; and/or provide new or improved opportunities for quiet recreation, leisure and relaxation in the countryside.*” The focus was on ensuring that provision of new access provides additional opportunities for enjoyment of the countryside in a number of possible ways. Specific objectives for new access created under HLS were as follows (taken from TAN 45):

- *Create new access routes to currently inaccessible features...and areas of wildlife or landscape interest.*
- *Improve access for a range of users (including those with limited mobility) by creating routes that bridge gaps in the Public Rights of Way (PRoW) network; give access to landlocked areas of open access land created under the Countryside Rights of Way (CRoW) Act; join CRoW areas of open access land or link to long distance footpaths, and where possible link to public transport networks.*
- *Create new areas of open permissive access*
- *Provide facilities on farms that promote greater understanding of the countryside, its history, landscape, wildlife, economy, culture and agriculture.*

3.4 Each region of England has a general theme statement covering permissive (and educational) access in addition to the target statements for HLS targeted areas⁴. The regional theme statements have been revised since HLS access options were introduced and all state that outside of target areas, applications for HLS must contribute to at least one of the stated themes. For the theme “**Improving people’s enjoyment & understanding of the farmed environment:** *Natural England will consider applications offering to enhance or improve access and recreation where it can be shown that (a) there is identified demand or need and (b) where it will link people with place or (c) where it will enhance existing networks and/or provide opportunity to improve the public’s understanding of the farmed environment through educational access visits*”

⁴ Available from <http://www.naturalengland.org.uk/ourwork/farming/funding/es/hls/targeting/default.aspx> (accessed 19th April 2012)

3.5 The statements go on to say:

“Opportunities to enhance or improve access through HLS will be defined by local teams, in liaison primarily with Local Authorities, but also with others including National Park Authorities, AONBs and National Trail Teams.

Such opportunities will meet the criteria listed and be based upon demonstrable evidence. Although the availability of relevant data is expected to vary from county to county the primary sources for this information are likely to be:

1. *Rights of Way Improvement Plans [ROWIPs]*
2. *Green Infrastructure Plans*
3. *Expiring Classic Scheme Agreements*

National Park / AONB management plans may also provide useful information”

3.6 The ROWIP for each of the eight evaluation areas was considered by the field researcher visiting that county⁵, although the early agreements could have pre-dated the production of the ROWIPs. Typically, the relevant aims of a ROWIP would be:

- Increased access to the countryside from major population centres
- The filling of ‘missing links’ in the PRoW network
- The provision of circular Conservation Walks and Rides
- Increased safety through the provision of alternatives to dangerous roads and improved crossing points.
- Increased access for users with reduced mobility
- Development /improvement of long-distance paths

3.7 There have been some relevant surveys and evaluations of access to the countryside in general that set the background context for providing greater countryside access. For example, AECOM (2006-2008)⁶ surveyed visitors to 58 open access land sites over a three year period, interviewing 4,540 users. They identified five major categories of visitor:

- Dog Walkers (39%)
- Amblers / taking a short stroll (21%)
- Serious Walkers/ hikers or ramblers (15%)
- People enjoying the scenery (3%); and
- People participating in another specific activity (9%).

The remaining 13% fell into more than one category.

3.8 Not only were dog walkers the largest group, they also visited most often and had ‘the lowest awareness and understanding of CRoW’ (p.7). For 60% of dog walkers the main attraction of the open access land site was being able to let their dog(s) off the lead and only 7% always kept their dog on a lead. Only one in ten would use a lead if requested to do so by signage. However, about 50% of dog walkers expressed a willingness to use a lead when necessary, for example around livestock, and many claimed that their dog was

⁵ See for example <http://microsites.lincolnshire.gov.uk/countryside/prow-management/countryside-access-and-rights-of-way-improvement-plan/> (accessed 19th April 2012)

⁶ AECOM (2006-2008). Countryside and Rights of Way (CRoW) Act 2000 (Part 1): National Open Access Visitor Survey (2006-2008) - Executive summary (NECR036). See: <http://publications.naturalengland.org.uk/publication/48005> (accessed 19th April 2012)

controllable without a lead⁷. Their behaviour in these circumstances may be relevant to permissive open access land.

3.9 A 2010 survey by Asken Ltd⁸ revealed only 10% of farmers thought that open access had had a negative effect on their business. However, of those that had had negative experiences, dogs were the most commonly cited problem.

3.10 Problems associated with dogs were one of the concerns voiced by farmers studied by Mulder et al (2006)⁹ in the Forest of Eversley and the Forest of Bere in Hampshire. A wide range of problems were encountered, including unauthorised access, lack of control, gates left open, litter, fires and people generally exceeding their rights. Perhaps not surprisingly in view of the problems, 57% of the farmers interviewed said that they would be unwilling to increase public access even with sufficient financial incentives. However, both the Forest of Eversley and the Forest of Bere are within easy reach of urban areas and research in more remote areas might have found fewer problems and consequently more positive attitudes.

3.11 Recent work in Ireland (Howley, et al. 2012)¹⁰ found that around 20% of farmers would be prepared to allow free public access as long as there was no cost to themselves and a further 29% would offer access if provided with financial compensation. Farmers in the west of Ireland were found to be more willing to offer access than those in areas of more intensive farming.

3.12 The same research project found that potential users expressed a preference for shorter (1-2 hour) walks over longer ones, as well as a preference for 'river walks' (rather than field, hill or bog walks), walks with car parking and for gravel paths and signage. The preference for shorter walks and for signage corresponds with provision made through HLS permissive access in England.

3.13 Whereas Howley et al assert that "*it is now widely recognised that rural based recreational activities have the potential to deliver significant economic benefits through tourism based revenue and as such can be an important tool for rural and regional development*", the AECOM report also investigated the possible economic impacts of CRoW open access, concluding:

'Since most trips are made relatively close to home and expenditure levels are low there are only a limited number of visits that give rise to a benefit to rural economies from sites typical of the National Sample. Expenditure tends to be higher by people making trips while on holiday, and hence spending may be higher at sites that attract holiday makers.' (p.10)

⁷ Note that on CRoW open access land, dogs must be kept on a lead of 2m or less between 1st March and 31st July each year and at any time in the vicinity of livestock ('vicinity' is not defined in the Act). In some circumstances dog owners may be banned from bringing dogs onto CRoW access land. Dogs are allowed on PRoW but must be kept "under close control" (but not necessarily on a lead).

⁸ Asken Ltd (2010). Survey of landowner attitudes to services provided in relation to access and rights of way. Report for Lake District National Park Authority

⁹ Mulder, C, Shibli, S and Hale, J (2006) 'Rights of Way Improvement Plans and increased access to the countryside in England: some key issues concerning supply', *Managing Leisure*, 11, pp.96-115

¹⁰ Howley, P., Doherty, E., Buckley, C., Hynes, S., van Rensburg, T, and Green, S. (2012) Exploring preferences towards the provision of farmland walking trails; a supply and demand perspective. *Land Use Policy*, Vol.29:1, pp. 111-118

3.14 However, provision of access often involves capital improvements (provision of gates, stiles, fencing, etc.) which may provide employment locally, and/or increase expenditure in the local economy.

3.15 Most surveys and evaluations of permissive access under agri-environment schemes relate to the 'classic' schemes. Bentley's 2002 research¹¹ concluded that "access under agri-environment schemes cannot be viewed as potentially providing extensive new access to hitherto inaccessible countryside" (p.13) and that it was supply driven rather than needs driven. He recommends improvements in the information made available to the public and "a more targeted approach to access provision" (p. 14).

3.16 ASK for Research (2005)¹² carried out a survey of 200 agri-environment scheme (CSS/ESA) permissive access sites in Devon, Norfolk and Northumberland on Saturdays and Sundays between July and September 2004 and interviewed 268 visitors. There was a wide variation in the number of visitors per site with an average of 4.1 visitors per site. About three quarters of the visitors to the sites surveyed lived locally and about a quarter were on holiday or a day trip. Approximately one third of visitors knew about the site because they lived locally and approximately one third had been informed by friends and family. Just over half were dog walkers. The report continues:

"The vast majority of visitors feel that the site should remain permanent. Whilst nearly three quarters of visitors feel the landowner should be paid for allowing public access to their land, just one third of visitors would be prepared to pay to access the site." (p. 17)

3.17 From the land owners' perspective, The Country Land and Business Association (CLA) supports permissive access whether provided through agri-environment schemes or by arrangement with local authorities.

"Permissive access offers many benefits; it is flexible and can be tailored to changes in land use (for example, headlands within an arable rotation). It can be provided quickly and easily without the formalities of the bureaucratic definitive map process. It can offer access to specific groups, such as horse riders or cyclists. It can be used to easily provide links to create circular routes, or access to otherwise inaccessible areas of countryside. It engenders respect because users know that abuse of the rights can lead to removal of the access. Landowners are willing to offer permissive access because they retain control of the access and with it the ability to deal with any problems that occur."(CLA, 2012, p.23¹³)

3.18 ADAS (2007)¹⁴ studied the provision of disabled access through agri-environment schemes including HLS. The research team visited 43 of the 46 sites then under that option and assessed them in line with the Disability Discrimination Act as well as interviewing 41 of the farmers or land managers. They concluded that

¹¹ Bentley, J (2002) 'The contribution of access agreements under agri-environment schemes towards the provision of new access in the countryside'

¹² ASK for Research (2005). Defra Agri-environment schemes – access monitoring survey. Report for Defra

¹³ Country Land and Business Association (2012) *The Right Way Forward: The CLA's common sense approach to access in the countryside*

¹⁴ ADAS (2007). Evaluation of Access for the Less Able in Defra Agri-environment Schemes. Report for Defra

“the ‘easy access’ option has delivered a significant level of improved access and opportunity for disabled and less mobile people wishing to enjoy the countryside. It has delivered full access at many locations where some people with disabilities would have previously had no opportunity to access and enjoy the countryside.” (p.viii). However, *“it has not always maximised the benefits, which could and should have accrued to disabled visitors”* (ibid).

3.19 In summary, it appears from this study that dog walkers are the largest group using open access provision and also that dogs are the cause of a large proportion of the problems. Users, at least in Ireland, prefer shorter routes and like river walks, car parking and well-signposted gravel paths. The ‘classic’ schemes had some success in providing disabled access and routes for local people, but did not in general open up extensive new areas of land. Evidence on landowners’ views is mixed with many not willing to provide access even when financial incentives are available, but others including the CLA being strongly supportive of permissive access.

3.20 The literature review presented here is limited, a small selection of references relevant to agri-environment access has been covered, while the majority of the wider countryside access literature has not been reviewed under this study. There is a large amount of literature concerning attitudes of countryside users, their likes, dislikes, values, and patterns of behaviour but the project team did not feel it appropriate to re-iterate that here. The aim of the current study is to evaluate the contribution of HLS permissive access options, and explore the potential for future voluntary provision of access. This requires judgements on the ‘value’ of access to different stakeholders, which will vary across stakeholders and between individuals, depending on their perception of quality of access, and the reasonableness of people’s actions.

3.21 It can be concluded from the above discussion that ‘value’ is a difficult concept to define in terms of the study’s subject matter, and depends very much on the viewpoint of the person undertaking the valuation, whether it is an agreement holder, a user of access, or some other stakeholder such as a representative of a local authority or non-government organisation. To a user, the value of access might lie in the ease with which the person can get to a site, or the fact that it opens up an area that was previously closed, or avoids a busy road, or that it enables links with other forms of countryside access. For a number of other stakeholders the value might lie in ensuring the (albeit temporary) provision of a wider range of public access for recreational or health related activities in an area.

3.22 To a landowner or an agreement holder providing access, the value might lie in the ‘feel-good’ factor arising from an altruistic action, in the financial gain from scheme payments or boost to another non-farming enterprise, or in formalising what is already happening on the ground through informal use. However, there may also be negative outcomes (as suggested in the literature review above) such as dogs roaming free and disturbing livestock, gates left open and more litter. Each landowner or agreement holder will need to balance the benefits against the costs of provision. The weight placed on each aspect contributing to costs and benefit, will vary based on landowner motivations and expectations, and ultimately determines the type and level of access provided. In summary, the value of permissive access to agreement holders consists of a balance between positive impacts of providing access, and the actual or perceived negative impacts of having more people visiting actively managed farmland.

4. Methodology

Value of permissive access to agreement holders

4.1 The aim of the project was to “*evaluate the extent to which existing HLS permissive access agreements are delivering their intended outcomes, whether there are any unintended (or indirect) impacts arising from the agreements, and how these impacts are experienced by different stakeholders*”. In addressing these objectives the study was to make clear, “*the value agreement holders, users and other stakeholders have gained from permissive access*”.

4.2 The value of permissive access needs to be explored from different viewpoints: that of the provider, and that of the user (such as horse riders, cyclists). The methodological design of the research is based on this recognised need, requiring a range of evidence collected through telephone surveys, interviews and site observations. A primary task of the survey instruments (telephone, face-to-face) was to ascertain not just experiences of the participants, but also to explore motivations for engaging in the provision of access, in order to make judgements about the likelihood of future provision.

4.3 Lack of resources, sampling issues, and collecting data during the winter precluded a survey of users. User values were derived from selecting a range of stakeholders to represent the views of key user groups. In addition site visits were conducted on all permissive access options provided by the agreement holders who were interviewed face-to-face (a total of 38 access options were visited). Visits were made in mid-winter, on weekdays and in the middle of the day. These are not times when usage would be expected to be high, consequently, few users were actually observed. Weather conditions, also an important determinant of use on any given day, varied from heavy rain to bright sunshine. Site visits did provide an opportunity to consider potential value to users (e.g. through an assessment of access quality), and provide some supporting evidence to place alongside agreement holder perceptions of the level of use.

4.4 The data collection phase for this evaluation was carried out over three months in early 2012. Telephone interviews were conducted with eight national stakeholder representatives. In addition, eight ‘evaluation nodes’, with significant numbers of HLS agreements with permissive access, were chosen as study areas. It was possible to provide a large enough cluster of suitable agreements to have an evaluation node in each of the eight English regions apart from Yorkshire and Humberside where such a cluster was not available. Instead, a node in neighbouring Lincolnshire was studied.

- Cumbria
- Devon
- Hampshire/West Sussex
- Leicestershire
- Lincolnshire
- Norfolk
- Northumberland
- Shropshire

In each ‘evaluation node’ a sample of agreement holders was drawn for telephone interviews, and from those eight area samples, smaller sub-samples of agreement holders (n=4 in each area) were identified for more in-depth face-to-face interviews. In each of the eight evaluation nodes a sample of four local stakeholders was

also drawn, representing a range of other access interests in the area (e.g. local authorities, horse riders, walkers).

4.5 The research consisted of four elements all of which were based upon the nodes above.

- a telephone survey of HLS agreement holders,
- a smaller telephone survey of ex-classic scheme agreement holders,
- site visits
- face-to-face interviews with agreement holders and other stakeholders in each evaluation node.

Three telephone questionnaires and two face-to-face questionnaires were designed and these can be found in Appendix 2.

National stakeholder survey

4.6 A telephone survey of a sample of stakeholders at national level was undertaken to provide a broader perspective on the range of issues. The scope of the sample was intended to supplement the interests covered at nodal level and the agreed sample is illustrated in Table 4.1. Eight organisations were invited (and all agreed) to take part in this survey.

Table 4.1: List of National Stakeholders and Area of Interest

Stakeholder	Area of Interest
British Orienteering Federation	User group
Ramblers' Association	User group
British Mountaineering Council	User group
Cyclists' Touring Club	User group
British Horse Society	User group
Country Land and Business Association	Land manager
Institute of Public Rights of Way and Access Management	LHA/NPA
Forestry Commission/Enterprise	Government Agency

Enquiries were made where necessary to identify the person best able to respond to questions regarding HLS permissive access. Contact was then made by telephone and a copy of the survey questionnaire was sent in advance of the interview. Responses to questions were entered directly into a pre-prepared MS Access database.

Agreement holder telephone survey

4.7 A total of 221 agreement holders from across the eight nodes were interviewed by telephone. Interviews were carried out between 17th January and 7th March 2012, and lasted approximately 15 minutes. The majority of those contacted were happy to discuss the issues surrounding permissive access. The sample was divided equally between the nodes and covered all possible access options with footpath access being the largest group (see Tables A1.1 and A1.2 in Appendix 1 for more detail).

4.8 The sample of agreement holders was fairly evenly divided across farm type with just over one third (38%) being arable, 14% are lowland grazing, and 15% upland grazing, with 24% identified as ‘other’ (some form of mixed farming). Only 4% were identified as being ‘mainly dairy’, as shown in Figure 4.1 below.

