

# Countryside and Rights of Way (CROW) Act 2000 (Part 1): National Open Access Visitor Survey (2006-2008)

## Executive summary

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# Foreword

Natural England commission a range of reports from external contractors to provide evidence and advice to assist us in delivering our duties. The views in this report are those of the authors and do not necessarily represent those of Natural England.

## Background

The Countryside and Rights of Way (CROW) Act 2000 (Part 1) came into effect across England in 2005. The Act provides a new right of open access allowing people to walk freely over areas of mapped open country (mountain, moor, heath, down) and registered common land.

The National Open Access Monitoring Programme was set up to evaluate the long-term impact of implementing the new access rights by identifying the level of awareness, uptake, use, economic and biodiversity impacts from the introduction of the Open Access rights across England.

The National Open Access Visitor Survey (NOAVS) 2006 - 2008 represents one of the largest elements of the monitoring programme. It was set up to provide site specific and spatial use data of actual users of Access Land. The monitoring techniques developed and tested are to be used to guide the development of standard on-site visitor monitoring approaches and the findings guide integrated access management best practice that can be used to deliver wider Access & Engagement outcomes.

The findings have already been used to inform the reassessment of restrictions on specific sites of biodiversity and land management concern to understand whether positive access management or statutory restrictions are proving effective in protecting sensitive habitats and species to access. The findings are to also inform future Open Access

regulation, communication activity and integrated access delivery. The implementation of the Coastal Access programme and the development of its evaluation and monitoring framework will also be informed.

This Commissioned Report is the Executive Summary outlining the key findings of the NOAVS full three year survey and draws comparisons across the three year period.

This report is being published as part of a package of reports relating to monitoring the impacts of (CROW) Act 2000 (Part 1). These include:

- Executive Summary, Communications and Access Management Commissioned Reports of the NOAVS (2006 to 2008) published in three parts NECR036a, NECR036b and NECR036c;
- Breeding Bird Survey (BBS) Pilot Study (2006) NECR040; and
- Upland Breeding Bird Survey (UBBS) (2007) NECR041.

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### Further information

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***Canford Heath***



***Bowland Fell***



***High Cup Nick Cumbria***



**CROW Monitoring**

Executive Summary: Three Year Monitoring Surveys at Open Access Land

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May 2009

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# Executive Summary



# Executive Summary

## Introduction

- 1.1 The implementation of Part I of the Countryside and Rights of Way Act 2000 (CROW) created with effect from 2004/5 new public rights of open access. These rights typically allow people to walk freely over areas of registered common land or open country (mountain, moor, heath or down) throughout England and Wales. Natural England (and previously The Countryside Agency) set up a National Open Access Monitoring Programme to help identify the level of take up, use and impacts of these new rights in England, outside of the National Parks.
- 1.2 The National On-site Visitor Monitoring (NOVS) Survey is part of that National Open Access Monitoring Programme<sup>1</sup>. The Survey was originally developed and piloted in 2005 by Ask for Research. Based on the recommendations from that pilot study, the National 3 Year Survey commenced in 2006. Consultants Faber Maunsell in partnership with Asken Ltd were commissioned in June 2006 to undertake the three years of on-site monitoring at a number of areas of Open Access Land. The monitoring surveys involved undertaking interviews with, and making observations on, visitors to those sites. Natural England superseded the CA in October 2006 to take the contract forward.
- 1.3 This report presents the findings from the three year study, and examines any trends emerging from comparisons of surveys conducted each year since 2006.
- 1.4 The main objectives of the Survey were to gain a better understanding of:
- who is visiting access land;
  - the use, and changes in levels and patterns of use, of access land;
  - visitor awareness of their new CROW rights and responsibilities;
  - visitor behaviour;
  - visitor satisfaction and experience;
  - the potential impacts on sites with biodiversity value;
  - the effectiveness of different forms of statutory restriction; and
  - the effectiveness of the Access Management Grant Scheme (AMGS)

## National On-site Visitor Survey

- 1.5 The National On-site Visitor Survey (NOVS) ran over a three year period between 2006 and 2008 and consisted of a national and local sample of sites. The National Sample (NS) included 32 open access sites with an initial survey effort in 2006 of over 100 survey days, to a total of 36 locations. Survey effort was increased in both 2007 and 2008 to over 130 days. These sites were classed as National Monitoring (NM) Sites. A wide range of landscapes were included in the study, with the sites comprising two key categories or samples, as follows:

### **National Sample Sites**

- 1.5.1 Twenty six NS sites were chosen by a stratified random sampling approach, to identify the usage of open access land in general outside National Parks. These sites included both upland and lowland, moor and down, large and small sites, urban and remote sites, from all regions in England. Each of the 26 sites was surveyed each year.

