

PART A PRINCIPLES FOR ACCESS

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PREFACE FROM THE CHAIRMAN OF THE NATIONAL TRUST

This report commissioned is the result of a two-year review into the National Trust's access policies and practices. It is a thorough and thoughtful study which provides the Trust with a new framework for the integration of access with conservation. The Trust's Council, and the Executive and Properties Committees endorse the principles.

One of the key challenges for the Trust is to provide access which reflects the *genius locii* and to prevent the erosion of the sense of place which is valued by many. I believe that the sensible application of the three principles set out in Part A will help to achieve the right balance for people and place.

Reviews such as this are able not only to acknowledge past achievements, which are numerous, but also to advance thinking and to develop new approaches to and opportunities on this important subject. The Council and Committees agreed that the report struck the appropriate balance between conservation and access.

Full consideration is now required by our Regional Committees and staff and at Head Office on how the recommendations are to be implemented over the next few years. In due course progress will be reviewed by the Properties Committee.

I am most grateful to Lady Elizabeth Kirk and the other members of the Working Party for their time and energy put into the study. The report will provide a valuable guide for the management of access into the twenty-first century.

Roger Chorley

FOREWORD

To the Chairman of the Properties Committee

It is wholly appropriate that this report should reach you in the National Trust's Centenary year. The founding acquisitions were beautiful places of public resort: their importance to the Trust and nation remain cardinal.

You set us an enormous task, in keeping with the extent and variety of the Trust's coast and country estate. The 1991 report 'Managing Rights of Way' identified the need to study wider aspects of access. Our work does not supersede that report: we have built on it. Nor would the Working Party claim to have considered every issue, but hopes to have given guidance on the major ones.

Access provides the principal expression of the public benefit for which the Trust holds these many and delightful places. A few will be content just to know that the jewels are cherished, or to look in from the outside, but for most of us that benefit means being able, somewhere, sometime and for some purpose to go through the gate. So we have not explored the philosophical refinements of 'visual access only' though that is implicit in what we have to say about the precautionary principle and intrusive activities. Rather, we have attempted to give practical guidance, soundly based in principle, on what may happen when people come to enjoy or endure their day in the country.

The 1986 Statement of Access Principles, endorsed by the Trust's Council, made specific reference only to access on foot (to be free of charge) and to motor vehicles (to be severely restricted). Between these two extremes of desirability falls a very wide variety of activities and ways of appreciating the countryside. Perhaps our main contribution is the consideration given to this variety. The principles have served the Trust well: we have made no major alteration, but have changed some emphasis, expanded them to include quality and have set them in the context of other Trust purposes.

You will find the new Statement of Principles in Part A of our report, with some supporting argument. Part B is the result of the assessment we were asked to make: the principles are drawn from this assessment. We have made detailed recommendations showing how the principles may be applied. Part C stands alone as a guide for the management of specific activities. It will need to be revised as experience dictates.

Obviously there are resource implications in Part B. The Working Party was greatly encouraged by the excellent practice already in place on many properties. Where recommendations are new, we are not asking for a huge immediate commitment of staff and money, but see change achieved incrementally as much in the way the Trust perceives and plans for access as in the provision made. In commending Regional Access Strategies, the Working Party is acutely aware of demands on staff time, but believes this will be justified by the better direction of resources in the long term.

The Working Party is very grateful to the numerous external consultees who have helped us understand a variety of activities and aspirations. To Trust staff, both at Head Office and in the Regions, and to the volunteers we met on site visits, our debt is huge. We deeply appreciated the warm welcome, and the frank and thoughtful discussions which nourished our own deliberations. To my colleagues on the Working Party my special thanks also, for their support, for the depth and range of interest and experience they contributed, and for their perseverance in what has been a long haul - but what task, what people, what places could have been of greater delight and significance.

Most reports end under the heading 'Conclusion'. This one does not. Our conclusions are our recommendations. As valediction, if we have raised the profile of access in the Trust's thinking and practice so that it is always built in, not bolted on, to management, if conservation and access are seen to be two sides of the same coin, then the gate is open and our job is done.

Elizabeth Kirk
Chairman of Access Review Working Party

This report is the result of a two year review of the National Trust's principles, policies and practices for providing public access to its coast and countryside properties. The Review was requested by the Properties Committee following a review Managing Rights of Way (National Trust, 1991).

1. TERMS OF REFERENCE

* To review the Trust's current policy on access to its coast and countryside and to suggest any amendments in light of the Review and present them for consideration by the Council.

* In order to undertake this Review the following issues inter alia will need to be addressed:

- The Trust's responsibilities for providing enjoyment, recreation and education in the countryside.
- The identification of key impacts of access; acceptable forms and types of access and the likely effects on Trust property.
- The ability to determine acceptable and sustainable levels of access, including financial implications. The need to preserve remote areas whilst keeping landscapes accessible.
- The desirability of any changes in law governing access to the countryside.

