

Good morning everybody & a very warm welcome to this Westminster Briefing.

We are here today to discuss and hopefully advise those govt colleagues present, on: **“Protecting our Public Rights of Way: Putting Deregulation into Practice”**

Starting with the first half of that title “Protecting our Public Rights of Way”, it is widely recognised that England and Wales have this unique resource of public rights of way, a part of our ancient highway network that allows the public to walk, ride horses, cycle and use vehicles along linear routes.

The rights of way network has been recognised by successive governments of all political persuasions as a valuable public asset. The government of 1949 took extensive advice about the need to protect rights of way for future generations and it is likely that much of the today’s network would have been lost, had they not done so.

Today we have an opportunity to help the current government with feedback directly to those involved at the sharp end (Paul & Dave), to influence the thinking of those on the SWG, (Ray and Mike), who are still involved and being consulted on an ongoing basis by Natural England & Defra – I should know as one of them is in my team and is constantly disappearing to do SWG work!

Taking the second half of our title for today’s session: “Putting Deregulation into Practice” - Public rights of way are often portrayed as a public benefit, to the detriment of the land owners and managers who live in the countryside. But more careful consideration shows that our whole economy benefits from being able to promote our countryside as a tourist attraction and the economy suffers during closures, such as during the foot and mouth outbreak.

Of course it is not just the countryside that benefits from the rights of way network; the network extends into urban areas and provides opportunities for walking or cycling to school or to work or to the shops; those small local journeys that we all need to get out of our cars to do for the good of the nation’s health and for the good of our environment. So in putting into practice deregulation, we all have to be careful not to damage the economy we are trying to stimulate (there you go I’m sounding like a politician now, in Richard Benyon’s absence!). We need to take care and not to throw the baby out with the bathwater.

Part of today’s discussions will no doubt cover the job of recording all public rights of way that exist, started in 1949, and still on-going, as this is an area that deregulation aims to improve on – through streamlining, through efficiencies, and through bringing-in the 2026 cut-off. Let’s not forget that the cut-off is looming over us and as it was first contained in the CRoW Act 2000 – that means we are now over half way there!

The current legislation has been described as complex; it often frustrates both those who have to operate it – my professional colleagues in IPROW and other officers in LAs; and those who have to live with it – the users and landowners alike. There is a

healthy debate over deregulation / reregulation within IPROW and while members up and down the country do not all agree with each other on the details, it has been recognised for some time that at least some reform is needed to have any impact on the backlog of work to do.

This is a controversial area and it is important that any legislative reform is balanced and up to the job. What we do not want is something which becomes just a lawyers' charter to make money on endless test cases (with apologies to William & Michael and any other lawyers present!).

An accurate and up to date Definitive Map and Statement is vital in providing both clear information to users of the countryside and clarity and certainty for those who own and manage the land.

The present process for making changes to this legal record is well known for being lengthy, bureaucratic and often generating conflict. The stakeholder working group has worked hard to achieve a balanced set of proposals to simplify those processes and assist with completing the Definitive Map (whether via deregulation, or reregulation as it is being called by some, or in the Defra guidance to follow). It's time now to see that hard work and those reforms through, so that those whose work it is to finish the job started in 1949 can get on and do it as efficiently as possible.

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