### **Nature Conservation Assessment Sites**

- 1.5.2 A further 6 Nature Conservation Assessment (NCA) sites were selected in association with Natural England for specific nature conservation or land management reasons within the National Survey in 2006. In 2007 and 2008 four additional locations at these sites were included in the survey to provide information from across a wider area of land.

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<sup>1</sup>Also includes the Upland Breeding Bird Survey, and Monitoring Statutory Restrictions

**Nature Conservation Assessment**

A Nature Conservation Assessment and Review Process was developed and implemented by the Countryside Agency and English Nature (now Natural England) prior to the commencement of CROW to assess the potential impacts of the new rights of access on biodiversity.

The aim was to identify sites thought to be sensitive to the possible effects of public access and, where such effects were considered likely, implement the least restrictive option that would give such sites appropriate protection. This process has enabled the relevant authority to decide on the cases where some type of legal restriction of the CROW access rights or positive access management (PAM) is necessary in order to protect important wildlife or habitats.

In its role as CROW relevant authority for all England outside the national parks and forests, Natural England is reviewing the decisions taken during that original process in order to ensure that the restrictions or PAM in place are still appropriate and adequate and that any additional need to amend restrictions or management is addressed. A similar assessment applies for land management and public health and safety.

**Local Monitoring (LM): The Monitoring Toolkit**

1.6 To complement the NOVS Survey, Natural England developed a Monitoring Toolkit for local partner organisations to use as a basis for capturing visitor information on access land at the local site level.

1.7 This monitoring approach has been designed to be part of NOVS and as compatible as possible with the national survey methodology.

1.8 Training for access authorities was made available through Natural England's Access Management Grant Scheme (AMGS) to help them to integrate this monitoring work within existing ranger or volunteer warden services.

1.9 In 2007 and 2008, seven access authorities undertook monitoring surveys at selected sites where the information gathered will help provide a better understanding of key issues, such as whether positive access management techniques (PAM) have been successful in managing possible conflicts on sites with nature conservation, public safety or land management concerns.

This survey does not include sites within National Parks. Many national park authorities have their own visitor monitoring programmes. To avoid duplication, the Natural England National On-Site Visitor Monitoring Survey has focused on land outside of the National Parks.