2. METHODS, SCOPE AND STATUS OF THE REVIEW

The Review was undertaken by a Working Party of 11 members, chaired by Lady Kirk. A full list appears in Part B, Appendix I.

Information on which the Review is based was gained from various sources: questionnaires completed by Trust Regions and properties, user groups, policy making bodies and other access providers; seminars and consultations; Head Office staff; site visits and literature search. Details are given in Part B, Appendix II.

Access is here defined as entering and using the countryside for recreational or educational purposes, either passive or active. Recreation is the pleasurable occupation of leisure time. Eighteen recreational activities have been covered in some detail; many others are referred to. Sports, apart from golf, are not covered. Hunting has not been considered as it is subject to separate studies. In particular, the report by Sir John Quicke (1989) recommended the introduction of an annual licencing system and this is now in place throughout the Trust.

The land covered by the Review is all National Trust countryside and, on estates, land 'beyond the ha-ha' of the house and garden. It thus covers enclosed and unenclosed land, coast, farmland, parks, woods, lakes, rivers, heathland, downland, moor and mountain.

The topics considered in the Review include over 40 'main issues' which were raised by Trust staff, and issues which were common themes raised by external consultees. The right of access was not raised as an issue in relation to Trust land, and is only briefly considered.

The document is intended primarily for Trust committees and staff. It will also be available to any individual or organisation involved with the provision, management or pursuit of access and with an interest in the Trust's position.

The principles given in this report have been considered by the Trust's Council and Committees and endorsed. They will guide access management in the National Trust in the coming years. The recommendations will be considered, and implemented as appropriate, within the framework of national, Regional and property planning.

3. REPORT STRUCTURE

Part A Principles for Access

Outlines the principles for access and summarises the supporting findings and recommendations given in Part B.

Part B Managing for Access

Describes the important attributes of access and its impacts on and integration with other National Trust purposes, and makes recommendations for the future.

Part C Recreational Activities: Guiding Principles, Practices and Impacts

Covers eighteen individual activities in detail.

4. CONTEXT OF THE REVIEW

The National Trust's purposes were established under the National Trust Act, 1907. This states 'the National Trust shall be established for the purposes of promoting the permanent preservation for the benefit of the nation of lands ... of beauty or historic interest ... for the preservation of their natural aspect features and animal and plant life'. Access to the countryside is one of the main interpretations of benefit to the nation. Access is specifically referred to in the National Trust Act, 1937. This states that the Trust's purposes are extended to include the promotion of 'access to and enjoyment of' places of natural interest or beauty. Except in the case of common land, which the Trust has a statutory obligation to maintain as open space for the recreation and enjoyment of the public, access is enjoyed by permission rather than the exercise of a legal right.

In 1986 the Council endorsed the current policy on access to the countryside. This is outlined in Part B, Appendix V. The main principles are summarised as follows:

- * To promote (ie further the establishment of) public access to all its properties and, wherever possible, to improve such access;
- * conservation is the Trust's overriding duty. Where public access poses a serious threat to this duty, it is the Trust's policy that conservation should take precedence.

This policy has been assessed during this Review. It has served the Trust well, continues to do so and still holds good. Likewise, the principles remain relevant and thus form the basis for the principles in this report, as stated in 5 below.

Some minor changes to the 1986 principles are incorporated.

This report emphasises the benefits of access, both to people and in furthering the Trust's other purposes. Access is now a land use in its own right, and is no longer merely the use of spare time. As such, it is higher on people's agenda than it was. This raises awareness and influences expectations and decisions on the future of the countryside.

The Trust has always provided access to its land, and now provides for a great range of activities. The report suggests that in order to remain relevant and meet its responsibilities the Trust should respond to the demands for more access, in the context of its primary purposes.

The report also outlines some disadvantages of access. The Trust must be aware of these impacts, and act appropriately. Mechanisms are suggested whereby access and conservation can be successfully integrated and sustained.

5. PRINCIPLES FOR ACCESS AND SUMMARY OF RECOMMENDATIONS

Principles are shown in bold. Recommendations and amplification from Part B of the report, indicating how the principles are applied, are summarised in the following text. Brackets give cross reference to recommendations (R) or text in Part B.

PRINCIPLE 1

The duty and primary purpose of the Trust in the countryside is to promote permanent preservation for the benefit of the nation. It will regard access as a fundamental way of providing this benefit and as a principal purpose.

