



South Somerset Bridleways Association response to Environmental Land Management Policy discussion document 2020

1. Do you want your responses to be confidential?

No

2. What is your name?

Sarah Bucks, Chair of South Somerset Bridleways Association

3. What is your email address?

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4. Where are you located?

South West (South Somerset)

5. Who are you? Internal to Defra/Defra arms length body (ALB)/Lobby group/Other government department/Parliamentary group/Land manager/Other (please specify)

- i. User group/other:
- ii. Our Association was formed to preserve and maintain existing bridleways and to restore old rights of way, many of which were incorrectly classified, or not recorded at all when the Definitive Map was made.
- iii. We aim to promote good relations with landowners, to work closely with County, District and Parish Councils, and to co-operate with other user groups.
- iv. From our start we have been affiliated to the British Horse Society in Stoneleigh, Warwickshire, which is the largest equine charity in the UK. We are also affiliated to the National Federation of Bridleway Associations and members of the Open Spaces Society. We were represented at the inaugural meeting and instrumental in setting up the Horse Access Campaign Facebook page in September 2018.
- v. Other committee members have brought other contacts and knowledge and so we have good communication channels with the Pony Club and the Riding for the Disabled organisations.



6. Do you have any comments on the design principles on page 14? Are they the right ones? Are there any missing?

- i. The SSBA agree that in principle all the designs, listed and commented on below, are suitable to support improved public access through more, better joined-up rights of way and access land, for the multiple benefits these 'public goods' deliver. We would also emphasise that horse riders, cyclists and particularly carriage drivers are able to access far fewer rights of way than walkers. The rights of these user groups to access land is negligible.
- ii. Our members feel strongly that riding on roads, which is often necessary due to the lack of suitable alternative public rights of way, is becoming increasingly dangerous. Anecdotal evidence suggests more riders choose to use arenas rather than ride out in the countryside as a result. If DEFRA seeks to increase the numbers of people who engage with nature, it must seek better public access at a landscape scale for a diversity of users.

a. Focus on achieving environmental outcomes, helping to deliver our 25 Year Environment Plan and net zero target. In doing so, it will help farmers, foresters and other land managers optimise the potential of their land to deliver public goods, as part of a thriving food or other land-based business;

- i. Payment for new routes, and particularly new networks of routes, undoubtedly delivers environmental public goods but access receives little recognition in the discussion document.
- ii. Horse riders and carriage drivers make a significant contribution to the rural economy, especially the agricultural sector. As farmers and landowners increasingly look to more diversified income streams, better off-road riding and carriage driving routes might encourage the support and expansion of existing and new land-based business opportunities.
- iii. For example, horses and horse riders generate local income through livery and feed requirements and through investment in specialised 'staycations' – see <https://www.countrycottagesonline.com/Self-catering-with-horse.htm#SW> for example holiday accommodation for horse riders.
- iv. Better public access enables the use of local, rural businesses (village shops, post offices, pubs, farm shops etc) without need for motorised transport, contributing towards both the rural economy and the net zero target.

b. Ensure national and local environmental priorities are supported and balanced effectively;



- i. Encouraging safe, local access for people including horse riders, carriage drivers, cyclists and walkers, contributes to DEFRA's 25 Year Environment Plan beauty heritage and engagement objectives, connecting people with nature and promoting health and wellbeing. Public access and space to exercise locally also reduces the need for motorised travel to recreational activities so supports the net zero emissions target. New hedge planting could be paired with new access routes to provide wildlife corridors, extending Nature Recovery Networks.
- ii. Where ELM pilots have looked to identify local priorities, access assets or access guidance templates, have horse rider groups been involved?
- iii. SSBA would be willing and able to help identify priority areas for safer riding routes in South Somerset. We are well placed to help farmers and landowners understand the barriers to better and more diverse access to landscapes and nature. As such, our advice is relevant to developing ELM guidance at a national level.
- iv. Safe off-road rights of way that can be used locally are as important to us as access to England's flagship landscapes such as our local Blackdown Hills AONB. The definitive routes we have in South Somerset are a very disconnected network, with often miles of road or difficult road crossing in between, which deters many riders.
- v. Peri-urban routes might be particularly important to get horse riders off busy roads, whilst countryside routes might provide alternatives to very fast roads with poorer visibility.

c. Ensure that the scheme and its underpinning systems and processes work effectively and represent maximum value for money to the taxpayer;

- i. Improved access to green spaces, with associated recreation and health benefits is an obvious 'public good' deliverable in return for taxpayers' money. Indeed, the strong evidence has led DEFRA to support the concept and practice of 'social prescribing'.
- ii. Bridleways and restricted byways are accessible to multiple user groups and should therefore be included when considering access to ensure best value for tax payer money. Similarly, local groups should be consulted to ensure new routes are sited where they will be used the most.
- iii. Payments for ephemeral permissive access, as were available under the previous Environmental Stewardship Scheme, do not represent best value and future payments for access should incentivise landowners to provide routes in perpetuity that wherever possible can be added to the county's definitive map. This would represent far better value for money for the taxpayer.