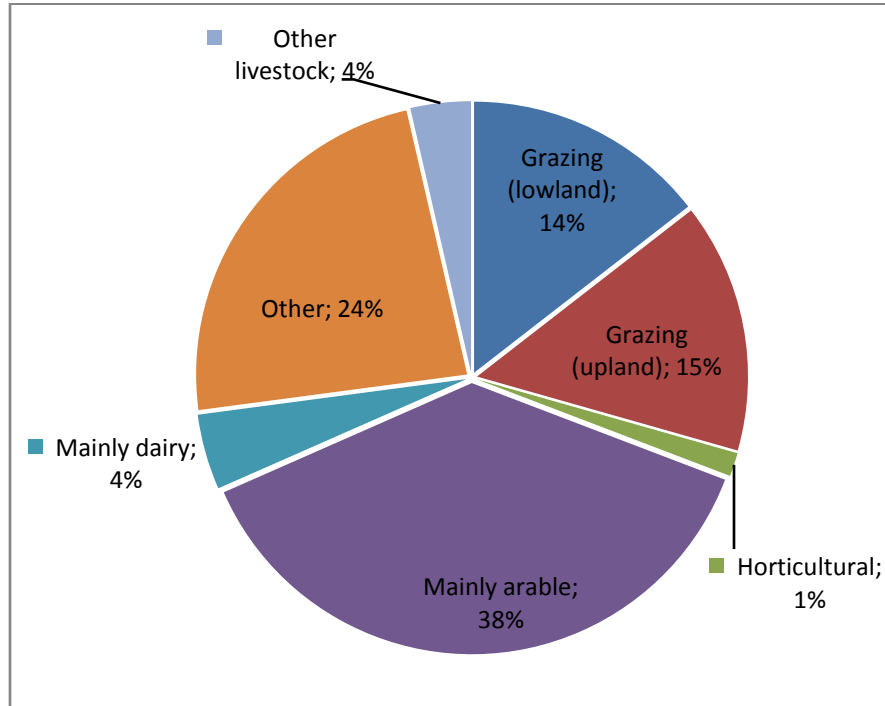


Figure 4.1: Farm type characteristics of telephone sample

4.9 Comparison of the sample data with the full data set of agreements from which the sample was drawn suggests that the sample is representative of HLS permissive access agreements. The proportion of bridleways (HN4) in the sample is slightly higher than in the full data set but otherwise the sample is similar in terms of the types of agreement and mean size/length of access.

Ex-agreement holder survey

4.10 A telephone survey of a smaller sample of twenty ex-agreement holders spread over the eight evaluation nodes was also carried out. These were farmers who had had access options in their CSS agreements but had not taken up HLS access options following expiry of their CSS agreement. Interviews were carried out between 22nd February and 8th March. They covered the option groups identified in Table 4.2.

Table 4.2: Number of agreement holders by option groups

Option	Number of Agreement holders
Open access	9
Footpath	11
Bridleway	2

Face-to-face interviews

4.11 The project team identified clusters of agreement holders within each of the eight evaluation nodes. Difficulties of accessing agreement holders for face-to-face interviewing in a restricted time frame meant that cluster boundaries became quite large. Clusters were kept within the borders of a single county in all but two cases (Hampshire/West Sussex and Leicestershire/Northamptonshire). Relevant local stakeholders within each node were identified, mainly through the national stakeholder telephone survey, and invited to participate in in-depth discussions.

4.12 The in-depth/face-to-face interviews with agreement holders were designed to explore farmers' decision-making in relation to permissive access in each node (all questionnaires can be found in Appendix 2). Specific questions related to:

- Characteristics of the farm
- Characteristics of the site to or across which permissive access has been provided
- How attitudes have influenced decisions made in relation to permissive access
- Motivations and barriers to uptake of permissive access options
- Rationale for entering into agreements
- Reasons for option choices
- Perceived level of use (actual numbers where they exist)
- Identification of any unintended (or indirect impacts)
- Views on local theme statements and partnerships
- The possible effect of the change to a voluntary approach
- Future intentions for the permissive access when the agreement ends

4.13 Thirty-three agreement holders were interviewed face-to-face. These were selected from agreement holders in the telephone survey sample that had agreed to a more in-depth discussion. Thirty-two of these were farmers, of whom ten were mainly arable (two growing energy crops), fifteen were mainly livestock and seven were classified as 'other', most of this group having a mixture of enterprises. The remaining agreement-holder interview was with the head ranger of a county council owned country park. Some of the thirty-three agreement holders visited had more than one option (in addition to the base payment HN1; see Table 4.3 below and Table A1.3 in Appendix 1 for more information).

4.14 The NE Conservation Walks and Rides website¹⁵ was consulted before making visits to agreement holders, in order to access information about the type, extent and location of permissive access offered (and this information was also used during the site visits).

¹⁵ The website (<http://cwr.naturalengland.org.uk>) lists all agri-environment permissive access (HLS and classics) sites by county with site maps, agreement details including date of expiry of the access agreement, and details of what can be seen. All applicants are required to agree to their site's details being displayed on the website.

Table 4.3: Distribution of options held by agreement holders visited

	HN2	HN3	HN4	HN5	HN6	HN7
Cumbria	1	2	1			
Devon		3	2			
Hampshire	1	2	1			1
Leicestershire	1	3	1			
Lincolnshire	1	2	1			
Norfolk		2	3			
Northumberland	3	3	1			1
Shropshire		2	4			
Totals	7	19	14			2

Note:

HN2 Permissive open access

HN3 Permissive footpath access

HN4 Permissive bridleway/cycle path access

HN5 Access for people with reduced mobility

HN6 Upgrading Countryside and Rights of Way (CRoW) Act access for cyclists/horses

HN7 Upgrading Countryside and Rights of Way (CRoW) Act access for people with reduced mobility

4.15 Face-to-face interviews were also carried out with thirty-two local stakeholders in the evaluation areas. These included representatives of NE, Local Authorities, Local Access Forums (LAFs) and user groups (see Table A1.3 in Appendix 1 for the distribution of local stakeholders interviewed).

Site visit assessments

4.16 User values can also be inferred from estimated levels of use of the permissive access, the extent to which it is perceived to be meeting demand, and its quality as indicated by, for example, the quality of infrastructure, the interesting features to which it gives access, or the ability it affords to link with other forms of access. Visits were made to the permissive access provided by the agreement holders who were interviewed. This had a number of useful purposes:

- to provide a degree of ‘ground-truthing’ of the interviewees’ responses
- to see at first hand any evidence of use
- to better understand the context for the permissive access
- to provide an opportunity to observe and possibly interview any users seen during the time of the visit.

The interviewee was invited to accompany the researcher on a site visit, although this was not always accepted. The visit involved walking along the access route either with or without the agreement holder. Where access provision was on a large scale, a number of entry points were visited and observations made as far along the access as possible in the time available. In practice, it was possible to see the whole of the permissive access site in the majority of cases. A standard pro-forma was completed for each visit supplemented by data from maps.

4.17 Several of the agreements included more than one type of access. Where these were very different in character and type, they have been treated in the analysis as separate sites and given separate assessments. As a result, the analysis covers 38 sites, distributed as follows:

HLS Permissive Access Evaluation
Countryside and Community Research Institute/Asken Ltd

- 4 in Cumbria
- 4 in Devon
- 4 in Hampshire
- 4 in East Midlands (Leicestershire and Northamptonshire)
- 4 in Lincolnshire
- 4 in Norfolk
- 8 in Northumberland
- 6 in Shropshire

Table A1.4 in Appendix 1 summarises information about the different samples of farmers and stakeholders in terms of location and sample size.

5. Objective 1: The Impacts and Value of Permissive Access

Introduction

5.1 Sections 5 and 6 will present the findings from the surveys and site visits relating to Objective 1 of this study: *'to evaluate the extent to which HLS permissive access agreements are delivering their intended outcomes; whether there are any unintended (or indirect) impacts, and how these impacts are experienced by different stakeholders'*. This section focuses on the different aspects of 'value' perceived to be provided by agreement holders and stakeholders, and the extent to which it fulfils the needs and wishes of agreement holders, stakeholders, and users.

Motivations for providing permissive access

5.2 The majority of agreement holders thought that it was important for the public to be able to access the countryside. Reasons given covered the ability for it to improve health, enhance knowledge of the countryside and of farming, promote a positive image of farming, and to support tourism.

5.3 Figure 5.1 identifies the range of answers (note that respondents were able to give more than one reason) for providing access. A significant proportion of respondents (28%) indicated 'altruistic' reasons for providing access, and 25% said it fitted in with the farm management strategy (no significant differences between farm types were detected). A similar proportion of respondents (22%) indicated a range of 'other' reasons for including access in their agreements. A key reason for taking up the HLS access option (for 42% of the agreement holder telephone sample) was that people were already using the access in some form, and thus HLS permissive access became a way of formalising that activity. Further analysis revealed a difference between farm types, with fewer arable farms indicating prior use than livestock/grazing farms (27.7% compared to 39%).

5.4 Table 5.1 summarises some of the discussions that took place with respondents to the telephone interviews that expanded on this subject (n=151). It reveals that some respondents provide permissive access either because they were in a prior agri-environment scheme and providing access, or in order to improve their chances of acceptance into HLS. A number of respondents suggested that the capacity to forge links with existing PRoW or other forms of access was influential. This form of public spiritedness is evident in the agreement holders who demonstrated altruistic reasons for providing access, which seem to centre around the realisation of a 'need' that could be fulfilled, or recognition that they had something special they would like to share with the wider community. One form of altruistic rationale that arose from the study is 'safety', but this seems to relate largely to horse riders, and the desire of agreement holders to provide routes that avoid busy or dangerous roads. A small number of respondents indicated business reasons for providing access, which were largely linked to realisation that access provided a complementary activity (e.g. something to do for people staying at a farm cottage; complementary to a livery business).

5.5 Only 16% (n=36) of respondents in the telephone survey indicated that they took up the access options for financial reasons, and 6% indicated 'other business benefits' of having access. Thus financial gain seems to motivate less than a quarter of the sample. Analysis of these 'other' responses indicates a wide range of reasons for taking up the access option; from being *"encouraged by the estate"* and, *"we have a holiday cottage – it's something for the guests to do"*, to *"it was the landowner's request"*. Other reasons include a concern for safety (mentioned by 6% of the sample). Several respondents indicated, for example, that they created access to get people and/or horses off a busy road; while 5% of respondents indicated that permissive

access provided some form of control over what people were already doing on their land through informal access.

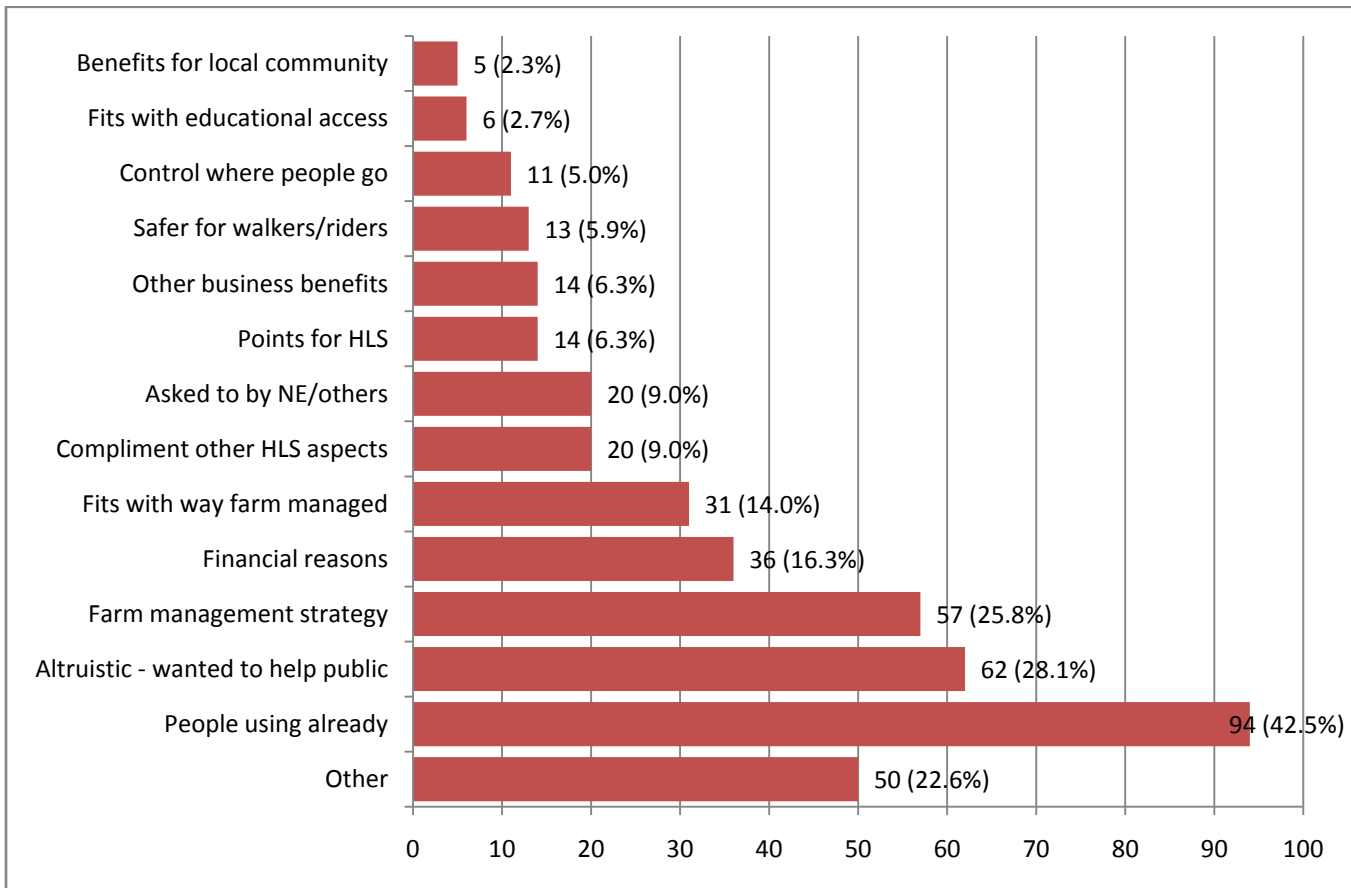


Figure 5.1: Reasons for providing permissive access in HLS agreements (n=221)
 (Sum of percentages >100% as multiple responses permitted)

Table 5.1: Reasons for adopting permissive access – comments from telephone survey

Reason for providing permissive access	Number providing this type of response	Agreement holder comments
Already being used in some way	19	<ul style="list-style-type: none"> • People trespassing already. • People used it anyway so I might as well get the money. • It's always been open access - so it has been formalised and land is now used more considerably. • Always allowed people total access over the estate. Nothing new. • Footpaths already exist. • Quite a bit of use beforehand - people round area thought it was a Right of Way anyway. • A lot of people walk through the farm on existing bridleways. • On edge of town so we already had people using it and felt money would be useful. • Lot of people using it - get lost and follow river.
Enables greater control of users	9	<ul style="list-style-type: none"> • Allows more control over where people go. • It's now a controlled footpath so less trespassing. • I hoped that the permissive path around the edge would be used instead of existing footpath across the centre of the fields. • It's a way of controlling existing users. • I can keep people away from stock on the farm. • I had concern that if I did not create permissive access it would become access by right, but I didn't want to stop anyone from using it.
Previously in Stewardship	6	<ul style="list-style-type: none"> • In stewardship previously. • Already access under stewardship agreement. • Already set up. • Follow on from ESA a little. Because of historic stuff, and we also have schools here, farm tours, got educational access.
Improve chances to get in HLS	14	<ul style="list-style-type: none"> • Didn't feel that I had any other option to qualify for HLS. • Gave me enough points to get into HLS. • Carried on from stewardship; Needed points. • Needed to do this to qualify for HLS. • It makes up the points for the agreement. • It is part of doing the HLS.

Altruism	14	<ul style="list-style-type: none">• There was no persuasion – we are privileged to have some natural viewpoints.• It seemed like the natural thing to do.• I did it to improve the visitor experience.• It is ‘the’ tobogganing place around here – don’t want to stop people using it.• It linked well with other footpaths and points in the area.• I felt there was a need.• I already had a well-established network of paths – which I used to raise money for charity.• Creates more footpaths; creates rides for horses.
Creates links	13	<ul style="list-style-type: none">• Linked in with neighbouring farm doing similar thing.• Linked well with other footpaths & points.• Linking the two bridleways.• Some use previously - ramblers had a lot to do with it - people got cross and concerned about ramblers linking up paths with no formal access - better to have path created than send people back.
Safety	11	<ul style="list-style-type: none">• Horse riders wanted to get away from road.• Lots of horses round here – it keeps them off the road.• I wanted to provide somewhere for people to ride safely.• It provides an off road walking route for campers and for locals.• Riding school next door wanted somewhere off road to ride.• Gets horse riders off the roads.• Makes safer route, avoiding 'breakneck hill'.• Good idea, keeps people safe, public benefit.
Business related	8	<ul style="list-style-type: none">• Riding school next door wanted somewhere off-road to ride• Run a livery, access complements it• To access farm shop/cafe compliments holiday let business• Fits well with cafe, farm shop and cheese making though does not bring extra business

NOTE: A total of 151 respondents provided some form of comment to supplement their answers to the initial question on reasons for offering access.

5.6 As Table 5.1 illustrates, there was some indication from the telephone survey of current agreement holders that a small number of respondents had taken part in classic schemes and in some cases the experience had led them to include access options as a part of their HLS agreement. The responses suggested that being in previous agri-environment schemes meant they were “*already set up*” and/or familiar with what was required, and what to expect.