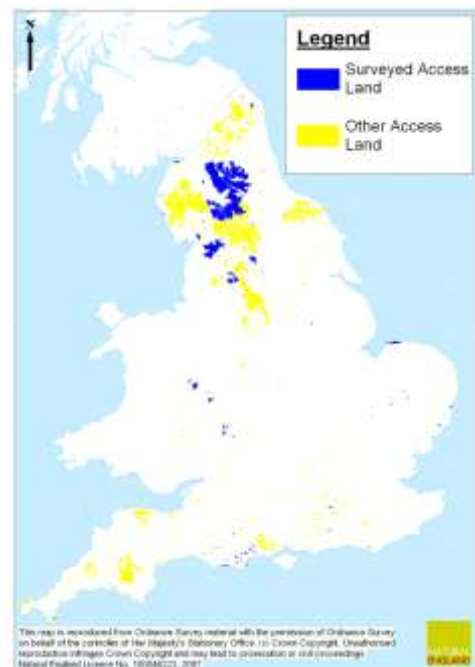


Figure 1: Distribution of All Sites

## Analysis Approach

- 1.10 The data collected through local monitoring (LM) sites has been integrated with that from the national monitoring (NM) sites to provide a large database of information about visits to open access land in England outside of National Parks. Note that the Lake District National Park Authority conducted its own Local Monitoring Surveys at ten sites in 2008 using the Toolkit, but that these results have not been integrated. The results of the Lake District surveys are reported as a case study in a separate Site Report.
- 1.11 The survey method at both the National Monitoring (NM) and Local Monitoring (LM) sites was a combination of interview questionnaire and direct observation. Over the three years a total of 4,554 interviews were recorded and more than 15,000 visitors observed, as shown in Table 1. With an average of 3 survey days' effort per site, a total of 602 survey days were conducted, typically weekend days in order to maximise the interview rate. Interview locations were mainly focused at entry points to open access land, in order to present the best opportunity to intercept visitors. As part of the interview survey, the route respondents took at the site was mapped. Observations were taken at periodic intervals (30 or 60 minutes) throughout the day, recording activity by location.



*Interviewing at Open Access Land*

**Table 1 Sample for 2006-2008 Survey**

	National Sample Sites	National NCA Sites	Local Monitoring Sites	Total
<b>2006</b>				
Locations	26	6	n/a	32
Survey Days	79	21	n/a	100
Questionnaire Surveys	310	177	n/a	487
Visitors Observed	1367	328	n/a	1695
<b>2007</b>				
Locations	26	10	48	82
Survey Days	94	38	100	232
Questionnaire Surveys	451	305	1081	1837
Visitors Observed	2394	2211	1459	6064
<b>2008</b>				
Locations	26	10	53	87
Survey Days	94	38	140	271
Questionnaire Surveys	509	348	1373	2230
Visitors Observed	2248	3093	2167	7508
<b>All Years</b>				
Locations	26	10	54	92
Survey Days	267	97	240	604
Questionnaire Surveys	1270	830	2454	4554
Visitors Observed	6009	5632	3659	15300

Note: Both LM and NM surveys conducted at Sunbiggin Tarn and Canford Heath, hence total number of sites does not equal sum of sample types. At some sites no interviews were recorded.

- 1.12 The visitor survey data from the interviews and observations has been analysed to identify any trends emerging from the three years' data. The routes taken by respondents have been analysed using mapping software, to identify the lengths of walks made within the boundaries of Open Access Land, and the lengths of those walks that were on or off PROW. Hence, those visitors that went off PROW for some or their entire visit could be identified.
- 1.13 Similar analysis was carried out with the observation data, and although this information is not linear the usage of land off PROW on each site has been identified. Although not a comprehensive count or inventory of visitor activities at the sites, the observation data serves as a check on the findings from the interview survey, as it includes identification of behaviour by visitors or their dogs deemed to be inappropriate, that might not be possible to elicit from an interview survey.

- 1.14 Table 2 shows a range of site characteristics for all the 86 sites included in the survey over the three years where interviews were recorded.<sup>2</sup> Around two fifths of the sites are moorland sites and three quarters of sites include areas with biodiversity designations (SSSI, SPA or SAC). This indicates the importance of access land for biodiversity value and the need to ensure the most sensitive wildlife areas are protected from the effects of disturbance by people, through the use of PAM and statutory restrictions. One of the focuses of the study is on understanding the effectiveness of nature conservation restrictions and PAM implemented by Natural England to protect such sites.
- 1.15 Around half of the sites are Registered Common Land (RCL) and a quarter of the sites are s15 land<sup>3</sup>. This indicates the importance of s15 land, as this had existing access rights prior to CROW and potentially will have an effect on the degree of change in use occurring on new access land.

**Table 2 Site Types Included in the Survey**

Site Type	2006	2007	2008	Total Sites	Split
Moorland Sites	12	31	35	35	41%
Not Moorland Sites	19	48	46	51	59%
Biodiversity Designated Sites <sup>4</sup>	16	59	61	66	77%
Non Designated Sites	15	20	20	20	23%
Urban <sup>5</sup>	9	15	17	17	20%
Not Urban	22	64	64	69	80%
Common Land	16	36	39	39	45%
Not Common Land Site	15	43	42	47	55%
Section 15	11	17	18	18	21%
Not Section 15 Land	20	62	63	68	79%
Other Sites <sup>6</sup>	6	54	56	61	71%
National Sample Sites	25	25	25	25	29%
Sites with AMGS	14	55	54	58	67%
Sites without AMGS	17	24	27	28	33%
<b>TOTAL</b>	<b>31</b>	<b>79</b>	<b>81</b>	<b>86</b>	