See point 12 for further detail.

d. Ensure that ELM includes actions that most farmers, foresters and other land managers could deliver and encourage delivery of outcomes at all spatial scales through collaboration as well as individual participation;

Improving access should be an easily available option to all ELM applicants (i.e. from Tier 1 upwards). Most landowners and managers, with very few exceptions (due to holdings considered unsafe for public access or those supporting highly sensitive habitats or species), have the capacity to deliver new public rights of way or public access. See point 9 for further detail.

e. Enable farmers, foresters and other land managers to have greater flexibility over how they deliver environmental outcomes;

Some flexibility should be possible to allay potential concerns of landowners in terms of the provision of new access. Perhaps smaller incentives could be offered for initial short-term access (for example a one or two-year agreement) to allow landowners to trial the provision of a new access route and evaluate any issues that might arise as a direct consequence of the new route and its users. Any required changes to the route and infra structure could then be made to better fit with the farm business before making the route permanent.

Options to deliver access should be available under all Tiers.

See point 9 for further detail.

f. Ensure minimal complexity and administrative burden for participants and administrators, considering lessons learned from similar past initiatives;

See point 8 below.

g. Seek to harness new technology and digital solutions where they are shown to add value and improve the scheme design and operation;

It would be useful to review the available technologies through the ELMs tests and trials and summarise their strengths and appropriate applications for landowners.



h. Seek to continuously improve all elements of the scheme and its administration, through monitoring, evaluating, learning and innovating, while providing sufficient certainty and clarity to applicants;

SSBA will be happy to contribute wherever possible to the improvement of access delivery under the ELM scheme.

i. Consider re-using / improving existing systems and data before building new.

Many useful mapping tools, such as Magic Map and LandApp are already available to provide local information on routes and early ELM tests and trials workshops have indicated that map-based information is preferred by farmers.

7. Do you think the ELM scheme as currently proposed will deliver each of the objectives on page 8?

In summary, we recommend the strategic objectives of ELM are:

- i. To secure a range of positive environmental benefits, prioritising between environmental outcomes where necessary**
- ii. To help tackle some of the environmental challenges associated with agriculture, focusing on how to address these in the shorter term**

Improved public access fits the objectives as outlined. However, the outcomes will only be significantly positive for improving access if the majority of applicants agree to deliver new access and routes. Access options must therefore be offered under all Tiers of the ELM scheme, including Tier 1.

8. What is the best way to encourage participation in ELM? What are the key barriers to participation, and how do we tackle them?

- i. Payments for access must be sufficient for applicants to perceive new access options positively rather than as a burden. It is recognised that not all access users are suitably responsible. Advice should be sought from organisations such as the Wildlife Trusts, National Park Authorities and Natural England's National Nature Reserve Teams where conservation efforts have been successfully managed alongside public access.



- ii. The application and administrative processes must be simple. For example, grouping options relevant to holding types as per the Wildlife Offers available under the current Mid-tier Countryside Stewardship Scheme, pre-populating claim forms with holding details and a linked online system.
- iii. Advice should be readily available. A grant similar to the 'Facilitation Fund' should be available to help coordinate networks of routes and access land.
- iv. The targets and objectives required for option success should be made clear for farmers and landowners. Easily accessible guidance might, for example, be in the form of 'right' and 'wrong' photographs rather than lengthy written documents.
- v. Applicants should be able to work to timelines that suit their business priorities and preparation requirements. Farmers are subject to seasonal demands, for example working long into the night during harvesting and lambing times and won't be able to do additional paperwork during these periods. Fixed application deadlines should be avoided. This is particularly relevant where extensive consultations might be required in the development of new access networks.
- vi. Applicants must be confident that they will not be subjected to penalties and repayments on unreasonable grounds e.g. if a bridleway becomes muddy during unusually wet weather. Equally, they should feel supported to complete actions that will deliver scheme objectives. For example, if a gate is continually left open, a landowner might be inclined to stop permissive access but with timely advice, they might instead install different furniture (a horse stile, horse step through gate, kissing gate or bridleway gate) to prevent the issue occurring again whilst leaving the access in place.
- vii. Landowners will listen to peer review and positive ELM pilot scheme reviews will encourage wider uptake.

9. For each tier we have given a broad indication of what types of activities could be paid for. Are we focussing on the right types of activity in each tier?