Application of Principle 1

In the National Trust Acts access is stated as a purpose, and on commons as an obligation. The Trust recognises its responsibility as one of the most significant providers for access in the UK, the benefits to people and the benefits to its other purposes. Access is an important land use in its own right and in many respects a force for good in the countryside (Chapter 1, Introduction).

The Trust provides access to its land and provides for many activities (1.2, R59). It should continue to do so (R1). It should also respond, with others, to the demand for more access, in appropriate places (R3, R4, R9, R22).

Sustainable management underpins the permanent preservation of the countryside and enables access to continue and change to be anticipated (R12).

Effective planning is an essential component of sustainable management (2.1, 1). This should extend beyond Trust boundaries (5.1, 3) and be carried out in partnership with others (5.5). Reliable information is needed, which is not yet available for access. The Trust should, within the financial and human resources available, instigate access survey and monitoring (R72 - 74).

Countryside Education and access are of mutual benefit. Education provides a direct way of promoting the Trust's purposes, encourages people to visit Trust property who might not otherwise come and helps bridge the gap between 'town and country' (5.8). The Trust should continue its strong commitment to the education programme and recognise its benefit to access (R88).

The various attributes of access should be considered more positively when assessing future acquisitions of property (R10).

PRINCIPLE 2

The Trust's Acts establish the responsibilities for conservation. If serious conflict arises, conservation will take precedence over access.

Application of Principle 2

The breadth of the Trust's responsibilities for conservation is great (Chapter 2), and inevitably, in meeting the demands for access, there will be problems. These can generally be minimised by planning and management (5.1, 5.3), but if conflicts arise which cannot be reconciled, the Trust will continue to regard conservation as its over-riding duty.

Access will be restricted on sites of greatest sensitivity (R37-39, R53). If damage is suspected, the precautionary principle will apply (R13). Survey, monitoring and consensus may be needed to identify 'serious conflict' and to justify the precautionary principle (R36, R50, 5.2, 5.5), but ultimately the Trust has the responsibility to decide how best to manage its properties (2.1, 1c).

There are some adverse effects of access on conservation which are of particular concern. The Trust should address these, for example the increase in visitor related traffic (R15), environmental damage from visitor facilities (R16), disturbance to birds (R37) and erosion of archaeological sites (2.4, 1). Some recreational activities should be reviewed and controlled, such as caving (R61).

The value of certain processes in the countryside, such as natural erosion, flooding and stock grazing, is recognised, and the Trust should not allow these to be unduly compromised by access (R44 - R47).

Access demands high safety standards which can damage important features such as old trees, and thus access restrictions may be necessary if safety standards cannot otherwise be met (R42, 2.4, 2).

PRINCIPLE 3

The Trust will ensure that the countryside retains characteristics which afford the widest range of experiences, and will enable people to enjoy access to its properties.

Application of Principle 3

The conservation of landscape diversity and local distinctiveness is important to many aspects of the Trust's work, including access. Such landscapes are highly valued, and offer visitors many different experiences. The Trust should protect and enhance local distinctiveness (R17).

For some people just the provision of access to this countryside, with the experience of individual freedom (4.1, 3.2), is sufficient. However, the Trust can enable people to enjoy access in many other ways. These include a welcome from the Trust (R58); a well-defined and maintained path and Rights of Way system, continuing beyond Trust boundaries (1.3); a responsible and balanced approach to visitor safety (5.9); minimal conflict between users (R57); information which orientates and inspires (5.6); and a no charging policy for informal access on foot (R90).

The Trust recognises the particular value of remoteness, and the importance of peace and quiet on its land. It will ensure that the characteristics of such areas are retained (R56). In places, where appropriate, intrusive activities can be accommodated (R54). Pressure to provide for too many activities should be resisted (R60). The Trust should address problems of severe overcrowding and may have to be prepared to close sites for recovery in the future (3.4).

The Trust should continue to manage its countryside to ensure that the quality of access is maintained (Chapter 3, R75); many of the attributes of an enjoyable experience are dependent on well-trained and professional countryside staff (5.11).

6. PRIORITIES FOR IMPLEMENTATION

This report stresses the importance of access. It is not able to set priorities within the context of the Trust's other responsibilities. This is for Head Office and the Regions to do, with their detailed knowledge of other priorities and competing claims for resources.

The report makes many recommendations and addresses numerous topics. The main priority is to prepare a Regional Access Strategy. This will evaluate the provision of access, the benefits, needs, impacts and problems, and identify opportunities for improvement and enhancement. A pilot strategy should be prepared during 1996, to establish the scope and a suitable format. All Regions should have Access Strategies by 2000.

Meanwhile, other issues need to be addressed such as deficiencies in the Rights of Way system, access related traffic, visitor facilities and the better integration of access with farming.

Priorities for resources are suggested in Table 13, Part B.