- 1.16 The National Sample represents Open Access Land in general while the selected (Other) sites are over represented in the following characteristics:
- 44% are Moorland Sites - (32% in National Sample)
  - 92% are Biodiversity Designated Sites - (40% in National Sample)
  - 82% are Sites with Access Management Grant Scheme (AMGS) – (32% in National Sample)
- 1.17 The selected (Other) sites are underrepresented in the following characteristics:
- 43% are Common Land - 52% in National Sample;
  - 15% are Section 15 - 36% in National Sample; and
  - 16% are Urban Sites - 28% in National Sample

<sup>2</sup> That is, the site profile reflects the Interview Survey data included in this report

<sup>3</sup> Section 15 land is land which already had a right of area-wide public access pre-CROW, through various other pieces of legislation.

<sup>4</sup> Designated Sites include those with SSSI, SPA or SAC

<sup>5</sup> Urban sites defined as those with more than 20,000 people within 2km of the site boundary

<sup>6</sup> LM and NCA Sites

1.18 In this report the results for the NS Sites are shown separately alongside those for all sites, to enable comparisons to be made. However, when comparing findings by site characteristics the National Sample data is pooled together with that from the NCA and LM sites.

1.19 The number of survey days in the national survey increased in 2007 from that in 2006, and the extent of the local monitoring surveys differed between 2007 and 2008. The number of survey days at a site ranged from 3 to 7 at the NM sites (average 3.7), and from 1 to 7 at the LM sites (average 2.8). In simply combining the data from the different sources and years, those sites where more survey days were conducted could skew the results. Therefore the interview survey data has been weighted, by site and by year, to represent an equivalent number of days per site.

The large number of sites and the large amount of information collected has provided a robust data set and a good representation of use of Open Access Land outside of National Parks. Comparison with the Lake District Case Study will give an indication of any significant differences between land inside and outside National Parks.

**Key Findings: Visitors to Open Access Land**

1.20 Visitors fall into five main categories, defined by the main reason for which they visit Open Access Land. These are:

- Dog Walkers;
- Amblers / taking a short stroll;
- Serious Walkers/ hikers or ramblers;
- People enjoying the scenery; and
- People participating in another specific activity.

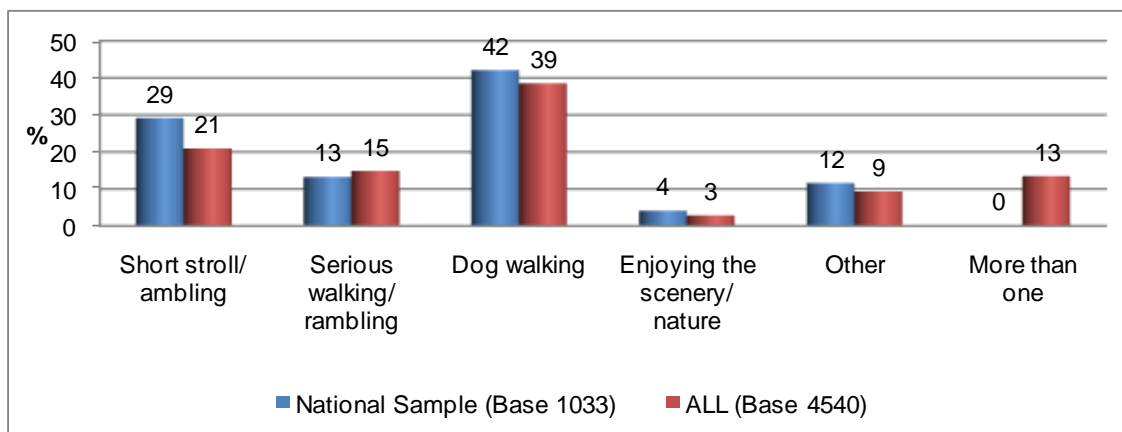


Figure 2 Main Activity

1.21 There are some key differences in behaviour between dog walkers and serious walkers compared with other visitor types.