- i. Objectives and payments for rights of way and access must be differentiated and assigned to the three tiers. Currently the only reference to rights of way is in the section for Tier 2.
- ii. Providing a new route would be within the capability of most farmers and should therefore be an available option under Tier 1. Enhancements associated with co-ordinated networks might be remunerated under Tier 2. It would be disappointing if it was not a criterion for the wider scale Tier 3 projects to include improved access for a variety of users, providing this would not be detrimental to particular species or habitat.



- iii. Flexibility between Tiers is important and Tier categorisation should not inhibit the length, type or infrastructure of new routes.
- iv. A review of the previous Paths for Communities (P4C) scheme would be a useful starting point for the development of the access element of the ELM scheme: <https://www.gov.uk/government/publications/paths-for-communities-p4c-scheme-final-report>.

10. Delivering environmental outcomes across multiple land holdings will in some cases be critical. For example, for establishing wildlife corridors or improving water quality in a catchment. What support do land managers need to work together within ELM, especially in tiers 2 and 3?

- i. Access, in a similar way to Nature Recovery Networks, will have to work at the landscape scale to have most impact.
- ii. Data already exists to inform new access networks that can fulfil each community's requirements; All local authorities must have a Rights of Way Improvement Plan in place, which identifies where new routes are needed. The Definitive Map Modification Order register and map shows which routes are believed to be part of a pre-existing old network of routes that are under-recorded or missing from the definitive map.
- iii. The Rights of Way Improvement Plans were created using the advice of Local Access Forums and considerable consultation with parish councils, local groups, bridleway associations etc, who can feed into the County Rights of Way Improvement Plans to provide bottom-up statements of priorities that can form the basis of a Green Route Recovery Strategy. However, there is no requirement for the local authority to create the routes for which a need has been identified. The ELM scheme could fund the creation of the routes.
- iv. DEFRA should ensure each area has a dedicated adviser to co-ordinate communication with the various access groups at a local level. Ambitious co-ordinated projects should receive payment for a facilitator.

11. While contributing to national environmental targets (such as climate change mitigation) is important, ELM should also help to deliver local environmental priorities, such as in relation to flooding or public access. How should local priorities be determined?

- i. As mentioned above under point 10, an up-to-date Rights of Way Improvement Plan already provides the basis for local access priorities and ambitions. Where



necessary, local user groups (Bridleways Association, British Horse Society, Sustrans, Cycling UK, Ramblers etc) can be consulted alongside the county council, parish council and Local Access Forum to ensure the priorities are current.

- ii. The Rights of Way Improvement Plan is an easy reference point to help a Tier 1 applicant identify whether there is demand for an access route on their holding.
- iii. Conversely, the Rights of Way Improvement Plan might also help DEFRA identify new customers, such as peri-urban landowners that could be solicited to broaden the uptake of the ELM scheme.
- iv. Where possible ELM should also encourage the reinstatement of permissive routes that were established during HLS schemes and then abandoned on expiration or extension of agreements. In some places the stewardship schemes replaced toll/subscription rides and these have not been reinstated/re-offered when the stewardship schemes expired, so represent a loss of routes to riders. The ELM scheme presents the opportunity to reinstate such access without cost to users, which is a much better solution to increased access than subscription rides.
- v. Many of the under recorded or missing routes on the Definitive Map Modification Order register and map are old 'green lanes' and drove roads and represent habitat corridors. These are generally not on private agricultural land, but are important to those visiting and using the countryside for access and travel and would increase the provision of safe off-road equestrian and cycling routes. The processing required by the surveying authorities and the Planning Inspectorate in order to add these routes to the definitive map is often inefficient. Is there any scope for ELMs to support this process?
- vi. If historical routes are not added to the definitive map, or at least the Definitive Map Modification Order register before the beginning of 2026, the recorded rights of way will be extinguished (unless the cut-off date in the legislation is repealed – see [Countryside and Rights of Way Act 2000](#)). If that happens, it is possible that some of the old hedges will be ripped out and the old lane incorporated into the fields and used for agriculture - never to be returned to their original use. SSBA would like to see these routes formally recorded as a priority under the ELM scheme and its pilots to ensure both the provision of access and the safeguarding of important hedgerow habitat.

12. What is the best method for calculating payments rates for each tier, taking into account the need to balance delivering value for money, providing a fair payment to land managers, and maximising environmental benefit?



