



Llywodraeth Cymru
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TITLE Government Response: Taking Forward Wales' Sustainable Management of Natural Resources Consultation – Access Proposals

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Wales is justifiably famous for the beauty of its landscapes. Our stunning countryside and coastlines provide an ideal environment for outdoor recreation.

Despite this, we are now in a position where six out of ten adults and one in four of our reception aged children are overweight or obese. 1 in 4 adults in Wales will also experience mental health problems or illness at some point during their lifetime. We must do all that we can to reduce this and it is important that we fully unlock the broader benefits of our environment. Our Natural Resources Policy illustrates that nature based solutions can support physical and mental health. That is why we are committed as a Government to enabling more people to enjoy our countryside more easily – to take advantage of the many health and wellbeing benefits that getting outside can bring.

An accessible countryside supports our efforts to boost Wales as a tourism destination and a magnet for walkers, cyclists and thrill-seekers. With all the uncertainty that Brexit brings, we must continue to do all that we can to encourage visitors to Wales. The success of the Wales Coast Path, clearly demonstrates how outdoor recreation can help to support the economy, improve health and instil a sense of national pride. I want to support rural areas to maximise revenue from tourism but maintaining the right balance is uppermost in our minds. There is a clear link between increasing access to the outdoors and the Welsh land management policy's principle that our land should deliver public goods for all the people of Wales.

On 19 June 2018 the Summary of Responses to the Taking Forward Wales' Sustainable Management of Natural Resources (SMNR) consultation was issued. I am

grateful to the many thousands of organisations and individuals who responded. Over 16,000 responses were received to the proposals on access alone, reflecting the passion many of us in Wales have for the countryside and outdoor recreation.

Today I am pleased to publish the Government’s response to the chapter 4 access proposals that were outlined in the SMNR Consultation. These measures demonstrate our commitment to access reform and provide a fair and progressive way forward.

I will progress significant changes to access rights and facilitate an assumption of non-motorised multi-use on access land and the public rights of way network. This will provide users such as cyclists and horse riders with many more opportunities to access the outdoors near to where they live in line with the goals set out in the Wellbeing of Future Generations Act 2015 and complementing the provisions of the Active Travel (Wales) Act and the Environment (Wales) Act.

I will make information on areas available to the public for outdoor recreation more accessible in order to support the Taking Wales Forward commitment to ‘go digital-first in our delivery of government services’. This will benefit local people by demonstrating what is available on their doorstep, as well as tourists considering where to go and what to do.

There are some minor technical reforms that are widely supported and uncontroversial. These amendments will reduce complexity for users and path managers and realise financial savings for local authorities and landowners. They will be progressed as soon as a suitable legislative vehicle can be identified. They include:

Access Proposal	
12	Removing the anomaly that prevents organised cycling events on bridleways
18	Enforce placing dogs on a short fixed length lead in the vicinity of livestock at all times of year
20	Amend technical provisions around creating, diverting and extinguishing rights of way
21	Allow more flexibility around livestock control
22	Amend the requirement for a decadal review of access maps to a process of continual review
25	Repeal some areas of the Countryside and Rights of Way Act that are proving costly and inefficient
27	The role of Local Access Forums.

Two specific proposals in the consultation relate to promoting responsible behaviour by users in the countryside, with a proposed statutory caveat and statutory code. Until we explore what new access will look like we intend to keep these under review, but with a

view to developing voluntary codes in the future. Natural Resources Wales already have a duty to produce countryside codes and promote responsible behaviour and our partners, such as the National Park Authorities, must continue to promote these codes and responsible behaviour more widely. We recognise that the vast majority of people accessing the countryside are responsible users.

The complex nature of the existing legislation has been one of the triggers for reform. The SMNR consultation with its enthusiastic public and stakeholder response has begun the journey to develop practical solutions to address these issues. To further develop these ideas it is now sensible to establish an independent Access Reform Group. In creating this Group, I will be in the strongest position to take appropriate and well-judged action. I will ask the Group to consider in detail, how the more significant changes to access rights should be implemented and the simplification of the recording, planning and changing of public access. I will update stakeholders on the work of the group as it progresses.

The remit of the group will include:

Access Proposal	
10	Multi use paths (allowing cycling and horse riding on footpaths)
11	Reducing the restrictions associated with open access land We will lift the restrictions on cycling and horse riding, hang-gliding and para-gliding, bathing or using a vessel or sailboard on natural bodies of water. We will retain the restrictions on manmade bodies of water, organised games and camping.
13	Extending access land to the coast and cliffs
17	Enable temporary diversions and exclusions to be applied across access land.
19	The case for a single statutory digital map of all rights of way, public access land and designated National Trails
23	Integrated access plans
24	Creating a new type of public right of way, cycle paths.

Access to inland waters has long been a contentious issue, with increasing reports of tension and in some cases, open hostility between various users. There currently isn't legislation and little common law around this type of access. Since 2009, the Welsh Government has advocated voluntary access agreements (VAAs) and supported the use of access agreements and other opportunities on inland waters through the Splash

funding scheme. However, there continues to be friction between different user groups, and few VAAs are in place.

Our proposals on access to water within the SMNR consultation were aimed at resolving the stalemate and conflict. The consultation attracted the highly polarised views which have hindered all efforts to reduce the conflict between users to date. It is extremely disappointing that parties continue to offer no compromise on their respective positions. It has therefore become apparent that presenting proposals for access to water in isolation will not resolve the current situation. It is now time for us to broaden the debate and ask what Wales wants from its inland waters and the role that access rights have in delivering this.

I will also be asking the National Access Forum to give particular priority in 2019 to laying the ground work for the greater dialogue on inland waters issues that is needed. I strongly encourage stakeholders to find a practical joint solution. I have not ruled out future legislation on access, particularly should I not be satisfied of reasonable progression within 18 months.

The approach I have outlined will help secure a brighter future for access within Wales, so that current and future generations can continue to enjoy their visits to the spectacular landscapes of Wales. I am committed to improving opportunities for public access to the outdoors for recreation whilst reducing burdens on local authorities and landowners and safeguarding the natural environment, features of cultural significance and land and water management practices.