1.22

**Visitors with dogs**

Dog walkers form the largest visitor group. At National Sample sites, more than two fifths (42%) of visitors were there specifically to walk a dog, with a further 10% of visitors were accompanied by one or more dogs while visiting for some other purpose.



Not only are dog walkers the largest user group, they also visit very often; two fifths say they visit daily, and a further quarter visit more than once a week, so as a group they account for a large number of visits to Open Access Land. They tend to visit the same, familiar sites however rather than visit new destinations; only 4% of dog walkers interviewed were first time visitors.

They tend to visit sites close to home. Most therefore have no need for any information prior to their visit, having local knowledge of the area. Many had been coming to the same site for many years, pre CROW, to places where they let the dog run free.

Of all the visitor groups, dog walkers have the lowest awareness and understanding of CROW. Only 15% said they recognised the Open Access symbol, and of these, only a quarter said that it represented Open Access. Dog walkers were significantly less likely to have heard of Open Access (57%) than other visitor groups and only a third have a reasonable understanding of the concept, as shown by their response to statements about Open Access. Less than a third of dog walkers were aware they were at a site designated as Open Access Land. Awareness of restrictions is lower than amongst other visitor types.

More than two fifths, 43% of dog walkers had seen no signage while at the site, compared with the 35% for the whole sample. Where dog walkers had been aware of information on site this included that relating to car parking (19%) in addition to the quarter who had seen way marking signage or an information board. One in 20 said they had seen signs relating to Open Access. Less than one in ten dogs are always kept on leads, and a similar number are never on a lead. People who visit sites regularly are far less likely to keep dogs on leads than first time visitors. Many visitors did not perceive that their dogs posed any risks at the site, though the tendency to let dogs run off leads is lower at sites where there are biodiversity designations than at other sites.



1.23

**Serious Walkers**

Serious walkers formed 15% of the total sample (13% of the National Sample). They were the biggest group at sites such as Sunbiggin Tarn (53%) (on the Coast to Coast route), and at Bowland Fells (46%).



Serious walkers are the most likely to visit new sites; 26% were at the site for the first time when interviewed, although almost a third visit the same site more than monthly.

Serious walkers are the visitor group most likely to refer to guidebooks to find out about places to walk, and also to identify them through maps. They are also the most reactive to promotions seen nationally. Most (56%) said they would refer to some means of information prior to visiting a site.

Compared with the 23% overall who recognise the Open Access symbol, 36% of serious walkers did so. They were also the group with the best awareness of what the sign meant; 54% associated it with Open Access compared with 39% overall.

More than half, 55% have a reasonable understanding of the concept, as shown by their response to statements about Open Access, compared with 40% overall. Significantly more serious walkers have heard of Open Access (84%) compared with other visitors, though this proportion is lower than the 91% of serious walkers who have heard of Right to Roam.

Around a fifth (22%) of serious walkers had seen no information while at the site. Serious walkers were the group most likely to have seen way marking information, and signs relating to Open Access.

1.24

**Other Visitors**

Other than dog walkers and serious walkers, the sample of visitors to Open Access Land comprised 21% amblers, 3% enjoying the scenery, and 11% a range of other activities, including climbing, depending on the attractions of different sites. Around 14% had more than one reason for being at a site. While dog walkers expressed the least need for information prior to a site visit, and serious walkers had the greatest demand, other visitors' needs were somewhere between the two. Similarly the awareness and understanding of Open Access for other visitor types was between the extremes of dog walkers and serious walkers.

## Key Findings: National Sample of Sites

1.25 The key findings of the study are summarised below, and where applicable related to the following themes for evidence to support the objectives within Natural England's Strategic Direction (2008-2013):

- Impacts on biodiversity;
- Access management;
- Health and exercise;
- Sustainable transport; and
- People enjoying, experiencing and inspired to value the Natural Environment.

1.26 In the **Strategic Direction 2008 – 2013**, the desired outcomes of what NE want to achieve for the natural environment over the next five years are described. A framework of objectives has been created within which policies can be developed. The measures of success for each objective will help NE to assess the effectiveness in working to secure a healthy and resilient natural environment over the next five years. There are four complementary strategic outcomes which are relevant.