5.7 Data were also collected via a telephone survey from a small sample of 20 classic¹⁶ scheme agreement holders. These were landowners/managers with recently expired ‘classic’ scheme agreements (although this is a small number of individual responses it does represent 10% of the total population). For almost half of the sample, ‘financial reasons’ (9 responses) had been the chief reason for providing permissive access, followed by ‘altruistic reasons’ (7 responses). A significant number (6 responses) indicated that people were using it anyway, and another 6 respondents indicated that provision of the permissive access provided a link in a circular walk. The evidence here suggests that financial gain was important to those who had chosen permissive access under classic schemes, but even though the sample is small it highlights similar reasons to those illustrated in Table 5.1 for current agreement holders (e.g. altruism and existing use).

Impacts of permissive access

5.8 Both positive and negative impacts can be identified from the provision of permissive access. Most agreement holders recognised that they enjoyed certain benefits as a result of providing permissive access as part of their HLS agreement. It is interesting to note that all but 7 of the 221 respondents in the agreement holder telephone sample indicated some form of positive benefit, which can be summarised as including:

- Allowing people to enjoy and connect with the countryside
- Enabling people to avoid busy roads
- it’s nice to have people in the countryside
- Gaining greater control over where people are going
- Obtaining extra income
- Feeling good about doing something for the community – people appreciate it
- Improving the public profile of farmers and the industry, and people see what farmers are doing
- Securing community benefits leading to improved relationships especially with locals
- Reducing fly tipping, as regular users will point out problems

5.9 Agreement holders were also asked about the negative aspects of providing permissive access. Less than half of the respondents, (n=98) indicated there was some form of negative impact, and those most frequently mentioned include:

- Illegal hare coursing and deer stalking
- Encouraging the ‘we’ve got rights’ attitude when people are asked to alter behaviour
- Uncontrolled dogs (i.e. off-leads) and more dog mess
- Destruction of ground-nesting bird nests
- People walking off the permissive access route – straying, cutting corners, ignoring boundaries
- Vandalism and theft
- Gates left open
- Rubbish being left

¹⁶ The classic schemes are the Environmentally Sensitive Areas scheme and the Countryside Stewardship Scheme.

- Wear and tear on the ground
- Damage to crops
- Wildlife disturbance

Some of the negative aspects described may well have happened with or without the permissive access agreements, for example, from respondents indicating vandalism, motorbikes and people “*ripping down stiles or taking gates*”. Much of the vandalism and theft seem to be occurring on farms very close to urban or built-up areas and it is doubtful that permissive access has been the cause of such anti-social behaviour (in some of the cases reported it is clear that farms were the target of organised crime).

5.10 Agreement holders contacted in the telephone survey were specifically asked about direct costs of providing access. Slightly more than a quarter (27%) responded. Most indicated that operation and maintenance costs were relatively low. Financial costs that were mentioned included:

- management time – running around explaining to people about closing gates
- people stealing gates and the cost of their replacement
- costs of keeping the paths clear
- time taken in establishing paths
- extra insurance
- time taken checking people out to make sure they are not involved in criminal activity (e.g. farmer had previously had sheep stolen)
- putting up signs

The majority indicated that the access had not caused them to change land management activities and had not presented any problems.

5.11 Nine (28%) of the agreement holders who were interviewed in person indicated a range of specific effects of permissive access that had financial consequences, such as changes in shooting arrangements, and having to buy equipment that would make path maintenance easier. Details are provided in Table 5.2. In the majority of cases agreement holders indicated that the HLS payments were adequate to cover capital costs, but in a few cases farmers’ costs had exceeded the payments received. Respondents indicated that maintenance costs were low, e.g. for keeping margins trimmed and clearing rubbish. Costs, where they were identified, tended to be in the low hundreds of pounds, although a couple of respondents indicated purchase of small equipment needed (in the thousands of pounds) to enable them to keep pathways trimmed, and some had provided additional ‘furniture’ such as benches to enhance the access experience for visitors. In some cases vandalism incurred costs due to the need to arrange for replacement of NE signs or other furniture (e.g. gates, additional signage/information boards provided by the agreement holder), but these access routes tended to be near urban areas and some agreement holders had experienced vandalism before the permissive access was provided. There are no additional costs to the agreement holder for replacement of NE site maps as these are replaced free of charge, but in a small number of cases farmers had provided additional signage of their own making.

Table 5.2: Negative impacts from provision of permissive access (agreement holders, n=33)

Cost Item	Number of agreement holders giving this response	Sample comments
Fencing	5	<ul style="list-style-type: none"> • Still a net cost to me • I subsidised it by 25%
Signage	5	<ul style="list-style-type: none"> • Still a weak area – some money spent here making a map. • £500 above grant • Quite costly
Gates	9	<ul style="list-style-type: none"> • Cost slightly more than grant received. • Came under capital costs • Payments cover gates bit not installation time.
Access furniture	6	<ul style="list-style-type: none"> • Made benches ourselves. • Used fallen logs to make our own. • Footbridges (2) • Two benches • Bench
Leaflets	3	<ul style="list-style-type: none"> • No cost indicated – made on home computer • Printing copies of map for local users. • High – we did our own.
Insurance	2	<ul style="list-style-type: none"> • Premium increased by £30/yr. • Doubled his cover when entered scheme
Other	9	<ul style="list-style-type: none"> • Changes to shooting (one cost £1,000; the other nothing) • Clean up rubbish • Purchase of small equipment for mowing (£15,000; £16,000) • Topping vegetation, maintenance • Dogs and livestock (2) • Taking land out of cultivation • A grill to protect mine adit (i.e. a horizontal shaft). • Change in grazing regime – cannot put the tup in access fields.
The environment	2	<ul style="list-style-type: none"> • People walking on field margins, reduces their ecological value.
Vandalism	2	<ul style="list-style-type: none"> • Litter, fires, signs removed, fly tipping, illegal access (vehicles)

5.12 The evidence from agreement holders suggests that the majority have had good experiences with their HLS access. Table 5.3 below indicates that more than four-fifths (82.8%) of respondents to the telephone survey have experienced positive encounters with users of access, and only 2.3% disagreed with the statement. A similar proportion indicated provision of access had not presented any real problems. In addition, the vast majority (93.2%) indicated they would consider entering into another agreement with access options similar to the agreement they currently held (i.e. paid access) and 97% felt this type of access was good for the community. The data in the table reinforces the evidence to suggest that overall provision of access has resulted in positive experiences for providers, and demonstrates a strong realisation of provision of benefits to the wider community.

Table 5.3: Experience of HLS permissive access options (%) (n=221)

Statement	Disagree	Agree	No opinion
The access on my land provides benefits to others	0.5	99.1	0.5
Since allowing access on my land I have had positive encounters with those using it	2.3	82.8	14.9
I would never enter into an access agreement again	93.2	3.2	3.6
I have had to change my land management activities because of the access	72.4	25.8	1.6
The access has had a positive impact on my business	22.6	38.5	38.9
I like getting the opportunity to meet people who use the access	5.5	68.2	26.4
This type of access is good for the community	1.4	97.3	1.4
Managing the access part of the agreement has not presented any problems	16.0	82.2	1.8

Classic schemes agreement holders

5.13 The majority of expired 'classic' scheme agreement holders who previously had access options indicated that there had been no change in their attitude towards public access as a result of their access experiences. However, of the eight respondents who indicated they had applied for HLS, only two said that their application/agreement contained voluntary access. Three quarters of the respondents indicated they would enter into an access agreement again, suggesting a largely positive experience, while three disagreed and two had no opinion. A small proportion of respondents reported that access paths had been retained after the agreement had expired, despite no longer receiving any financial incentive to do so. This was felt to be unfair especially given the extra work and liability that was required, however respondents thought that once access had been granted it was not possible to withdraw it. The majority indicated that the access had not caused them to change land management activities and had not presented any problems. The majority also indicated there had not been any positive impact on business. Over half the respondents agreed that it helped them to meet people, and all agreed it was good for the community. Twelve respondents indicated they had

had more contact with the public and the vast majority of this was providing information about where to walk, where to park, and about the farm.

Value of permissive access to users

Meeting demand

5.14 The survey provides evidence that HLS permissive access options have gone some way to meeting demand for access to the countryside. Within the national stakeholder survey, three-quarters of respondents felt that HLS permissive access had 'slightly' improved access to the countryside, whereas one said it had made 'a great deal' of difference, and one did not have a view. Horse riders and walkers were said by several stakeholders to be significant beneficiaries, although a latent demand for greater access for horse riders and cyclists was said by several to remain unsatisfied.

5.15 The majority of agreement holders (70.5%) in the telephone survey suggested they had experienced the level of use that they were expecting. Of the 22.3% of respondents that indicated the level of use was different than expected (n=49) two-thirds said use had exceeded their expectation, and one third said use was less than expected.

5.16 Most of the agreement holders interviewed in person believed that there is a significant and increasing demand for access in their area. A higher level of demand was put down to increased local populations (at least two sites were on the edge of expanding villages), or tourism (in some areas). Agreement holders on the edge of urban areas identified a high demand for access, and in one county, a country park ranger felt that more open access was needed to take the pressure off environmentally sensitive sites. Some agreement holder interviewees felt that their HLS access was a factor in the increased use of the countryside. Where this was the case, it was usually thought to be due to the provision of convenient short circular walks for local people, or where access to a particular feature or to the coast was provided. One farmer said that he had not thought that there was much demand in his small village until he introduced his permissive bridleways, and was surprised how well used they were by both walkers and horse riders. Others felt that their access provision had simply resulted in displacement of users from other access routes/areas.

5.17 In face-to-face interviews with both agreement holders and local stakeholders, almost all of the agreement holders indicated that local demand was being met and local users had benefited from the access provision. Only half of those interviewed, however, suggested that permissive access benefits visitors and these respondents tended to be agreement holders or stakeholders located in or near tourism destinations (e.g. Devon and Norfolk Coasts, Cumbria). Long distance walkers/ramblers were not identified as particular beneficiaries. Where stakeholders indicated benefits to ramblers it was usually in relation to 'plugging a gap' in the wider access network to create a longer route or a loop.

Perceived level of use

5.18 Estimating levels of permissive access use was difficult as neither the scheme nor this study included any formal monitoring of use and, in one or two cases, it was clear from site visits that agreement holders were confusing use of permissive access with use of public rights of way. Responses from the sample varied, ranging from complete lack of knowledge about use levels, to knowing that people either came from the local area or from further away. There are two main sources of evidence for assessing the level of use:

- agreement holder perceptions (from the telephone survey, n=221); and
- site visits (to 38 sites where interviews with 32 agreement holders took place).

5.19 The agreement holder telephone interviewees were asked about the perceived level of use of their permissive access. The bar chart below (Figure 5.2) suggests that 90 % of users are walkers or dog walkers. Less prevalent were horse riders, in 47% of access agreements. This is interesting as only 32% of agreements in the sample have bridleways (HN4), suggesting that horse riders are possibly using other forms of access option for riding. This conclusion is supported by site visit data which suggested that horses were using permissive footpaths (HN3) in some cases.

5.20 A significant proportion of agreement holders (40%) indicated that some form of organised group was using their access (including running clubs, orienteering groups, guided walks, Duke of Edinburgh groups, birdwatchers, and youth groups such as Scouts and Army Cadets). This may include some groups making use of educational access, or other groups making informal use of the permissive access. A smaller proportion (21%) indicated school groups used their access, though in most cases these were local schools making use of a local resource and/or educational access visits. Other users identified by 15% of the sample included: mine explorers, historians, holiday cottage occupiers, anglers (to access a canal), birdwatchers, pagans (in one location), and swimmers.

5.21 Some of the telephone survey agreement holders provided information about use of their access by dog walkers. The overall impression is one of daily use by this user group. Responses included the following comments:

- *'a lot from surrounding villages'*
- *'always someone there using it'*
- *'local dog walkers'*
- *'at least dozens each day'*
- *'every day plus more in summer'*
- *'local people tell me they use it'*
- *'mostly people out of the village'*
- *'mostly dog walkers as we are on the edge of town'*

5.22 In the case of walkers and ramblers, responses regarding use levels varied from 5 per week to 20 – 30 per day, even in winter. Other responses indicated hundreds per week to thousands per year. What is clear is that of the 64 agreement holders who provided some estimate of use, the majority indicate daily or weekly use. Responses include the following comments, which illustrate a range of use types and reasons for use:

- *'thousands in summer'*
- *'a lot of use because of the stone circle'*
- *'connects two villages'*
- *'daily use and heavily used'*
- *'mostly locals'*
- *'mostly villagers as it now creates a looped walk'*
- *'more in summer, less in winter'*
- *'heavily used but difficult to give numbers'*
- *'general walkers, in the right weather you see them, but not so many as we are remote'*
- *'lots of holiday makers use it to get to the coastal path'*

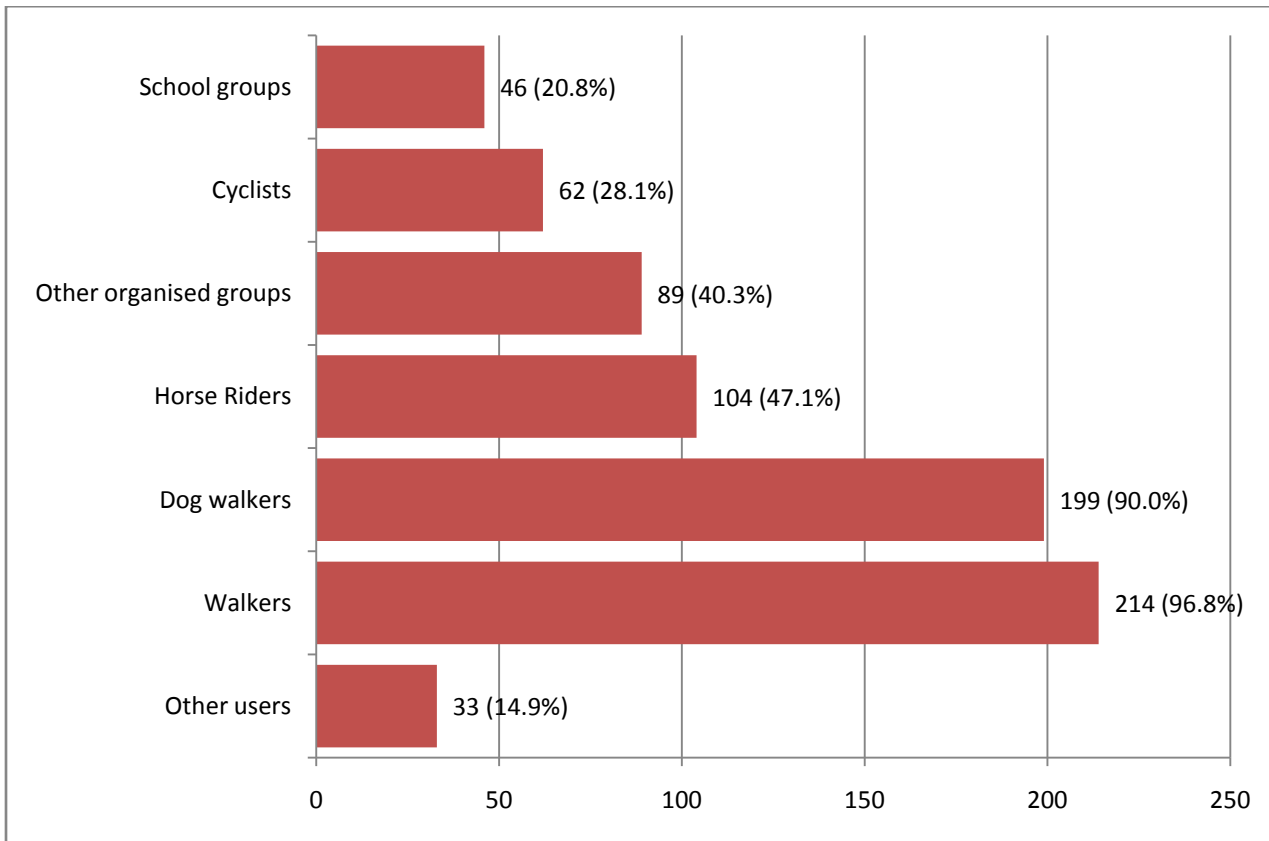


Figure 5.2: Prevalence of user types at access agreement locations (n=221)
(Sum of percentages >100% as multiple responses permitted)

5.23 The small sample of ex-agreement holders also indicated that in the majority of cases, the main beneficiaries were walkers and dog walkers. Those who gave numbers said access use ranged from 1 to 2 people a day to 50 a week and was perceived as a mix of local people and people from outside the area visiting to go hiking.

5.24 A similar picture emerges for information about horse riding. Respondents (n=35) estimated use ranged from at least one horse per day up to 30 per day with a range of riding activities including a hunt using the access, local riding clubs, riding school charity rides, people doing Duke of Edinburgh awards, local stables, and local horse owners.

