Walkers are Welcome comments on the Countryside Code refresh

General points

1 *These comments are addressed to the England version; we have not reviewed the Welsh version.*

2 *Although these comments are about the wording that is used in the Code, we would stress that a more important issue is how far it is being read, used and enforced. Many of our members have commented that it is quite wordy and not inviting to read, so careful thought needs to be given to how the Code's aspirations can best be disseminated. We would therefore suggest that, whatever final wording is adopted, there is a comprehensive programme of promotion, including work with children in schools. In regard to publicity, the Wales website (https://naturalresources.wales/days-out/the-countryside-codes/?lang=en) is far more inviting that the England one, and, as a result, we imagine more likely to have an influence on people. The preparation of a number of separate Codes is also an idea worth exploring.*

3 *During our own consultation, comments were made about foraging, poaching, hare coursing, digging up flowers or picking them and driving on wildlife areas (amongst others). If people familiar with the Code raise issues beyond its remit, might it be useful to have a subtitle such as "Responsible access" to indicate more clearly what the Code is about?*

4 *A number of members have commented on the lack of awareness of what are presumed to be people new to the countryside because of COVID-19; there may be a case for local publicity in the areas most affected.*

5 *Should there be reference somewhere to electric bikes?*

6 *Can the Code be distributed as an App?*

7 *In the longer term, we would suggest that there could usefully be a thorough review of the Code, with much wider publicity through posters, social media and TV adverts (perhaps a piece on Countryfile?), to address the general lack of understanding about rights of way and Open Access Land. In the meantime, these are our comments on the existing leaflet and poster.*

Leaflet

We think it would be better if both leaflet and poster started with the 'Enjoy' element - first encourage people to access the countryside, then advise them how to behave; not throw 'rules' at them for 5 panels before welcoming them. This change should then be reflected in Panel 12. People may respond better to requests phrased as 'do' rather than 'don't'.

Panel 1
We suggest that the cover illustration be more inclusive - perhaps use the one currently on Panel 4, or a family with children, and not all white. Then the man (if it

Walkers are Welcome comments on the Countryside Code refresh

needs to be a man) with the dog can go on Panel 4. Maybe Panel 7, rather than the seaside, could feature a cliff top coastal path?

Panel 2
"Respect the needs of local people and visitors alike – for example, don't block gateways, driveways or other paths with your vehicle."
Add "Park responsibly in designated car parking areas where possible and remember that large farm vehicles may need to get by."

Would it help to have an introduction here about encouragement for people to access the countryside, but that this depends on use of a public right of way or in specific other permitted areas, eg Open Access Land - to make the general point that you can't just go anywhere?

There should be a clear statement that cyclists and horse riders have no right to use footpaths. There might also be a note that non walkers should avoid usage that damages the path surface.

Panel 3
We wonder if using the word 'path' is sufficient - does there need to be something saying that not every path is a right of way, and access is generally limited to rights of way.

"If you think a sign is illegal or misleading such as a 'Private - No Entry' sign on a public path, contact the local authority."
There should be clearer advice about what to do at the time. We would also suggest adding "Likewise, any broken stile, gate or other problem on a public right of way should be reported to the local authority; if you don't tell them, they may not know."

Can 'local authority' be made more specific - town, parish, district, county, national park, other?

Add to the last paragraph "Do not enter wildlife and conservation areas unless access is allowed, and be careful to avoid any damage."

Add something to advise people that 'empty' fields may still carry crops that can be spoiled by people walking through them.

There may also be merit in a sentence about avoiding disturbance to wild animals (eg seals).

Panel 5-6
We suggest changing the layout to put all the dog stuff in a box. It might even be worth considering putting much of this into a separate leaflet.

Panel 5
Does litter need to be first as it seems to be the biggest problem?

Could more be made of the nuisance that some dogs cause to other people, especially those who are nervous of dogs? Even those who are comfortable with dogs do not welcome muddy paws on, and possibly damage to, their clothes.

Should the section on fires emphasise that barbecues and the like should not generally be taking place?

Walkers are Welcome comments on the Countryside Code refresh

Panel 6
Add 'legally' before 'shoot'.

Change the 3rd sub bullet to remove 'At the coast' - there will also be inland restrictions (eg stone curlews).

Given the widespread finding of dog mess that has been bagged, but then left hanging in a hedge, or deposited on the ground, we would propose including and emphasising the duty to dispose of the bags responsibly (is it classed as leaving litter and open to those leaving them being fined?). We accept that putting in the statement will not of itself make much impact on transgressors, but it will at least make the requirement clear.

Panel 8
This is the 'Enjoy' panel - but two of the four bullet points are warnings, and a third neutral - can more be said about the positive side?!

"Conditions can change rapidly especially on mountains and along the coast, so don't be afraid to turn back."
This may be better expressed "... be prepared to change your route or turn back." for any 'gung ho' people who don't want to appear 'afraid'.

Is there merit in referring to the what3words App?

Panel 9
It may be useful to put the RoW symbols in a box, perhaps labelled right of way signage.

This needs to say explicitly that the right of open access is for people on foot only (not cyclists, horse riders, or vehicle users) and does not permit camping or camp fires.

Panel 10
We request you to change the heading 'Countryside Code for land managers'. It can appear that the parts of the Code aimed at walkers are instructions, while those parts for land managers are merely 'advice'.

"The Ordnance Survey's 1:25,000 maps show public rights of way and access land. These maps are not 'definitive'. If in doubt you can check the legal status of rights of way with your local authority."
We doubt this conveys much to many landowners, so needs explanation: which authority and how can you check? We are also concerned that this could allow some land managers to claim that legitimate routes are not rights of way, and it may be best simply to omit the sentence "These maps are not 'definitive'".

"When installing completely new gates and stiles, make sure you have the permission of the local authority."
Does this need to be stated more forcefully? - you are not legally allowed unless …

We would suggest swapping the order of the 'Know your rights, responsibilities and liabilities' and 'Make it easy for visitors to act responsibly' to emphasise that people using rights of way or Open Access Land are doing so as of right.

Walkers are Welcome comments on the Countryside Code refresh

Panel 11
Could there be some significant guidance about cattle in areas crossed by rights of way, referring to deaths and accidents?

The hypertext link near the bottom of the page to "publications.naturalengland.org.uk/" does not work electronically with all software, and may cause problems for some using it from a hard copy; it may be better to have the leading http:// included.

Panel 12
Perhaps match the points made here with those on the poster.

Poster

We would again have something like the suggested leaflet introduction.

We think it's a mistake to include social distancing. If that is felt to be important, we would suggest a separate version.

The signs on p2 need to be explained more, even if only to say these are colours that indicate rights of way. It might be better if the arrows are made to look more like the signs that people will encounter. And why is it only motorbikes allowed on BOATs? Perhaps a car might be better, at least on the BOAT (as it is less likely that the other categories would allow usage by cars anyway).

Baz Fewster
Chair, Walkers are Welcome CIC
8 December 2020