### Outcome 1: A healthy natural environment

*Our diverse landscapes continue to provide inspiration and enjoyment for people and enable our wildlife to adapt to the challenges of the future.*

- Actions to directly conserve and enhance our landscapes and biodiversity, on land and within our seas. Influencing policy frameworks and supporting individuals, organisations, land managers and business to take action to conserve and enhance wildlife and landscapes today.

### Outcome 2: People are inspired to value and conserve the natural environment

*We need to understand people's motivations and requirements better, especially young people who are increasingly disconnected from the natural world.*

- People are inspired to value and conserve the natural environment. Engaging and mobilising people to explore, understand and act for the natural environment. Increasing the opportunities available for people to make the natural environment an enriching part of their everyday lives.

### Outcome 3: The use and management of the natural environment is more sustainable

*We need to ensure that the way we use and manage our land, freshwaters and seas does not compromise the natural environment and that change and development can occur in a manner that protects and enhances the natural environment.*

- Influencing how our land and seas are used and managed today. Developing and promoting sustainable solutions to environmental problems at national, regional and local level and, as a result, increasing the level of social and economic benefits provided by the natural environment.

### Outcome 4: Decisions that collectively secure the future of the natural environment

*The factors that affect the natural environment are complex and changing rapidly. The choices we make today we will have to live with tomorrow. They affect the places we live in and how we use them for work, relaxation, learning and play, both as individuals and as communities. We need to make choices that are affordable, satisfy the needs of people but do not compromise on the long-term resilience of our environment.*

- Bringing together organisations and individuals that influence and shape our environmental future. Developing our vision and identifying opportunities to influence the decisions that will secure the natural environment of tomorrow.

1.27 Demographics

- The proportion of male visitors is significantly higher than females (62%);
- The demographics of visitors to Open Access Land areas are not representative of the population as a whole, tending to be older, white and more likely to be in employment and less likely to have a disability that impairs their ability to work or the things that they do.

*Outcome 2: CROW has had no discernible effect on the diversity of visitors to the natural environment where there is access land, based on the National Sample of sites*

1.28 Visitor Patterns

- More than half of visitors are accompanied by dogs;
- Sites with large populations close by have higher proportions of visitors accompanied by dogs than those further away;



- Almost a quarter of people visit an Open Access Land site on a daily basis;
- Almost nine out of ten visits are made from home, with an average of 10 miles being travelled to site;
- Almost three quarters of visits to site are made by car (or other motorised transport): 22% walk all the way to the site, 3% cycle and 1% of visits are made by public transport.

*Outcome 3: Although the majority of visits are made by car, the distances travelled are not great. A quarter of trips are made by sustainable means, and there will be health benefits associated with the walking and cycling trips.*

## 1.29

## Visitor Activities

- More than two fifths of visitors said their main reason for being at the site was to walk a dog; and 13% were there for a 'serious' walk; three in ten are there to take a short stroll;
- The scenery and an attractive landscape are the main reason for choosing a site for almost half of respondents;
- Over half, 55% said that getting exercise featured to a large extent in their decision to visit the countryside, and a further 33% said it did so to some extent;
- Almost half of visits last under an hour, with dog walkers spending about a third as long as do serious walkers.

*Health and Exercise: While dog walkers may not walk as far as serious walkers while at sites, they make far more trips, typically daily. Getting exercise, as well as exercising a dog is a positive attraction of the natural environment.*

## 1.30

## Visitor Habits

- The majority of visits to Open Access Land involve no local expenditure; for the quarter of people who do spend anything, the average is just under £10;
- Those who visit sites when on holiday tend to spend around three times as much as those who travel from home.

*Support for rural economy: Since most trips are made relatively close to home and expenditure levels are low there are only a limited number of visits that give rise to a benefit to rural economies from sites typical of the National Sample. Expenditure tends to be higher by people making trips while on holiday, and hence spending may be higher at sites that attract holiday makers. While expenditure is higher at sites outside the National Sample, there is no evidence to suggest this is any effect of CROW.*

## 1.31

## Visitor Awareness of Open Access

- One in five visitors said they had seen the Open Access symbol before when shown it;
- Of these, a fifth had seen it while at the site at which they were interviewed, fewer than had seen it at other sites;
- Almost a third who had seen the sign knew that it represented Open Access;
- 68% have heard of Open Access, fewer than have heard of Right to Roam;
- Less than 3 in 10 respondents were aware they were at a site designated as Open Access Land;
- Awareness has not increased over the three years of the survey.