5.25 Local stakeholders and agreement holders interviewed in the eight evaluation nodes reported high variability in use. In some counties (e.g. Norfolk, Leicestershire, Shropshire) it was only agreement holders that indicated any knowledge about levels of use, with the stakeholders not having any information or awareness. In all the eight nodes examined, use ranged from high (in one or two cases thousands of users per year were reported) for some access agreements, to very low for others. In some cases daily use was reported with high levels of walkers year-round, with most noting that summer, weekends and evenings were the most popular times (particularly in relation to dog walkers). The most common type of user was identified

as walker/dog walker by the interview sample in all areas, and agreement holders with regular users indicated that numbers using the access were in the region of ‘tens’ per day. Other users regularly indicated include: runners, horse riders, cyclists, Scout groups, and school groups.

5.26 Stakeholders at national level were also asked to select which types of users they felt had benefited from the provision of HLS permissive access. The number of responses for each user type suggested is shown in Figure 5.3 below. It is clear from the bar chart that walkers and horse riders are thought by national stakeholders to have benefited, which fits in with agreement holder perceptions, and the site visit evidence. The most common user type identified is ‘walker’. In terms of addition to the number and length of public bridleways available then the significance of the benefits may be greater for horse riders (note that around 75% of PRow are footpaths and so not available for horse riders)

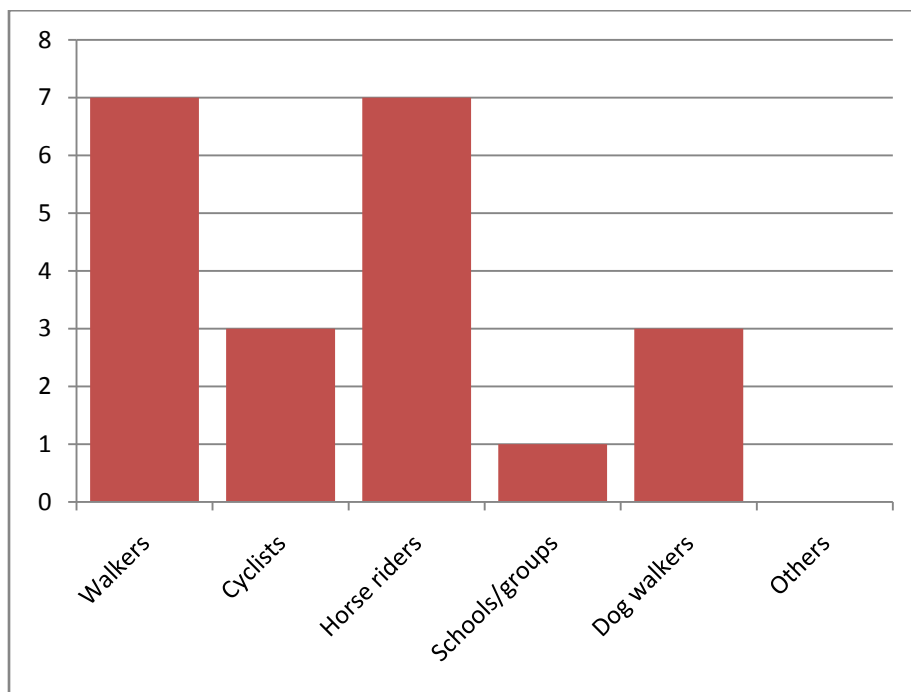


Figure 5.3: Number of responses from national stakeholders for each user type suggested

5.27 Site visits carried out on land held by the agreement holders who were interviewed only provided a limited picture of use levels. Although all the sites were visited by a researcher, the visits took place on weekdays in winter and often in the middle of the day. An assessment of usage was made based on evidence of wear, but clearly there is scope for different interpretations at different times. For example, evidence of usage by members of the public could be obscured by agricultural use, and on some occasions the ground was hard – either frozen or because of a hard surface. Nonetheless, access provision was placed into one of five different categories. The numbers in each category are shown in the pie-chart below (Figure 5.4). The majority of sites visited appeared to have either no use, or light use (58%, n=22), while 21% (n=8) were classed as having heavy use. The data suggest almost one third of sites having ‘medium’ to ‘heavy’ usage, one third having ‘light’ use, and one quarter having little or no use.

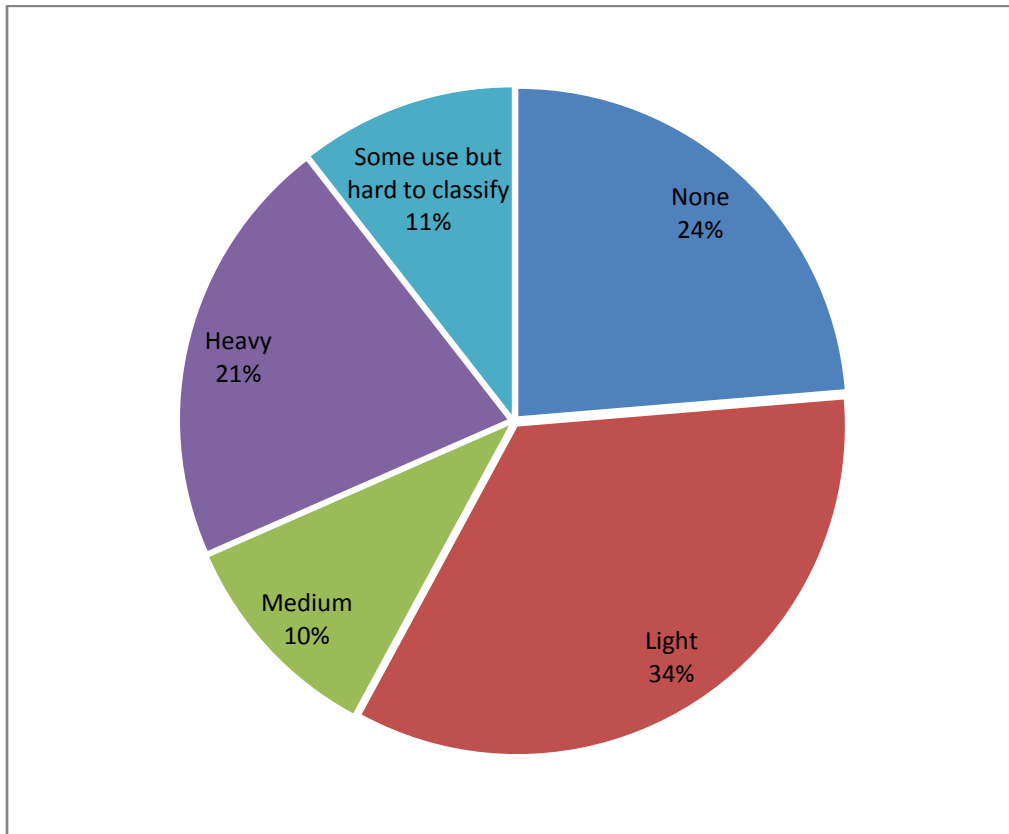


Figure 5.4: Evidence of use based on wear on the ground (by number of sites, n = 38)

5.28 The number of visitors seen by the researchers tended to be low, although it must be borne in mind that this was a snapshot of use (often completed mid-week) in winter, and not a formal monitoring survey. Despite the timing of visits, access users were seen on 14 of the 38 sites (37%). In some cases, these were not on the permissive access, supporting the view given by agreement holders that there is a certain amount of ‘abuse’ of access rights. Abuse in this context refers to those using the land and either not sticking to the assigned permissive access path, or engaging in some kind of potentially damaging behaviour such as letting dogs off the lead to roam more widely, or leaving litter (see examples given below). Figure 5.5 shows the number of users observed by type and whether or not they were using the permissive access. At the 14 sites where users were observed a total of 51 people were seen, the large majority being walkers/dog walkers. This again supports agreement holder perceptions on user type, with horse riders the second most common (this was a single group of 6 users at one site only, although there was evidence of horse riding at other sites).

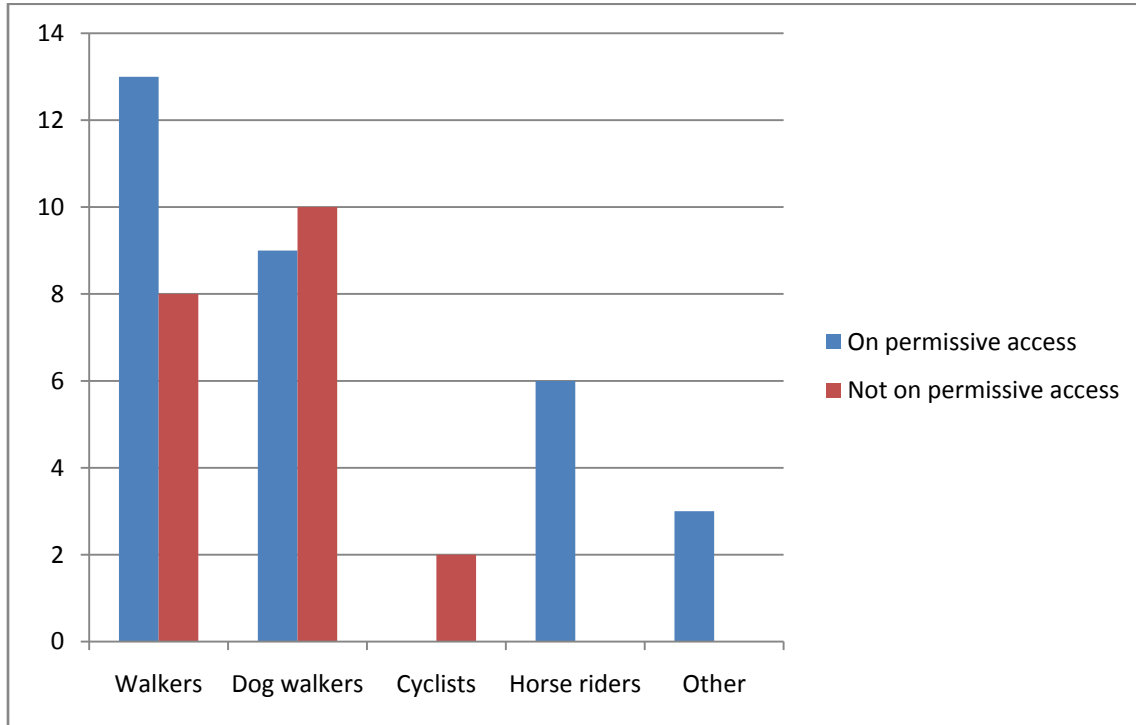


Figure 5.5: Number of users observed during site visits

5.29 One of the difficulties with recording mis-use or inappropriate behaviour is that it is often not possible to determine whether the activity in question is permitted (e.g. a landowner may allow a local person to ride a horse along a footpath), or that vehicle ruts were made by a farm vehicle. Further, some misdemeanours may take place whether there is permissive access or not – for example fly tipping. With these caveats in mind, the various forms of ‘possible’ misuse or inappropriate behaviour recorded by the site assessors were:

- cycle tracks and hoof-prints on footpaths (4 sites)
- dog ‘poo’ bags hung on fence
- litter
- fly tipping (4 sites)
- horse straying into cropped area
- remnants of fires and dumping of garden waste
- dogs running in ploughed field
- vehicle tracks (n=2) and joy riding (n=1)

Twenty dogs were observed; of these, 10 were on leads, 9 were off-lead and one was too far away for the assessor to know. On the six occasions when researchers had a chance to speak to users, they were usually positive about the access provision, as shown in Table 5.4 below:

Table 5.4: User comments

What users said:

I use it most days to go from town up onto Paddy Lane (a high level route that runs along the valley above a market town)

No real problems, small amount of misuse by motorcycles; lot of people use it from nearby village; I use it all the time; it's a great place to go

The site is well used by locals walking dogs. Busiest at weekends

I see a lot more people in summer, and horse riders. Peaks at weekends/summer holidays

I use the path to walk the dog every day.

I am very pleased about the access – I use it 2- 3 times per week and have done for 30 years. (but formerly with specific permission of landowner - she added that some of her friends now feel more comfortable using the access).

Quality of Access

5.30 The value of permissive access to users depends not just on their numbers, but also on the quality of the experience. The research explored a number of aspects of sites that could affect the quality of the user experience. These can be categorised as:

- Convenience and ease of access
- The quality of the infrastructure
- The 'interest' of the site

[Note: Paragraphs 6.4 and 6.5 in the next section also address aspects of access to features of interest, from the perspective of the features made available through permissive access.

Convenience and ease of access

5.31 The evidence collected on the 38 site visits suggests a good level of convenience and accessibility to access sites. Table 5.5 illustrates the attributes of the different types of access agreement in terms of their links to public rights of way, ease of access to various interesting 'features' (e.g. viewpoints, land features such as streams or woods), parking facilities and links to public transport. The agreement holder telephone sample data show that in terms of links to public rights of way, over 80% of the HN2, HN3, and HN4 options provide links, while 57% of HN5 (access for people with reduced mobility) options also provide links (note, however, that this only constitutes 4 agreements).

5.32 In terms of the permissive access being accessible to users arriving by car, 38% of open access and 41% of footpaths were identified as having parking facilities. The highest level of parking (71% of respondents) was provided in association with those offering the HN5 option (access for people with reduced mobility). Discussion with sample respondents about parking indicated that this could vary from formal car parks to informal pull-offs from the road, or space by a gate for a small number of cars. Type and availability of parking varied greatly (for example, concrete sugar beet pads were mentioned in Norfolk and Shropshire, and open access land was mentioned in Devon). Less than one third (30%) of respondents providing bridleways indicated parking facilities were available.

5.33 In relation to public transport, around one third of respondents providing open area access, footpaths, and bridleways indicated in each case that some form of public transport was available nearby. Buses were the most common form of public transport available to reach permissive access sites but services varied from regular, year-round provision, to high season-only (summer- or weekend- or Sunday-only) bus services provided specifically to support tourism. Site visits supported these findings with wide variability in access to public transport but approximately half of the sites visited (n=16) had bus routes within 0.5 km of an access point.

Table 5.5: Attributes of Access Agreements

Access Option	Attributes of Access Agreement			
	Links to PRow	Features made easily accessible (e.g. viewpoints, land features)	Parking facilities	Links to public transport
HN2 – Permissive access (ha)	39 (83%)	39 (83%)	18 (38.3%)	16 (34%)
HN3 – Permissive footpath (metres)	129 (84.3%)	109 (71.2%)	63 (41.2%)	56 (36.6%)
HN4 – permissive bridleway/cycle path (metres)	61 (87.1%)	45 (64.3%)	21 (30%)	25 (35.7%)
HN5 – access for people with reduced mobility (metres)	4 (57.1%)	6 (85.7%)	5 (71.4%)	5 (71.4%)
HN6 – Upgrading CRoW access for cyclists/horses (ha)	2 (50%)	2 (50%)	1 (25%)	1 (25%)
HN7 – Upgrading CRoW access for people with reduced mobility (ha)	0 (0%)	2 (66.7%)	0 (0%)	1 (33.3%)

5.34 These attributes (accessibility, infrastructure, interest) were also assessed on the site visits. Table 5.6 indicates the proximity of permissive access to PRow, CRoW open access land and urban areas. Note that in this context PRow is only referring to other cross-field paths and bridleways as part of the definitive rights of way network, and excluding roads. The density of PRow in the surrounding area was measured by counting rights of way on Ordnance Survey maps in the grid squares surrounding the permissive access site. A total of 23 sites (60%) were in areas of high or moderate density of PRow, and 5 sites (13%) were identified as being close to CRoW open access land. Most of the sites were not particularly close to urban areas, with only one adjacent to an urban area, although a number of access sites (n=8) were within 2-3km of urban areas. Proximity to PRow and to urban areas were included as measures as it was felt they were important factors that might increase the use of permissive access sites. The evidence from agreement holders suggests that where sites are close to urban areas use levels are high.

Table 5.6: Key features of the access settings (n=38 access sites provided in 32 agreements)

Density of PRow in surrounding area		Proximity	Proximity to Open Access Land	Proximity to other access areas	Proximity to urban area
High (>10 PRow in surrounding grid squares)	4	Adjacent	5	5	1
Moderate (5 – 9 PRow in surrounding grid squares)	19	Close	7	0	8
Low (1 – 4 PRow in surrounding grid squares)	14	None nearby	25	33	29
Nil (0 PRow in surrounding grid squares)	1				

Note: the density categories of PRow in grid squares surrounding the permissive access site are taken from Ordnance Survey 1:50,000 maps 5.35

5.35 Parking was assessed during site visits in terms of the proximity of parking to the access site and the number of spaces available. Although parking is not a scheme requirement it was felt to be worth noting what parking facilities were available as many people, even local users, access country walks through use of their car. Adequacy of car parking was assessed as either 'Good', 'Some', 'Limited' or 'None'. The distribution of the sites across these four categories is shown in Figure 5.7 below. At around 50% of sites visited there was some, or good parking, although in many cases this would not be considered as a 'formal' parking area (such as a designated car park). At around 30% of sites parking was limited, although there was often ample parking capacity within 0.5km of an access entry point.. Site visit data thus compares favourably with the telephone survey data, which indicated a lower level of parking availability. In terms of access by public transport, slightly less than half of the sites were within 0.5km of where buses stop on request and/or where buses pass one or more of the access entry points, and a further 15% were within 1km of a bus route. Perhaps not surprisingly, very few of the routes are easily accessible from train stations. None of the sites were within 1 km of a train station and most were over 3 km from the nearest station.