- i. The option for a farmer or landowner to provide a route could be structured within Tier 1 in a similar way to the current Countryside Stewardship Mid-tier 'packages' - selecting a length of new PRoW in a similar way to selecting a length of hedgerow to be maintained. Fixed payments could be calculated for the route furniture, fencing or new hedge required, although applicants should be able to use different specifications to suit the national character area. Permissive routes would not carry as high an incentive to reflect their lack of permanency but the flexibility might attract landowners to trial the provision of access on their land. Different payment rates should also be used to differentiate the status of the route, paying higher rates where the route is available to a greater diversity of users.
- ii. If a landowner agrees to delivering a permanent PRoW to be recorded on the county definitive map, the ELM payment should provide a suitable incentive that also considers the associated legal fees. Payment could be calculated based on a standard cost of agricultural land or using a three quote system similar to the current Countryside Stewardship Higher Tier capital works where there are significant regional variations. Calculating the value of the land in this way might help to make payment values attractive enough to encourage uptake. This method would also make payments proportional to the length and type of route (Bridleways and byways are wider). Farmers would continue to own the land and could continue to use it for grazing etcetera. Sustrans have in some cases purchased land to provide access routes and may be able to provide an easy to use formula to calculate a fair payment for a new access route.
- iii. Under Tier 2 applicants should be able to demonstrate the ability to deliver more substantial lengths of route, preferably joining with other new or existing routes on other holdings.
- iv. Enhanced incentives should be made where farmer clusters or partner groups could supply a linked network of off-road routes. Perhaps payments could be made incrementally for routes where say 25, 50, 75, 100km could be ridden entirely off-road or with a minimal percentage (say 10%) of safe road linkage.
- v. A payment should be available to employ someone to co-ordinate these linked networks, similar to the previously available Facilitation Fund, at least under Tiers 2 and 3.

13. To what extent might there be opportunities to blend public with private finance for each of the 3 tiers?

- i. AONBs manage Sustainable Development Fund grants for DEFRA that can be made available to support access that increase the understanding and



enjoyment of the special qualities of the AONB, bring environmental, social and economic benefits to the AONB and have the demonstrable support or involvement of local communities.

- ii. The British Horse Society have a 'Ride-out' fund to encourage safe, off-road access: <https://www.bhs.org.uk/our-work/access/campaigns/ride-out-fund>.
- iii. SSBA are able to make contributions to improve local riding and driving routes in South Somerset.
- iv. Private businesses that might directly benefit from an increase in public access (e.g. tea rooms) might contribute funding.

14. As we talk to land managers, and look back on what has worked from previous schemes, it is clear that access to an adviser is highly important to successful environmental schemes. Is advice always needed? When is advice most likely to be needed by a scheme participant?

- i. Many organisations are able to advise and identify local priorities for safer off-road routes. Methods for best employing this partnership co-operation should be trialled in ELM pilots.
- ii. Advice on access land and rights of way can be sought from the local authority, the Local Access Forum, parish councils, and user groups such as the Ramblers, Disabled Ramblers, British Horse Society, Cycling UK, Sustrans, Bridleways Associations, National Federation of Bridleway Associations and Carriage Driving Groups. It would be useful to have a local DEFRA adviser that could co-ordinate communications with these groups.
- iii. It is encouraging to know that the South Downs National Park Authority's workshops for farmer clusters revealed the importance of local knowledge (see <https://www.farmerclusters.com/2020/03/02/spotlight-on-clusters-taking-part-in-elms-design/>). We would be delighted to provide our local access knowledge for South Somerset and I'm confident Bridleways and Byways Associations across England would similarly openly share useful information about their respective areas.
- iv. The input of local knowledge will help to place new routes in locations that are most likely to be used by the public.

15. We do not want the monitoring of ELM agreements to feel burdensome to land managers, but we will need some information that shows what's being done in fulfilling the ELM agreement. This would build on any remote sensing, satellite imagery and site visits we deploy. How might self-assessment work? What methods or tools, for example



photographs, might be used to enable an agreement holder to be able to demonstrate that they're doing what they signed up to do?

Self-assessment of the success of access delivery is possible. Landowners could use counters to measure the numbers of users or encourage feedback via social media and other means. This might be especially important where the landowner offers a trial route as a precursor to the development of a permanent one. Where permanent definitive rights of way are created, the process should involve recording of the new route by the local authority, who would also monitor condition through their existing reporting system.

16. Do you agree with the proposed approach to the National Pilot? What are the key elements of ELM that you think we should test during the Pilot?

- i. Determine the best process to identify and collaborate with all the stakeholders of new access and rights of way.
- ii. Write and test guidance templates for developing new access and rights of way, particularly guidance aimed at supporting Tier 1 applicants.
- iii. Gather evidence to understand the barriers involved where landowners choose not to include new access and rights of way.
- iv. Evaluate and share the experiences of landowners who do choose to include new access and rights of way.

17. Do you have any other comments on the proposals set out in this document?

- i. Bridleway routes need not be exclusive of other land management practices especially where some ground disturbance might actually be of benefit to wildlife, e.g. cultivated areas for arable plants, or where the access is unlikely to impact on the environmental outcome of the option.
- ii. On a separate but related note, what attempts have been made to engage with a wider audience of landowners that could contribute to environmental gains? Land used for horse keep, with good hedge and grassland management, could contribute to nature recovery networks.