*Outcome 2: At the current time, early in the life of Open Access, CROW has had limited effect on the way people are experiencing Open Access Land.*

## 1.32

## Patterns of Use

- The average distance walked on Open Access Land sites is 2km;
- Of this, almost half, 47% is on PROW, 19% is on other paths or tracks and the remainder on Open Access Land, although spatial information shows that few wander completely away from paths;
- High proportions, 89% utilise Open Access Land at some point during their visit;
- There are no differences in the proportions of a walk spent on or off PROW by visitor type, but serious walkers walk the longest distance off PROW, by virtue of the longer walks made;

- Respondents tend to under-estimate how much of their walk is off PROW, and in many cases do not distinguish between PROW and other tracks;
- Many people find it easier to walk on PROW because of unsuitable terrain off PROW;
- The presence of other tracks is the main reason people go off PROW, mentioned by 15% who went off PROW, followed by 8% who do so to exercise their dog;
- There are no trends by year of the survey in the utilisation of Open Access Land.

*Outcome 1: Many individuals generally do not understand the basis of the rights they are exercising when on Open Access Land and so are not always able to respond to measures applied to protect the environment. Many thought the routes they were following were PROW when they were tracks across Open Access Land. Even if they were on Open Access Land, the understanding of what this entitled them to do was poor in many cases. Consequently, they are not always likely to be able to respond to measures applied to protect the environment, if these are predicated on the assumption that people know that they are on Open Access Land or on PROW.*

*Outcome 3: Despite the apparent high utilisation of Open Access Land, the data shows that there has been no significant change in the levels and patterns of use, and the usage is largely the same as in the Pre - CROW situation.*

### 1.33

#### Visitors with Dogs

- There is no discernible difference in the propensity to bring dogs to Open Access land sites in the period of general dog restrictions or at other times;
- Almost three fifths had been bringing dogs to the site for more than five years (i.e. pre CROW);
- Three fifths said being able to let the dog off the lead was the main attraction for a dog at the site;
- One in ten dogs is never put on a lead; 7% are always on leads;
- Dog owners claim that the proximity of livestock would prompt 55% of them who sometimes or never have the dog on lead to use a lead; 46% would do in the presence of other dogs;
- One in ten said they would use leads if requested to by signage;
- Many of those who would not use leads claimed their dog was controllable without one;
- The issues most mentioned regarding dogs and the countryside were risks to farm animals and clearing up dog mess (52% and 50% respectively);
- A quarter of respondents mentioned risks to birds or wildlife from dogs.

*Biodiversity: At some sites dogs may pose risks to biodiversity, hence the restrictions and positive access management applied to sensitive sites. The data show that for the National Sample, the period of general restrictions makes no difference as to whether dogs are at sites or on leads. There is an inherent conflict between the general restrictions on dogs (i.e. to keep dogs on leads at certain times) and the reasons why many dog owners visit sites (i.e. to let their dog run free, off-lead).*

*Outcome 1: Dog walkers are most likely to visit sites very often (daily or weekly), are least likely to read signs, and are often not aware of the Open Access Land status of the sites they visit. This means that influencing their behaviour (e.g. by communicating good practice messages to them and providing reasons through positive messages why a person should keep to the general restrictions on dogs) will be difficult. It is likely to require more direct intervention such as wardening, and/or innovative thinking.*

In the three years of the survey, no trends by year have emerged from the findings from the National Sample of sites.

Just over two thirds are aware of Open Access, fewer than have heard of Right to Roam.

This suggests that to date, CROW has had limited effect on usage of these sites, and that awareness will need to be raised before a significant increase in uptake of the rights occurs.

**Effectiveness of AMGS**

1.34 Access authorities (but not National Park Authorities) may apply for funding through the Access Management Grant Scheme (AMGS), which was designed as an incentive for authorities to use their new powers to manage access. This includes funding for on-site management and infrastructure such as signage, fencing, gates, volunteer costs and vegetation cutting. Money was also made available to fund monitoring work, where this was considered valuable.