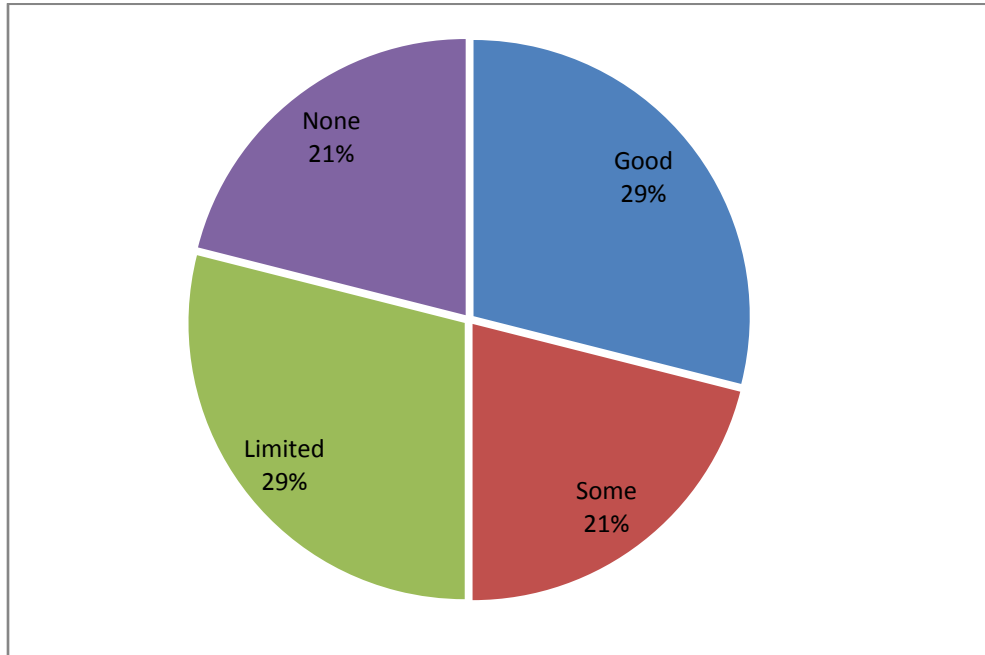


Figure 5.7: Adequacy of car parking provision

Quality of infrastructure

5.36 The main evidence comes from the infrastructure (including signage and information boards, quality of stiles and gates and the path surface) observed during the 32 visits to 38 sites. Agreement holders are expected to display a map board at points of entry to their permissive access. Site assessors noted these boards were fully in place in 28 cases (87%) and in two cases boards were partially in place. There is no requirement to install interpretation or information boards, but in 5 cases (15%) some additional signage was provided by the agreement holder. This includes one example where signs could be cross-referenced to numbers in a leaflet which the farmer had produced for a walking trail. In another case, the farmer had provided interpretation boards for ecological assets, and in a third there were interpretation boards for a historic asset.

5.37 There is a requirement for agreement holders to erect sign boards and way-markers, supplied by Natural England. All sites visited had sign boards in place and over half the access provided (55%; n=21) was sufficiently well way-marked to allow the access route to be followed easily. There were no way-marks in 14 cases, though this does not necessarily mean that it was difficult to follow the permissive access route. In only three cases did assessors feel the way-marking was insufficient to enable the route to be followed. It should be noted that way-markers and map boards may be removed by vandals or others who do not wish to see public access if it affects their privacy. There was insufficient evidence collected during site visits to determine if the absence of way markers influenced inappropriate behaviour (e.g. walking off-route), although at one site close to an urban area there was clear evidence of a diagonal path having been created across a field (to access a small pond that was not on the permissive access route).

5.38 Site assessors also recorded some negative aspects which may put users off. Examples include:

- *Tracks are pitted with potholes and there's a large puddle in one place that 'eats' cars*
- *The western extremity of the area is boggy/rush-covered ground and so unappealing.*
- *Steep walk, no way-marking*
- *No means of accessing the route from the road, no signage, no route, very wet ground*
- *Wet boggy drainage area that cuts across the middle of the site – makes access from one half of site to other almost impossible without getting wet; parking difficulties*
- *Wet boggy ground around woodland edge – path routed here because of little use for farming*
- *Proximity to roads (including busy trunk road). Also, farmer uses pigeon scarers in places*
- *Permissive path is well signed but PRow (not on agreement holder's land) that completes the circuit is difficult to find, involves several stiles and passes through a field with horses and a yard with loose dogs.*
- *Pig farm, heavy machinery moving manure off pig unit; need to cross fast road.*
- *Route is along low lying section of riverbank, and is prone to flooding.*
- *Fast traffic on roads makes stopping difficult; pull-offs not very large; fly tipping in places*
- *Entrances are through gateways which have chains across to deter fly tipping but this leaves only a small space for walkers. Would be difficult to get a pushchair in.*

It can be seen that one potential issue concerns muddy and boggy ground. Sites were surveyed in winter when ground conditions were more likely to be wet but in some cases it was clear (from discussion with the agreement holder) that paths were directed through areas more likely to become waterlogged.

Value of permissive access to local and national stakeholders

5.39 Assessing the value of permissive access to stakeholders was accomplished through interviews with representatives from the main interests (e.g. local authorities, LAFs, ramblers, horse riders, cyclists) at national and local levels. It is not surprising that a wide range of views was obtained depending on the perspective of the stakeholder and the interests being represented. Stakeholders operating at a national level were asked whether they thought HLS permissive access represented good value for money. Half the respondents said no, and the remainder were divided equally between saying 'yes' or 'don't know'. However, some added that in the absence of any information available to them about costs, their assessment was based solely on perceived benefits (i.e. usage). The respondent from the British Horse Society made the point that there are many injuries to horse riders each year in road traffic accidents and the avoidance of just one accident would be a huge benefit (note: there was evidence from agreement holders themselves that one reason for some provision of access was to enable horse riders and walkers to avoid fast or dangerous roads).

5.40 A wide range of views was expressed by local stakeholders about the contribution made by HLS to access in their areas, which seemed to depend on the locality and the role of the stakeholder, e.g. in Hampshire and Lincolnshire, Wildlife Trust officers suggested that permissive access was very important in relieving the pressure on sensitive sites especially near urban areas, despite the fact that site analysis indicated a lack of links to urban areas. This disparity could be explained by the fact that many stakeholders had an incomplete understanding of the extent and location of permissive access sites in their areas. In Hampshire and Northumberland, stakeholders thought that the importance of permissive access was only very local. In Lincolnshire and Norfolk, permissive access is seen locally as being important, to the extent that Lincolnshire County Council was working with a LAF member and parish councils to try to keep access open as agreements end. In Shropshire and Leicestershire, responses varied from "absolutely vital" to "not very important", respectively. In Devon, responses can be typified as: "*It's nice to have them but they aren't*

crucial". In Cumbria, the two stakeholders within the Lake District National Park thought that permissive access was not significant, whereas stakeholders outside of the Park regarded it as of potential importance or 'patchy'.

5.41 Local stakeholders were asked if they personally, or the group they represented, had benefited from provision of permissive access. A range of positive impacts were identified including:

- A reduction in the pressure on nature reserves and environmentally sensitive sites by the provision of access elsewhere.
- Enabling nature reserves with HLS agreements to provide or improve managed access.
- Enabling the provision of access without a lot of trouble and expense to local authorities.
- Benefiting local businesses such as pubs and shops.

Interview data indicated that the majority of stakeholders felt the 'agreement holders' and 'users' had benefited most from provision of access. In several areas, stakeholders suggested that farmers and/or the local economy had benefitted financially as the increased footfall would provide added income to local pubs, tea rooms and farm stands (Hampshire, Leicestershire, Northumberland), although no evidence was provided. It is important to note, however, that in most areas it was only the stakeholders who were suggesting that monetary benefits occurred; very few agreement holders indicated a direct monetary benefit as a result of providing permissive access.

5.42 Local stakeholders identified a small range of negative impacts (see Table 5.7 below). Uncertainties created by the scheme were mentioned by 6 stakeholders, linked to concerns over the temporary nature of access and potential difficulties of stopping access. Some concern was also expressed regarding vandalism (ranging from litter to fires) but only 7 respondents indicated this as an issue.

Table 5.7: Negative Impacts from provision of permissive access (stakeholders, n=32)

Impact	Number of stakeholders giving this response	Comments
Negative environmental impacts	3	<ul style="list-style-type: none"> • Wildlife disturbance – dogs.
Uncertainties	6	<ul style="list-style-type: none"> • Difficulties when agreements end • Uncertainty over what can and cannot do • A farmer dropped out of scheme but signs not removed • Lack of permanence – will have trouble stopping use. • Difficulties of finding paths
Opportunity costs of agreements with poor value	4	<ul style="list-style-type: none"> • Agreements not close to centres of population • Could have made better links
Change in attitude	4	<ul style="list-style-type: none"> • Withdrawal of access at end of agreement • Sometimes turned farmer against access • Agreement holders not genuinely bought into

		the scheme
		<ul style="list-style-type: none"> • Public understanding is very low
Vandalism	5	<ul style="list-style-type: none"> • Litter, fires, signs removed, fly tipping, illegal access (vehicles)
Monetary costs	2	<ul style="list-style-type: none"> • Continually replacing stuff near urban areas • Insufficient provision of resources for long-term maintenance

Summary discussion of the ‘value’ of HLS permissive access

5.43 Agreement holders and stakeholders identified both positive and negative impacts from providing access. Significant benefits include formalising what was previously a high level of informal access creating positive impacts for both provider and user. Agreement holder ‘value’ derived from access provision was clearly not driven by financial gain in the majority of cases in the sample. Providers see benefits from greater legal security, some financial support for management and maintenance, and the consequent ability to improve control over users. Where negative impacts such as vandalism and fly tipping have occurred on farms close to urban areas, it is likely that such activities would have occurred even in the absence of permissive access provision. Sites close to urban areas that were visited by assessors indicated problems with littering and tipping, and evidence of landowner action to prevent vehicular access to land (through blocking field entrances), but these problems were usually already occurring before any access was provided.

5.44 Users benefit from increased access opportunities, and greater certainty over where and when they can access the countryside. Agreement holders and stakeholders at the local level both recognised the user benefits, though the evidence suggests that it is local users (those living close to where the access is located) that have benefited the most, not visitors. Some agreement holders clearly indicated that their target population was the local community and not visitors from further afield. This is not universally true, however, as in some areas (such as Devon, Cumbria, Northumberland, Shropshire) there are examples of particular permissive access agreements attracting large numbers of visitors (e.g. to access a coast path or beach, to access some upland, to link two villages), with some success. Within local communities, the major beneficiaries appear to be local walkers and dog walkers. Horse riders have also benefited significantly through an increase in bridleways, and from access deliberately designed to divert horses off busy roads.

5.45 The quality of the access provided is mostly high, with a good level of accessibility for those with cars, a large proportion of the permissive access enables access to features of interest, and a good level of linkage into the existing PRow network. Usage levels are hard to ascertain, with agreement holders suggesting some very high levels of use at specific sites, while others indicate much lower levels. The site visit observations supported this, with some access (particularly close to urban areas) receiving a high level of use, while other (more remote, or isolated from links to the PRow network) sites are visited less often.

5.46 The stakeholders interviewed are less convinced of the value of the access provision. At the national level, the majority of the small sample of stakeholders interviewed are not convinced that the programme offers value for money, and in most of the evaluation nodes examined, at least some of the stakeholders felt that the

provision could be better targeted, to link more directly into the PRoW network, or by siting access routes closer to centres of population where use levels would be higher.

5.47 The evidence suggests that permissive access is of value for both provider and user, but the benefits tend to be concentrated in localised areas, away from centres of population, which may not maximise the potential value that could be gained.

6. Objective 1: Outcomes from permissive access

Relationship of individual options to expected outcomes for HLS permissive access

Official Expectations

6.1 The main policy document for permissive access, TAN 45, lists the objectives of permissive access provided through HLS (see the description in Section 3 above). Additionally, the theme and target statements inform applicants of the objectives for access, and, as noted in Section 3), all regions of England have similar general statements. This section explores the extent to which these aims are delivered by current HLS access agreements.

Create new open access

6.2 One of the objectives was to create new areas of open access. About a fifth (21.3%) of the options in the sample were open access (HN2) and a further three HN7 options (1.4%) involved upgrading CRoW access for people with reduced mobility. Only four (1.8%) of the sample agreements were directed at upgrading CRoW access for cyclists and horse riders. However, about two thirds of the sites discussed with agreement holders in personal interviews had some form of public access before the HLS agreement came into force; this would have been a mix of tracks, paths, and in some cases area-wide use. In most cases this was limited either to particular individuals or groups who had permission from, or who were tolerated by the farmer, or access was limited to particular sections of the site. For example, one farmer had allowed the local Scouts to camp in his field before it became permissive open access. Prior use was generally described as low and, with a few exceptions, usage was thought to have increased considerably after the agreement came into force.

6.3 Stakeholder interviewees were asked to describe sites with which they were familiar, but were mostly unsure as to whether the sites they described had provided any access before the HLS agreement commenced. Of the sites mentioned by stakeholders, 14 were identified as having had previous access and 9 were identified as not having had previous access. Of those that did have prior access, usage was usually described as “light”, although one was described as “heavily used” and another when asked for rough numbers said “possibly hundreds” while a third site was described as “less used now than before”. The value added by inclusion in an HLS agreement, where there had been some use previously, was described by stakeholders as:

- Legitimising de facto access, leading to increased use because people are more confident about using it
- Upgrading of stiles/gates etc.
- Giving spreading room rather than just a linear route
- Reducing friction between the land owner and users
- Providing better access to adjoining open access land
- Opening up more land
- Providing ability to promote the access

Access to features and areas of interest

6.4 In terms of access to landscape features, 83% of agreements with open access and 71% of agreements with footpaths made some sort of feature more easily accessible (features mentioned include viewpoints, rivers, woods, archaeological remains, historic sites). For bridleways, almost two-thirds (64%) of respondents indicated that some form of landscape feature was made accessible. Table 5.5 in Section 5

above illustrates the proportion of sites which enable access to a feature of interest broken down by option, as revealed by the telephone survey. The Table illustrates that the majority of sites provide access to some interesting feature or area.

6.5 In the face-to-face interviews, both agreement holders and stakeholders were asked in more detail about the features and areas of interest accessible through their HLS agreement and the site visits also revealed where features of interest could be reached as a result of the permissive access. Most sites (79%) had some topographic features and only in 8 cases was there nothing of interest to be seen. Figure 6.1 summarises the number of occasions when a feature was recorded (note that more than one type of feature could occur at any one site). The feature most commonly recorded by site assessors was simply 'good views'. Hills and mountains are prominent features and so these were a commonly recorded specific feature, with rivers and woodlands also seen fairly frequently.

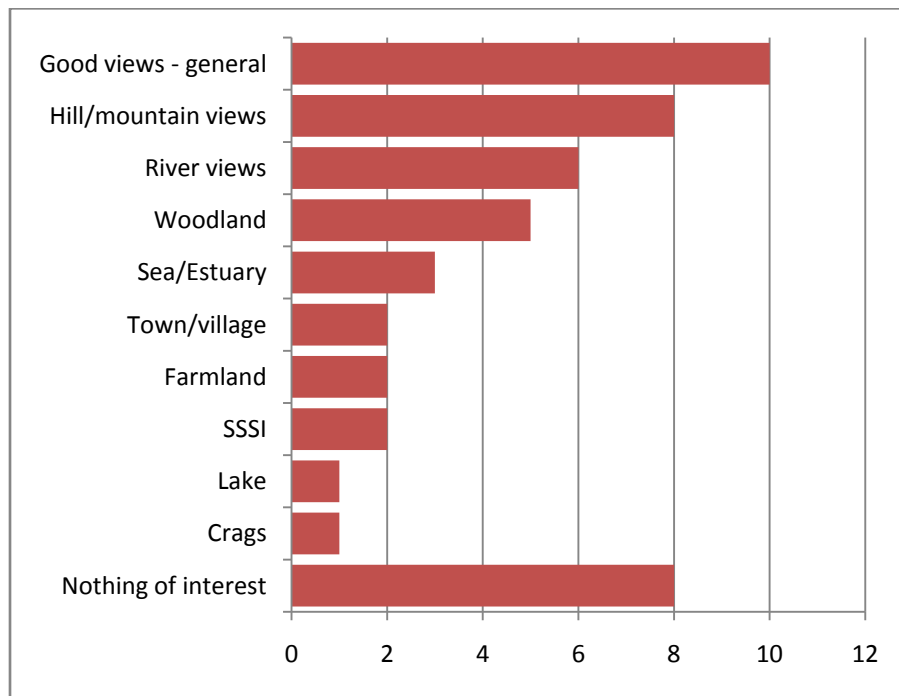


Figure 6.1: Types of topographic feature visible, by number of sites

6.6 65% of permissive access is located close to water bodies (e.g. rivers/streams, lakes/ponds). In 46% of cases, permissive access makes some feature of cultural, historic or archaeological interest accessible (either directly or brought into view). The features are quite varied and include:

- Roman settlements
- 'Cup and rings'
- Medieval village and moat
- Hadrian's Wall
- Historic mine
- Saxon village (although nothing visible on the surface)
- Castle
- Peel Tower.

Built structures of interest observed include:

- Wind turbines
- Historic/archaeological features (also see above)
- Old mine workings
- Railway infrastructure
- Stone walls

Overall the majority of sites could be said to provide access to some feature of interest for users to visit or see.

Improved access for a range of users

6.7 It is difficult to ascertain the extent to which access has been improved without effective baseline information. Anecdotal evidence from agreement holders and on-site observations suggest that most of those using HLS permissive access are local walkers/dog walkers. There is also evidence to suggest that bridleway users, particularly horse riders, have benefited from the disproportionately high (relative to the PRow network) rate of bridleway creation.

6.8 Permissive access appears to link in well with other forms of access, although that does not necessarily make it available to a wider range of users. The telephone interviews revealed that agreement holders generally thought that their access linked well with existing PRow. This was reinforced by face-to-face interviewees, most of whom thought that their access linked well with other provision or else provided stand-alone (usually circular) routes.

6.9 It appears that parking and public transport provision is better for HN5 (see Table 5.5 in the previous section). The accessibility of other options to people with reduced mobility will obviously depend on the extent of their mobility reduction. Most sites that were visited were accessed through gates or gaps rather than via stiles, but surfaces were often rough and/or muddy when viewed in the winter.

Facilities that provide better understanding of the countryside

6.10 All access agreements facilitate access to the countryside to a greater or lesser extent and so provide an opportunity for better understanding of the countryside. However, there were a few agreements that explicitly set out to improve understanding by providing explanatory materials such as information boards (although this is not a requirement of the scheme). Examples include a farm in Norfolk where interpretation boards on the ecological assets to be seen at different locations were provided and were popular with the large numbers of users of this site, and a farmer in Leicestershire who had paid for interpretation boards to explain to visitors the layout of a medieval village. A Cumbrian farmer had provided a nature trail/farm walk that extended well beyond the HLS permissive access, with supporting leaflets that provided information about the wildlife on the farm and how their farming methods were designed to sustain it.

6.11 There are also examples of farmers who are keen for users of their permissive access to see what they are doing, and some of these indicated they take the time to explain to users face-to-face when they meet them. For example, a Lincolnshire farmer said that he always got off his tractor to explain to people what he was doing if he was working in a field while they were using the access, and 64% of agreement holders said in response to the telephone survey that they had experienced increased contact with the public as a result of the agreement. Others felt that the permissive access provision complemented their educational access. The Cumbrian farmer mentioned above had developed his own trail and bespoke leaflet to support his access option.

Contribution to Wider HLS outcomes

6.12 Face-to-face interviews with agreement holders and stakeholders revealed that in some areas (e.g. Cumbria, Northumberland) very few respondents saw synergies with the rest of their HLS agreements, while in other areas farmers saw small synergies – mostly related to keeping people away from conservation margins or game areas. Greater contribution to wider HLS outcomes seems to be occurring in areas with arable farms rather than in areas with livestock grazing. In Shropshire, three farmers indicated some mutual benefits (e.g. a wood that now excludes stock has bluebells in the spring which are visible to access users), another said that it *“forces the agreement holder to look at his farm from an outsider’s point of view”*.

6.13 In a few instances, agreement holders recognised the tension between providing access and ecological values within their HLS agreements, particularly as some users do not stick to the access routes but will wander onto any field margin. There is the concern on the part of some farmers that users don’t distinguish between field margins with access and those without. In Leicestershire, two agreement holders noted minor problems with people getting off-track which might compromise benefits of conservation field margins while two others indicated no synergy. In Northumberland, three agreement holders, and in Norfolk, two agreement holders indicated no synergy, while one indicated the access was totally integrated with other HLS options, and another suggested it helped him keep people away from game strips. In Hampshire and Lincolnshire, six out of eight respondents felt it helped keep dogs and people away from conservation areas, and one felt it had the opposite effect. In Devon, only one agreement holder indicated synergy, while in Cumbria, none of the respondents indicated any synergy and one suggested it was just a ‘bolt-on’. This is consistent with the finding in Section 5 above that synergy with the rest of their HLS agreement was not a major motivation for providing permissive access, although it was considered a useful way of gaining enough points for HLS and, in some cases, a way of showing off their HLS achievements to the public.

6.14 The evidence suggests that a small proportion of farmers are considering access in the wider context of HLS and farm objectives. Around a quarter of the telephone sample (26%) said it fitted in with their farm strategy, suggesting that farmers are considering wider issues when deciding whether or not to offer access, while 9% stated it complemented other HLS aspects of their farm (see Figure 5.1). Ability to control movement of users appeared to be motivation for a small proportion of farmers taking up the access options. Figure 5.1 indicated that 5% of agreement holders in the telephone survey stated the ability to control users was a motivation for undertaking access. One farmer stated that a motivation for taking up the permissive access option enabled him to keep people away from stock on the farm.

Longer term outcomes

6.15 Opinions were sought from national stakeholders about longer term impacts of HLS permissive access – both positive and negative. Respondents were asked to identify any positive impacts which they thought might be sustained. They indicated that the popularity of some permissive access might make it difficult to stop public use when the agreement expires, particularly where informal access was already occurring prior to the agreement. In general, stakeholders at the national level were of the view that it came down to the attitude of the individual landowner, and whether they were supportive of providing access. Responses include the following:

- *“New access may continue if popular on a de facto basis – it may be hard for farmer to stop it”*
- *“If the landowner is keen on access the improved links will persist.”*

There were also some concerns expressed by national stakeholders over negative impacts which might be sustained. Two potential problems were suggested:

- if the current access represented poor value for money, then any continuation of the access provision following expiry of the agreement would perpetuate that problem;
- if the scheme disappears then so would some of the access, resulting in a poorer distribution of access opportunities.

6.16 Many agreement holders indicated that providing something for the local community was a major benefit (see the discussion in Section 5). It was felt that this would have longer term impacts in terms of better relationships with the local community and, to a lesser extent, with the general public. Some agreement holders thought that the greater awareness of countryside management gained during visits to their site would be sustained in the visitors' minds, particularly children; however, this may need to be viewed as a component of educational access rather than permissive access per se. Perceptions of longer term impacts on the environment were mixed with only four agreement holders identifying any positive impacts. The majority did not indicate any benefits to the environment, while three of the thirty-two interviewed mentioned dogs disturbing wildlife in field margins (e.g. ground nesting birds).

The role of themes and targets

6.17 There is little evidence that themes or targets played any role in identifying where permissive access should be located. None of the national stakeholders interviewed was aware of any local or regional aims/themes that may have influenced the nature of HLS permissive access. None of the agreement holders in the telephone survey or face-to-face interviews were aware of any theme statements or targeting, or indicated that these influenced the establishment of their agreements, although some themes, such as heather restoration, were mentioned. The telephone survey revealed that only 9% of respondents indicated that they were specifically asked to provide access by NE or other bodies, suggesting there might have been attempts to target the location of at least a small proportion of permissive access. The only agreement holder to be aware of the ROWIP was the head ranger of the country park and even she had not had time to study it. Many of the agreements in the sample would pre-date the need for ROWIPs as they were not required to be completed until 2007 (and many were actually later than that). Despite this, some of the ROWIP targets, such as providing circular routes and alternatives to dangerous roads, do seem to be reflected in the access agreements.

6.18 The awareness of stakeholders of targets varied, with NE advisors and County Council officers having the most awareness. One NE advisor identified the following themes:

- Filling in missing links in the rights of way network
- Avoiding dangerous roads
- Access to the PRoW network from villages
- Holistic benefits

6.19 Some local authority officers had established their own aims, which inevitably influenced their views on the value of permissive access. In Shropshire, the County access development officer was keen to create access that linked villages and/or provided circular routes, and used HLS as a tool for achieving this aim. In contrast, Norfolk County Council is currently focusing on development of long-distance footpaths and coastal area access, but there was no indication the County was able to take advantage of permissive access options to support their policy. There was some indication that a County emphasis on health walks utilised permissive

access routes, but no suggestion of any influence over the siting of permissive access. Another target mentioned at county level was the provision of circular routes and the creation of more bridleways (e.g. in Devon). There were also other locally specific targets for countryside access, such as the provision of access close to residents of particular urban areas (Leicestershire) where there was felt to be strong 'latent demand'. There were mixed opinions as to how far the permissive access options conformed to targets and only limited indication that local themes influenced the location of permissive access. In some counties (principally Norfolk, Cumbria, Northumbria and Leicestershire) there was limited evidence of targeting influencing development of permissive access agreements. In the other nodal areas there appears to have been variable levels of influence, examples include the following:

- In Hampshire both NE and the County Council identified 'filling the gaps in the network' as a target and were concerned about avoiding dangerous roads. The County's Countryside Access Plan was taken into account in developing agreements after it came into force and there was an indication that the HLS agreements contributed to the aims of the Access Plan by providing circular routes and alternative routes to main roads.
- In Lincolnshire the Rights of Way Improvement Plan was cited as an example of targeting (it identifies the need to fill in gaps in the network) but appeared to have limited influence on permissive access (with some agreements indicated as successful in meeting the target and others not).
- In Devon the County Council's general view was that permissive access agreements 'add a bit of variety', and are preferred where they get people off a road to improve safety, but it was felt that permissive access has not been done in a strategic way so hasn't made a great deal of difference. The most common problem was that new access agreements didn't link to a public RoW. Devon CC felt permissive access was "fairly important in some circumstances", and is considered a useful tool where permanent access cannot be secured, but the council's preference is for permanent PRow: "it's knowing that more negotiating will be required in 10-15 years that is the problem". The County check if there are a lot of horse riders in an agreement area, and if so they recommend that it is designated as a bridleway instead.

The evidence suggests that some local authorities make use of permissive access where it occurs (e.g. to provide access to long distance footpaths, or health walks) but have limited influence on the location or nature of permissive access agreements. The lack of control over where permissive access was granted was felt by some stakeholders to reduce its potential value and its ability to meet local aims and objectives.

Partnership work

6.20 Agreement holders in the telephone survey were asked whether they had been involved in partnership working to help establish permissive access routes. Figure 6.2 illustrates sources of support used in developing access agreements. Almost two-thirds of the sample (65.6%) indicated that the NE adviser had played a role in formulating the access elements of the agreement. Other organisations/individuals were less prominent in provision of assistance on the access element, for example, 21% of the sample discussed their proposed access provision with FWAG, 18% with an industry advisor (usually some form of agricultural consultant), and 15% with some other person (respondents mentioned friends, family, and neighbours). It was difficult to separate out the extent to which various advisors had assisted with the access provisions. Although

all farm types used an NE adviser, more arable farms also tended to seek advice from an industry advisor, (which is not surprising as industry advisors commonly assist with preparation of HLS applications). A total of 60% of arable farms took advice from an industry advisor compared to only 25 % of livestock farms; and 56% of arable farms took advice from FWAG compared to only 20% of livestock farms. Multiple responses were permitted to this question, but the majority of respondents indicated only one person/organisation was involved helping to establish permissive access.

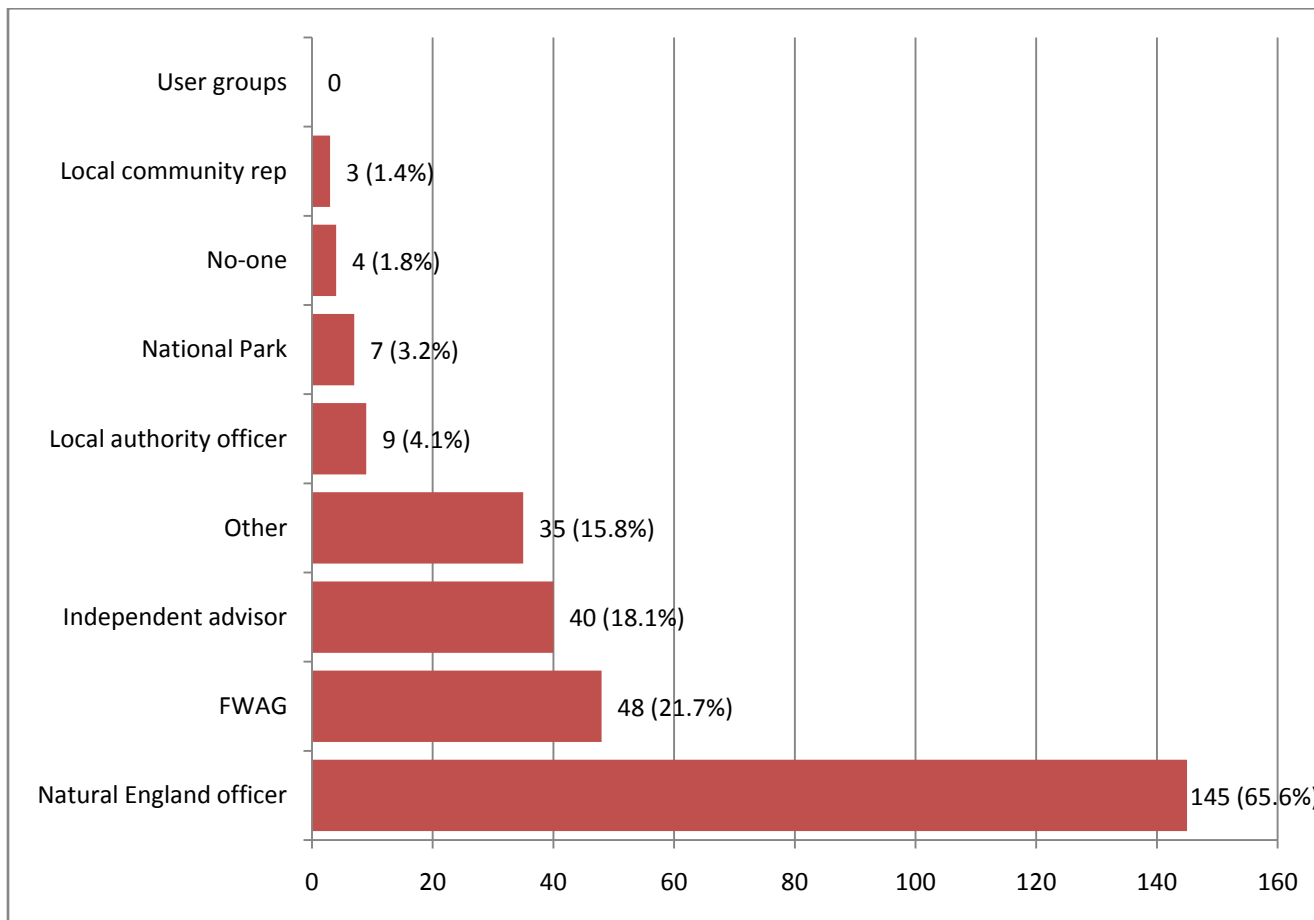


Figure 6.2: Key advisors with whom respondents discussed provision of permissive access
 (Sum of percentages >100% as multiple responses permitted)

6.21 Many of the agreement holders interviewed in the nodal areas were enthusiastic about the support offered by NE, with comments such as: “*very good*”, “*the best people we’ve ever worked with*” and “*absolutely fantastic*”. Where there was criticism, it was usually about the difficulty of getting in touch with the right person and, at least in some cases, this arose from staff changes at NE. One early agreement holder described the support from NE as “*shambolic*” resulting in a delay to the start of his agreement, and another agreement holder said it had taken around four years to get map boards, but these seemed to be the exception. Others had received good support elsewhere, typically from FWAG or an independent advisor. In some of these cases, NE had just come in at the end to approve the application. Some agreement holders indicated they had also worked with parish councils, who had written letters of support for applications and also helped publicise

the permissive access¹⁷. Many agreement holders failed to mention any interaction with parish councils or other local bodies, even though there is a scheme requirement to show local support for the permissive access.

6.22 The local level stakeholders interviewed in the eight evaluation nodes were also asked about partnership working. From their responses, it appears that the main partnership is between NE and local highway authority (LHA) officers. The closeness and effectiveness of this relationship varies between nodes, but in general the partnership seemed to work quite well with the LHA being consulted on some or all (depending on the county) applications for permissive access. One county indicated that NE would send the initial documents which were then circulated to area teams and the responses collated to highlight missing links that the county wanted to fill through HLS. This was considered valuable as it allowed them to “*comment on the potential for access and to push that at an early stage so that it could form part of negotiations*”. However the process was stopped as it was felt too much officer time was involved compared to the gains.

Examples of good partnership working include:

- In Hampshire, there appeared to be a constructive partnership between Natural England and Hampshire County Council, although the Council eventually withdrew from detailed consultation due to the pressure on officer time. The Wildlife Trust and the Ramblers’ Association were not consulted except through the LAF, which itself did not appear to be much involved.
- In Lincolnshire, the Countryside Access Development Officer and his team were consulted by Natural England. The County Council worked with NE on the establishment of new permissive access agreements and the officer thought it had worked well with some changes made to agreements as a result. The LAF was not involved in the discussions. The County’s role in relation to permissive access was described as “like an advisor trying to improve connectivity”.
- In Cumbria, NE consulted the County Council over specific agreements and processes and outcomes were stated as having improved over time. Only one stakeholder had experience of working with NE on access. This had worked well – partly due to good ‘personal chemistry’ and had led to the formation of a local Access Group (comprising the Council, NE, RSPB and National Trust) to develop access improvements in a specific area.
- In Northumbria, the general feeling seemed to be that early agreements were developed without sufficient consultation although matters improved with later agreements. Liaison over detailed design worked well, although there were difficulties over strategic matters. One respondent mentioned the MoD and National Trust as being valuable partners.
- In Shropshire, only one stakeholder indicated experience of partnership work. He would walk proposed routes with the NE advisor, advise on design of the access provision, and alert NE to any applicants with a bad track record of PRow management (e.g. history of blocking access). There were regular

¹⁷ There is a scheme requirement that applicants for HLS with permissive access should have evidence of local support e.g. from parish councils, and potential users so this is not unusual.

(monthly) meetings between NE and the County Council to review actual/potential applications and it was felt that this arrangement worked well.

6.23 In the other nodal areas there appeared to be more difficulties associated with partnership working. Lack of resources was cited as a reason for a lack of, or decline in, partnership working in Leicestershire and Devon. In one nodal area personality clashes had reduced the scope for partnership working. In general, other stakeholders, including LAFs, were not involved in the consultations between NE and the LHA. The lack of LAF involvement could be due to infrequent meetings (e.g. every 3 – 4 months) and a tendency to focus on strategic rather than site-specific matters. However, one NE advisor said that she received valuable feedback from groups of ramblers on the state of paths and also thanks when improvements were made.

Promotion of access

6.24 The promotion of permissive access was explored at national and local levels. Responses from national stakeholders to the question concerning the degree of promotion of permissive access are summarised in Table 6.1 below. Whilst there was acceptance by some that on-site signage could be good (although one commented that he knew of cases where they were slow to be put in place), other promotion methods were felt to be poor. Some stakeholders indicated that the existence of the NE Conservation Walks and Rides website is not widely known and felt that potential users are not aware of the availability of routes unless they just happen to come across them on the ground. One respondent said that promotion was too passive.

Table 6.1: Summary of national stakeholder responses to question about degree of promotion

Degree of Promotion	Number giving this response (n = 8)
Promoted more than necessary	0
About right	2
Not promoted enough	4
Not promoted at all	1
Don't know/no comment	1

6.25 Agreement holders in the telephone survey were also asked about promotion of the access element of their agreement. Interviewers were careful in investigating respondents' perceptions of how they felt their access was promoted and no mention was made of any particular approach, it was left up to each respondent to tell the interviewer what promotion they thought was being undertaken. A total of 150 respondents provided additional information on how they thought their access was being promoted. Of these, only 9.3% mentioned a website as a form of promotion, (7.3%) indicated that the access was only promoted by themselves (some of which might have been through their own websites) and (8.3%) suggested word of mouth was the main form of promotion. Figure 6.3 below illustrates the main responses, which suggest that 22.3% of agreement holders in the sample promote their access themselves in some way (ranging from leaflets and brochures to extra signs and even in one case a radio programme). What is interesting is that just under one fifth (19.1%) of the sample mentioned NE signs as the main form of promotion and only 8.2% mentioned awareness of the Conservation Walks and Rides website. Some respondents seemed to be aware that their access was on a

website somewhere, but a small number appeared to have no knowledge of this (even though all agreement holders are required to agree to their access being displayed on the Conservation Walks and Rides website).

6.26 A significant proportion (17.3%) of the sample suggested that their access was not promoted at all while an equal number suggested their access was promoted by others (e.g. local authorities, ramblers). Just under 16% of the sample suggested some other form of promotion, which included: “*people already knew about it*”, county council websites, inclusion in a book of local walks, the parish magazine, and National Trust (NT) signs. Several respondents indicated that the parish council were aware and had publicised their access, and several noted word of mouth as the main means of promotion. Only a very small number of respondents suggested they did not want their access promoted.

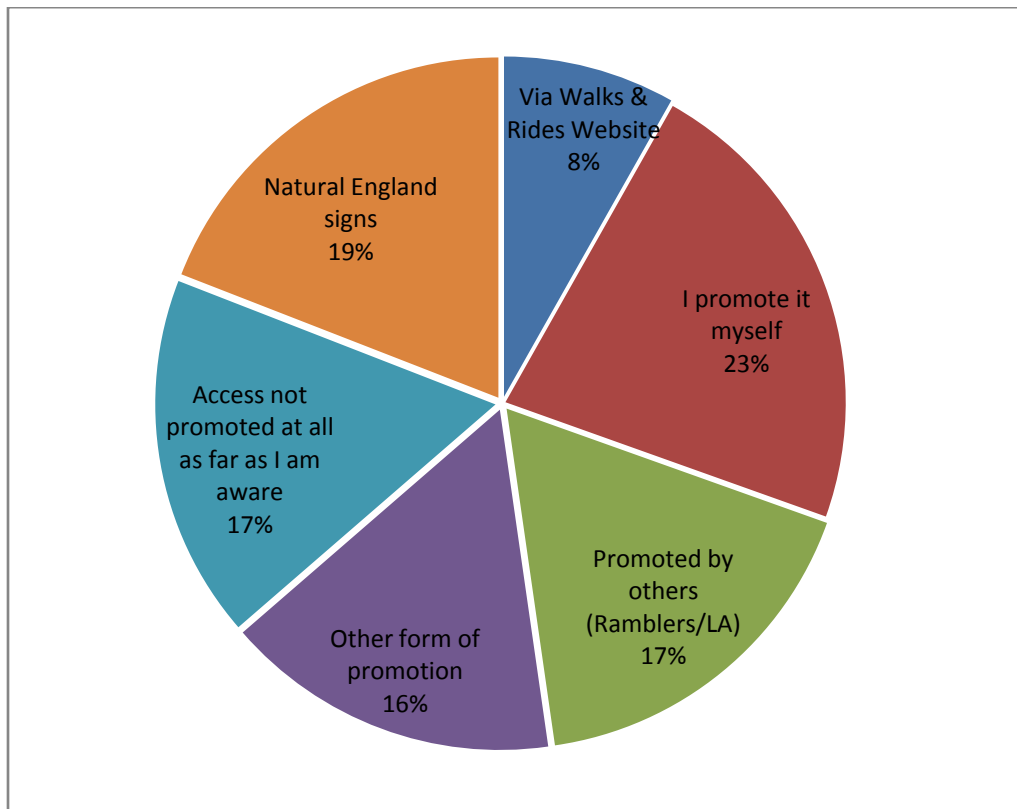


Figure 6.3: Respondents' perception of how their HLS access is promoted (n=221)
(Note: may not total 100% due to rounding)

6.27 The face-to-face interviews revealed very different perspectives on promotion of access held by agreement holders and stakeholders (see Tables 6.2 and 6.3 below). Almost half of the agreement holders felt current promotion was adequate and no change was required. Many agreement holders felt that local people knew about their access and that was adequate. There was a general feeling that local people should benefit from the access provision rather than ‘outsiders’. Some were happy that promotion was mostly by word of mouth as it meant that only local people knew about it, and some were concerned that too many users might damage the quality of the access provided. Even so, just under one third (n=9) of respondents felt more publicity was needed compared to one fifth (n=6) who felt less publicity was required. Those who wanted more publicity suggested better signage, use of radio and social media such as Facebook, leaflets for tourists, and

better publicity about the NE Conservation Walks and Rides website would all help. Those who wanted less publicity suggested word of mouth was adequate for local use.

6.28 In contrast, over half of the local level stakeholders indicated a lack of information regarding permissive access. Stakeholders found it difficult to provide a quantitative assessment of the level of information available on permissive access, as they often had only limited experience with permissive access sites. Only 6 out of 32 (18%) suggested the level of information was acceptable, and almost half felt the type of publicity available was unacceptable. These stakeholders suggested that in the case of local users, information through word of mouth might be sufficient, but for visitors this was not helpful. The Conservation Walks Register (also called the Conservation Walks and Rides website which can be found on the NE website at <http://cwr.naturalengland.org.uk/>) was not considered by stakeholders to be a good means of promoting access with one respondent referring to it as "*the secret website*", and there were few other alternative sources of information mentioned. Not all stakeholders interviewed were aware of the Conservation Walks and Rides website, though some indicated they were aware and had used the website.

6.29 Approximately one third of stakeholders felt signage on access sites was adequate, although some expressed concerns about following the maps, the need for improved way-marking, and replacement of signs that disappeared. They suggested that overall promotion could be better, perhaps through improving awareness of the Conservation Walks and Rides website, provision of leaflets, and provision of more information about the wider area.

Table 6.2: Agreement Holder views on how access could be better promoted (n=33)

Promotional strategy	Number	Agreement Holders – indicative comments
No change needed	15	<ul style="list-style-type: none"> • Never given it much thought. • Local people know it is there through word of mouth, others may struggle to find it. • It's a local facility and local people know about it. • Adequate for local needs. • Don't want to 'overdo it' • It is not promoted – people will see the signs. • Do not want any more promotion.
Needs more publicity	9	<ul style="list-style-type: none"> • Promotion through a weekly radio show, calendars, a website, twitter and Facebook, farmer "<i>wanted it to be successful</i>". • People only know of his site through word of mouth and some publicity would 'do it good'. • National park should promote it. • Signage would help. • Greater promotion through websites needed. • NE website should be easier to find, provide info to local B+B's • Good to provide leaflets around the area for tourists.
Needs less publicity	6	<ul style="list-style-type: none"> • More promotion was not needed as he felt the access was for locals more than the general public.(1) • Those currently using it feel a 'sense of ownership and would not want it messed up' by others coming in.(1) • Would prefer there to be no promotion (1) • Word of mouth is adequate.
No opinion	3	

Table 6.3: Views of local stakeholders on promotion of permissive access (n=32)

Promotional issue	Stakeholder Views and comments			
	Negative	Comments	Positive	Comments
Level of Information	20	Not well publicised – farmers don't go out of their way to promote access. Poor, shocking, desperate, appalling. People do not know it exists – not well publicised.	6	High. County Council has website – a proportion of permissive access is promoted – could be better. Balance is OK.
Type of publicity	15	All word of mouth and walkers associations. Poor website. Not enough advertising, people not aware, except residents. Unaware of the website The 'secret website' Website hard to find	5	Local magazines have maps, some in walking books. Ramblers have put together information, provide guided walks. Word of mouth is enough. Local promotion is fine – signs and maps on village notice boards.
Signage	8	Lack of adequate way-marking, maps useless - difficult to follow. Signs that disappear should be replaced. A map board is not enough to help you find the rest of the route Way-marking needed but often lacking.	11	Most have signs. Map boards everywhere. There is a need to enhance with information about the wider area
Other comments	3	Tends to be local users because how else do they know? We have no power to influence – why aren't we an advisory body? Suspect farmers want the payments but not the users.	2	People know about it but don't know difference between permissive access and Rights of Way. Need to do more with leaflets

7. Objective 2: Change to a Voluntary Approach

Introduction

7.1 There are mixed results from an exploration of the likelihood of future voluntary access provision. In general, those further removed from actual provision (i.e. the local and national level stakeholders) reveal more pessimism than the actual land managers who have the experience of providing access. Both agreement holders and stakeholders agree that some land managers will continue to provide access, in particular informal access to local people, or to those whom they know. Both groups agree that where access is not causing any particular management difficulties it is likely to continue, or where the 'costs' of preventing access might be seen as too great. Where providers and stakeholders disagree is on the proportion of access that is likely to be offered, and the level of altruism underpinning access provision. In general the local and national stakeholders tend to be more pessimistic than providers of access and suggest a lower level of voluntary provision. These differences are explored in more detail below.

Voluntary access: providers

7.2 The evidence collected from the telephone survey of agreement holders suggests that a core of access would have been provided without the HLS access agreements, and some will continue to be provided after access agreements end.

7.3 Between one quarter and one third of agreement holders said they would have provided access without their HLS agreement. Table 7.1 summarises the results which suggest that at least 27% of agreement holders (under each option) would have provided the access without an HLS agreement. In the case of agreement holders with permissive footpaths (HN3), 35% would have provided the access without an agreement. A higher proportion (42.9%) of those providing access for people with reduced mobility stated they would have provided the access without the agreement (although the total number of these in the sample is very small).

7.4 Respondents in the telephone survey were asked for their views on what is likely to happen after their current HLS agreement expires. As Figure 7.1 illustrates, over half of respondents (59%) indicated they would continue to provide access while 20% stated they would not provide access voluntarily. The remainder were undecided.

7.5 The telephone survey also indicated that for the majority (71%) the experience of providing access through their HLS agreement had not changed their attitude to access. A quarter (26%) indicated a positive change in their attitude to providing permissive access, while only 3% indicated a negative change in their attitude.

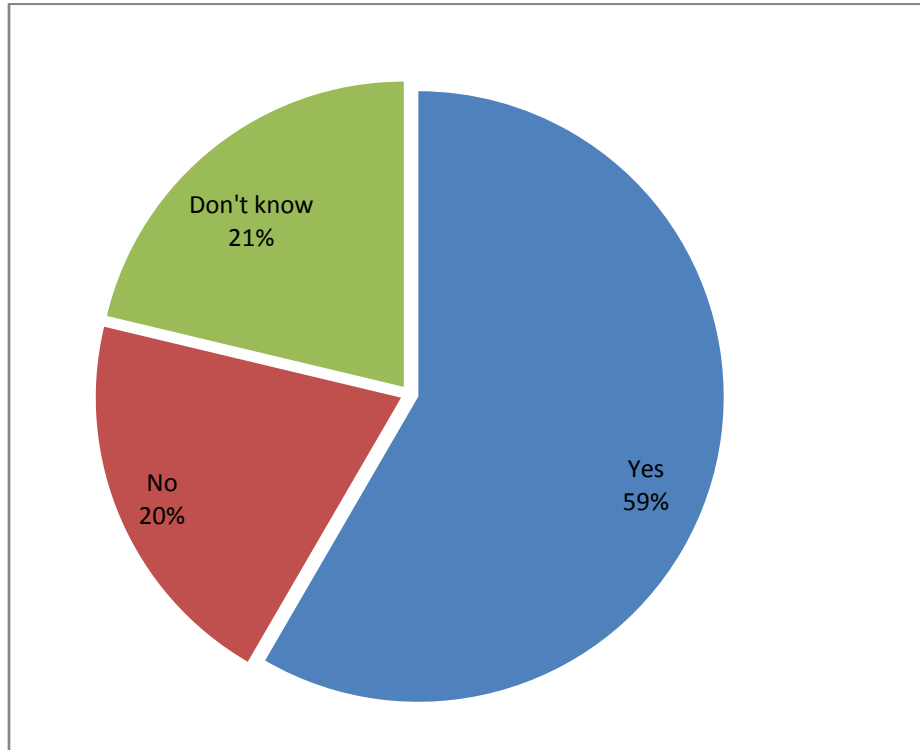


Figure 7.1: Whether respondent would continue to provide access voluntarily once their current agreement has expired (n=221)

7.6 Table 7.1 shows the importance of HLS agreements in access provision: the table indicates that for the main three types of access represented in the sample (area-wide (open) access, footpaths and bridleways) around half the sample in each case (as high as 57% for those providing bridleways) would not have provided the access without an HLS agreement; the remainder of the sample were undecided.

Table 7.1 Provision of access without an HLS agreement

Access Option	Response (%)		
	Yes	No	Don't know
HN2 – Permissive open access (n=47)	27.7	48.9	23.4
HN3 – Permissive footpath access (n=153)	35.3	52.9	11.8
HN4 – Permissive bridleway/cycle path access (n=70)	27.1	57.1	15.7
HN5 – Access for people with reduced mobility (n=7)	42.9	42.9	14.3
HN6 – Upgrading CRoW access for cyclists/horse riders (n=4)	50.0	25.0	25.0
HN7 – Upgrading CRoW access for people with reduced mobility (n=3)	66.7	33.3	0

7.7 In summary, it would appear that HLS agreements were instrumental in creating the majority of the permissive access provided (i.e. without the access options, the majority of landowners in the scheme would not have agreed to the public accessing their land). Figure 7.1 indicates that as a result of their experiences

well over half of the agreement holders surveyed (59%) are suggesting they will continue to provide access after their current HLS agreement ends. It is worth noting, however, that the data in Figure 5.1 also show that 42% of agreement holders indicated they were already allowing some kind of informal access before they entered their HLS agreement (though in some cases this was limited to certain users, or types of user, or limited in time).

Rationale for voluntary access provision when HLS scheme ends

7.8 Agreement holders who were interviewed in person about the future of access without payments indicate a similar breakdown to those in the telephone survey:

- just under half would continue to provide full or partial access
- just under one third would not continue to provide access
- just under one third said uncertainty about the future prevented them from giving an answer

7.9 As Table 7.2 illustrates, the reasons for continuing to provide access vary across providers. Where the access does not seem to be causing any management problems or difficulties, then agreement holders seem content to let it continue. In particular, there are some concerns that the costs of trying to stop people using the access might outweigh the benefits.

7.10 The 'cost' of access provision certainly plays a role for some access providers; in terms of opportunity costs if market conditions change; costs of repairing damage, and time required to manage the access. But a wide range of factors appear to influence thinking about access provision, including concerns about access becoming permanent, safety of users, and public relations.

7.11 Those indicating they might stop the access once their agreement ends are more likely to have concerns over damage, especially where crops are concerned, and that the damage costs might outweigh any benefits from voluntary provision. Other influences include views of the landlord and differences in attitude between the current agreement holder and the next generation. There were specific concerns from some current agreement holders that the younger generation might not support provision of voluntary, or even paid access, when they took over management of the farm. One farmer, for example, was adamant his son had no interest in providing access and would not continue the access when he took over the farm's management. Some indicated they would be retiring (and thus the decision would belong to the next generation) and others suggested that crop prices played a role in their decision making, and if prices were to increase then access would disappear.

Table 7.2 Agreement holder views on continued provision of access without payment (n=32)

Action	Number	Agreement holder - Indicative Comments
Will continue to provide	9	<ul style="list-style-type: none"> • Would not miss the bit of grazing it takes up – but would hand management to National Park. • Gets people on farm and buying meat and veg. • Caused no problem for us and people seem to enjoy it. • Will let it continue as long as it goes on working as well as at present. • Will keep it open, and keep the fence. Would ask the National Park with more help in signing and promoting it. • Would want it to carry on, wouldn't change anything. We wouldn't suddenly shut it up and say "you can't walk on it anymore". Holiday home visitors and local residents would still want to use it. • We will carry on - absolutely sure - thrust is to increase access on the estate...would only change if farm economics changed enough.
Partial provision	4	<ul style="list-style-type: none"> • As long as paid for stewardship strips – would be bad PR not to. • Depends on crop prices. • Safety reasons • Will let the locals continue to use it by giving verbal permission (and making sure it's not a statutory PRow).
Will stop providing	9	<ul style="list-style-type: none"> • If they are going to knock your crop down - no - far too many people using it and causing damage, but I've not got anything against someone having a walk • Will close it unless paid. Not worth the hassle factor. • Landlord does not want it to become permanent • Without payment will withdraw • Would only provide to 'invited' people who understand the farm. • Primary aim is food production. • My son will take over – he has no interest in it. • Takes time, management, finance and risk. • Too much damage. • We would close it because it takes time, management, finance and risk. We would not provide permissive access for free.
Don't know	10	<ul style="list-style-type: none"> • Don't know - might not be here in 8 yrs • Long way off – would be hard to stop access. • Will be difficult to stop people – we will probably just turn a blind eye. • The principle rankles – it's like a stealth way of creating public footpaths. • Problem will be my son's, I will have retired. • Depends on economics of crops vs. cereals – if we grow cereals again we will pull the access. • Might need to plough it back to feed the world. • We would have to carefully consider doing it voluntarily - son is taking over - he might say no - if 'straying' of people off path becomes more of a problem we might not take it on. • Will consult the younger members of the family as to what they want to do. Still have sons on the farm, and grandchildren coming through.

Voluntary access: local and national stakeholders

7.12 In general, local stakeholders seemed to be more pessimistic about the future than agreement holders: it was felt that some access would remain where it had worked well, but more would disappear. In the face-to-face interviews, local level stakeholders were asked about the future of access in their area now that HLS payments had been withdrawn. In some cases, stakeholders seemed to think permissive access had little impact on land management so farmers were likely to continue to provide access, others felt that costs of access provision were more important and that most agreement holders would withdraw access unless there was a financial advantage. A wide range of views were expressed: some felt that informal access between neighbours would continue, while others thought that barriers would be erected to stop users (e.g. horse riders); and it was suggested that where vandalism was occurring access would be withdrawn.

7.13 Table 7.3 highlights some of the indicative comments from stakeholder interviews. The Table shows that almost half of stakeholders felt that the majority (or at least the larger part) of permissive access would be withdrawn once payments stopped. Around one third of those interviewed indicated some partial level of access would be provided but only three respondents suggested that the majority of the access would remain open. In general a similar set of underlying reasons for responses was provided as for the agreement holders: some felt the majority of access would close due to the liability issue, while others suggested the fear of access becoming permanent (i.e. a PRow being created) if they continued to provide access outside of an agreement would force land owners to stop providing permissive access. Costs and damage levels were also mentioned as influential factors and some stakeholders felt that the loss of financial support would be significant.

7.14 The two main factors not mentioned by stakeholders were the issue of farm succession, which clearly influenced agreement holder thinking about future access provision; and secondly, the level of altruism which clearly underpins a significant proportion of access provision. Overall the impression provided by the stakeholder interviews is one of greater pessimism about future voluntary access provision, compared to the agreement holders. On the other hand, Table 7.2 above suggests a lot more uncertainty on the part of agreement holders about future access provision and concerns over the views of the next generation, an issue not considered at all by the stakeholders.

Table 7.3 Local stakeholder views on continued provision of access without payment (n=32)

Action	Number	Local stakeholder - Indicative Comments
Will continue to provide	3	<ul style="list-style-type: none"> • Those that remain will be those that previously provided access and those with social responsibility. • Most likely to be sites where heavy use or previous access that will continue. • Depends on how successful the route has been – if no hassle for the farmer, it is likely to continue
Partial provision	11	<ul style="list-style-type: none"> • Informal access between neighbours will continue. • Hard to say – some will, some won't. If there have been no difficulties then access will continue. • Some will – if it links up access they may do it as a gesture of goodwill. Unless it links into cross-compliance or something a lot will not do it. • Most will close – some farmers will offer voluntarily out of goodness of their heart. • Some will disappear; others might stay – it's had little impact on land management so farmers could let it carry on where they've built up relationships with users • There will be some losses but also some will continue on an ad hoc basis. Where access has worked well, it will be renewed/continued • Some might turn a blind eye to local horse riders. Some riders will go on trying to ride them. • Those with livestock likely to stop.
Will stop providing	14	<ul style="list-style-type: none"> • Many will end with it. • A lot will close – the majority – because of liability issue. • Landowner fears will remove access. • Most will withdraw their permission, unless they can find a way of using it for commercial gain. Some may be concerned about creating legal RoW, so may prefer lease/contract access rather than give it free of charge. • Majority will close and access will be lost. Some might provide access voluntarily if they've seen a monetary gain above and beyond the HLS payment. Otherwise, it's not worth it to the farmer • The majority will withdraw permission when payments stop, although some will allow it to continue. • Will generally be withdrawn, although some will continue but likely to be in the minority Cannot generalize. Depends on farmer – those who only took access to get into scheme will stop it. • If there is money, if not some may continue but there will be conflict
Don't know	4	

7.15 National level stakeholders were asked whether they felt access would be likely to continue without financial support. Feelings were equally divided between ‘Generally Yes’ (n=3) and ‘Generally No’ (n=3) with two indicating ‘Don’t know’. Indicative comments made in support of these responses are illustrated in Table 7.4 below.

Table 7.4 National stakeholder views on continued provision of access without payment (n=8)

Action	Number	National stakeholder - Indicative Comments
Will continue to provide access	3	<ul style="list-style-type: none"> • Institutional ones (e.g. NT, Forestry Commission, United Utilities) will allow it to continue; more varied response expected from private landowners • Yes – with respect to the two I’ve been involved with. Probably some degree of altruism behind each HLS application
Will not continue to provide access	3	<ul style="list-style-type: none"> • No - based on feedback I’ve received from two areas • 95% of cases probably say no [to continued access] - naive to think otherwise. It's a commercial deal - you pay, we provide access
Not sure/don’t know	2	<ul style="list-style-type: none"> • Split decision - some will/some won't (both to area-wide and linear). More likely where local benefit. More likely with bigger estates - more scope for them • Some will continue, some will stop

7.16 National level stakeholders looked at the big picture across all agreements and provided a range of responses, both negative, and positive. Some referred to concerns over issues such as liability, the level of public benefit, the extent of perceived public need, which might restrict voluntary provision, and whether access creates additional value for the landowner:

- *Part of problem is that HLS access is not actively promoted and many permitted access routes are not HLS. Landowners are often worried about liability so will tend to enter HLS access options to get some cash but be happy for it not to be actively promoted. We are also concerned that paying for permissive access introduces the idea that payment should be made for permissive access that is not within the scheme.*
- *HLS access can be very good when 'it works' but it is not well-targeted and there's no public (or LAF) involvement in deciding where HLS permissive access should be provided so, in many cases, HLS does not represent value for money. In future, provision of new access (not just the need to maintain statutory access) should be a cross-compliance issue for farm subsidy (not AES). AES, or whatever emerges after the next CAP reform, should require applicants to satisfy access needs as well as other primary aims.*

National level stakeholders echoed many of the issues raised by those at the local level, but the majority seem to think that some level of access provision will continue provisionally, though there was a lack of clarity on the proportion, type or location of that access.

8. Conclusions

The survey has provided evidence to enable some conclusions to be drawn in relation to the key questions of interest, and to identify the value of permissive access to agreement holders, stakeholders and users.

1. Value of Permissive Access

a. To agreement holders:

- i. Altruism is a key influence in land managers selecting permissive access options within their HLS agreement, although this altruistic tendency is intended mainly to help local people and the community, rather than the wider general public.
- ii. Around 42% of the access sites in the survey already had some degree of access prior to entering HLS, so there is a potential benefit to agreement holders for allowing the access to continue and receiving payments in return.
- iii. Financial gain is not a significant motivation for many participants, and payments for access were not mentioned by most respondents, possibly because they are subsumed within the total payment received.
- iv. A small minority have provided permissive access as an added offering to a tourism enterprise (e.g. tea shop) or to existing educational access, suggesting that financial gain – both from HLS payments and enhanced income from such diversified enterprises – is a motivator for this group.
- v. There is clearly scope for bridleways to be attractive under HLS on larger arable farms in areas where the PRoW network is limited.
- vi. Improved relationships with local communities and the public contribute to a 'feel good factor' and enhanced standing of the farmer in his/her community.
- vii. Some land managers have experienced a number of negative impacts (such as uncontrolled dogs, and people straying off the access routes), which must be balanced against the positive outcomes, but these seem to be outweighed by the number reporting positive impacts.

b. To users (by inference from observations and information provided by agreement holders and stakeholders):

- i. Dog walkers and walkers who tend to make regular and frequent use of access close to their homes, appear to be the main beneficiaries of permissive access – either because they have been given access to new areas, or their current use of areas with no right of access has temporarily been legitimised. This is consistent with the stated or inferred aim of many agreement holders – to provide a resource for local people to use.
- ii. Horse riders have also benefited significantly, with bridleways being created specifically for their benefit, sometimes linked with a horse livery business, or to provide safe off-road passage for horses and their riders.
- iii. The access is generally of high quality, with good infrastructure (e.g. gates/stiles, map boards) and provides access to features of interest.
- iv. Provision of HLS access encourages more confidence in the right to use permissive access, although promotion/provision of information off-site is generally thought to be inadequate by user group representatives.

- v. Majority of the access provided is easily accessible by car, and a significant amount can be accessed by bus.
 - vi. In a minority of instances more information could be provided to navigate the access route and to interpret features of interest (e.g. ecological, historical).
- c. To public sector interests
- i. The quality of later agreements was judged by some to be better than earlier ones, providing better value for money to the public purse. The improvements resulted from better partnership working between LHA officers and NE advisors.
 - ii. The value of HLS permissive access within the wider network, as assessed by the national and local level stakeholders, varies considerably and probably in relation to the enthusiasm and skill with which local officers (of both NE and LHA) have been able to exploit the opportunities it has afforded of a quick way to create new access.
 - iii. Evidence from some stakeholder representatives (e.g. Ramblers, British Horse Society) that their organisational members are benefitting from the permissive access.
 - iv. Access provided under HLS is 'supply-driven' (i.e. made available at the discretion of the provider) although the driver for providing access may be the desire to formalise existing de facto access. Concerns were expressed by some stakeholders that not enough access is located close to the urban fringe, which is where potential demand is likely to be greatest. This study was not able to verify the level of latent demand for access in either rural or peri-urban areas.

2. Contribution to wider HLS outcomes

- a. Provision of new routes
 - i. An estimated 42% of the access in the sample was being provided before agreement holders entered into HLS access options, although in some cases this was restricted to specified users. Thus 58% of the agreements represent new access provision.
 - ii. New provision includes open (area-wide) access, bridleways, footpaths and cycle access.
- b. Improved access for a range of users
 - i. There is no clear evidence in this study for an increase in the range of users as there is no baseline data with which to compare changes.
 - ii. Anecdotal data from agreement holders is not robust but does suggest that the permissive access caters for a wide range of user types.
- c. Provide access to areas of open access land that could not otherwise be reached
 - i. A small proportion of access provides links to CRoW open access land. A majority of the permissive access links into the existing PRoW network.
- d. Link to long distance footpaths
 - i. A significant proportion of footpaths and bridleways under HLS options link in to the existing PRoW network, but only a minority of the permissive access created links into long-distance footpaths.

- ii. There is little evidence of targeting location of permissive access to enable links with long-distance paths to be made. Some evidence that short links were created in Northumbria, Cumbria and Devon but the extent to which this was the result of deliberate targeting is not clear.
 - e. Create new areas of open access
 - i. Some new areas of open access have been created, but these tend to be small (e.g. giving users access to one or two fields).
 - ii. In cases where large areas of land were made accessible within the HLS agreement, previous de facto access had usually been available.
 - f. Provide facilities to promote greater understanding of the countryside
 - i. A minority of agreement holders have provided additional interpretation boards.
 - ii. A small number of agreement holders have engaged with the public to explain their operations and management, although in some cases this was linked to educational access options.
 - g. Use of local theme statements for access
 - i. Awareness and understanding of local theme statements appears to be minimal, and has not influenced the selection or location of agreements.
 - h. Lessons learned about approaches to partnership working
 - i. Agreement holders appear to have worked well with NE, and a range of other advisors.
 - ii. Rights of Way and LHA officers in local authorities have good working relationships with NE, although in some cases personnel changes and increased workloads in NE have reduced the level of partnership working.
 - iii. LAFs have not generally been involved in partnership working to develop HLS permissive access.
 - i. Improvements to the promotion of permissive access
 - i. A significant proportion of agreement holders feel that current promotion levels are adequate, and for a minority word of mouth is felt to be a sufficient form of promotion.
 - ii. The majority of stakeholders feel that promotion is inadequate for all but those in local communities situated close to access sites.
 - iii. Stakeholders feel more effective promotion is required through leaflets, information in tourism offices, and increased awareness of the NE Conservation Walks and Rides website.
 - iv. There is a lack of awareness about the Conservation Walks and Rides website amongst agreement holders and user group representatives.
 - v. A small number of permissive access sites are widely promoted through radio, leaflets, books, and the local media, as a result of agreement holder enthusiasm.
- 3. Assessment of the effect of the change to a voluntary approach to the delivery of the intended outcomes for HLS permissive access.

- a. The influence of classic scheme permissive access on HLS permissive access uptake:
 - i. A minority of respondents indicated experience of classic scheme permissive access.
 - ii. The influence on this minority of agreement holders was generally positive (i.e. inclined them towards re-entering access) although not all acted in this way.

- b. Evidence that the change to a voluntary approach has affected the extent of permissive access:
 - i. Approximately one fifth (20%) of respondents indicate they will not continue to provide access once their agreements have ended.
 - ii. Interviews with agreement holders indicate that slightly less than half would continue to provide full or partial access on a voluntary basis once their HLS payments have ended, while just under one third would not continue to provide access. Where access is not causing any problem or difficulty agreement holders seem content to let it continue. There are some suggestions that the costs of trying to stop people using the access might outweigh the benefits.
 - iii. Stakeholders have a more pessimistic vision, and the majority feel that a large amount of access will disappear once agreements have ended, although all recognise that a minority of landowners will continue (particularly large private landowners and institutions) to provide access voluntarily. This is tempered by some who realise it may be difficult for farmers to stop access after years of use.
 - iv. A wide range of factors will influence the decision about whether or not to continue with access (including prices of agricultural outputs, landowner views, concerns over liability, government policies, and generational change in ownership).

- c. Why agreement holders who had permissive access through classic schemes have not taken up permissive access options through HLS.
 - i. Three quarters of the respondents in the small sample of former classic scheme agreement holders (n=20) indicated they would enter into an access agreement again, suggesting a largely positive experience, while 3 disagreed and 2 had no opinion. However, only 8 of the sample that were contacted had entered HLS, and only 2 had taken up access options.
 - ii. The majority of the sample indicated that although the access had not caused them to change land management activities, and had not presented any real management problems, neither had it had any positive impacts on their business.
 - iii. The data suggested that a significant proportion of former classic scheme agreement holders were continuing to keep their access open, which might help explain why so few have entered into access options under their new HLS agreements (note the sample was selected to ensure no duplication with the larger sample of current agreement holders so may under-represent the number of former classic scheme agreement holders that have taken up HLS access options).