1.35 Two thirds of the sample of sites had AMGS and this proportion was significantly higher at sites with a biodiversity designation, 86%, and significantly lower at the National Sample sites, 32%.

1.36 Patterns of visits to sites with AMGS are very similar to sites without AMGS; they are as likely to be visited by people with dogs. People are likely to be spending a longer visit to a site with AMGS, 2.2 hours compared with 1.7 hours at a site without. Visitors to sites with AMGS are slightly more likely to be infrequent visitors, and slightly less likely to be daily visitors; though no more likely to be first time visitors.

1.37 A quarter of visitors to sites with AMGS said they recognised the Open Access symbol, a higher proportion than had seen it at sites with no AMGS. Respondents on sites which had AMGS were significantly more likely (29%) to have seen the Open Access symbol at that specific site, than respondents who were visiting sites with no AMGS (18%).

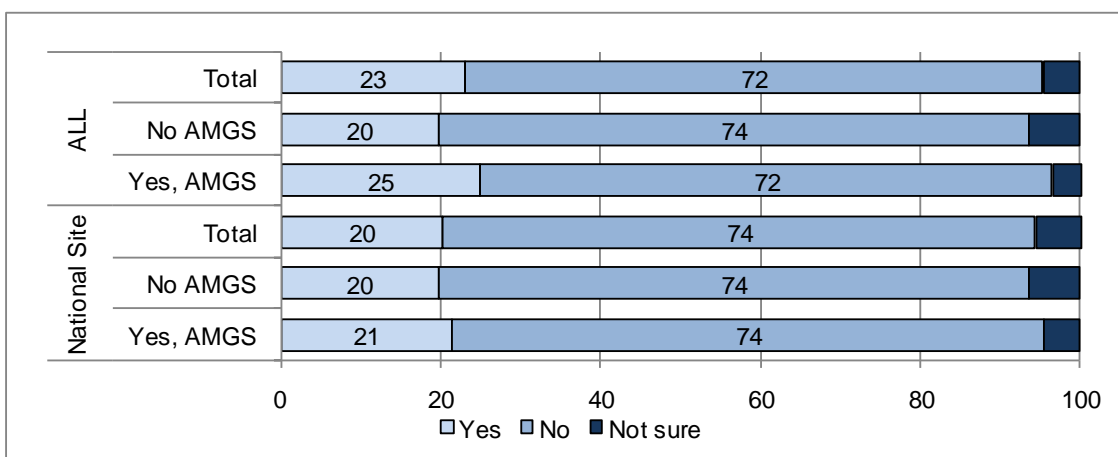


Figure 3 Have you seen this symbol before?

1.38 However, visitors at sites with AMGS were less likely to say they had heard of Open Access, 62% compared with 68% at other sites. Of those who had heard of Open Access, a significantly higher proportion at sites with AMGS said they were aware that the site was Open Access Land, 34% compared with 28%. A higher proportion of visitors to sites with AMGS correctly identified all of four statements relating to Open Access, 42% compared with 34% at other sites.

1.39 This could reflect the fact that AMGS money had been used to purchase and erect such signs, but the results may also reflect the visitor types that are attracted to sites where there is more likely to be AMGS, i.e. serious walkers who tend to have better awareness. The effectiveness of AMGS overall is small, but positive and over time may increase awareness.

1.40 Demand for information at sites is relatively unimportant to visitors compared with suggestions for facilities such as toilets, and many people suggested that places should be left undeveloped.

## Effectiveness of Access Management

- 1.41 The potential impacts of the new rights of access on biodiversity were assessed prior to CROW through Nature Conservation Assessments (NCA) carried out on all designated sites in England to identify and implement the least restrictive option that would give such sites appropriate protection. On many sites, measures were introduced to avoid or minimise the possible impacts that a new right of public access might have on biodiversity.
- 1.42 Surveys were conducted at 63 such locations, through the National Monitoring and Local Monitoring programme over three years. The situation at each site was that which obtained after the implementation of CROW; there was no baseline data to allow a 'before and after' comparison to be made. Consequently, it has been necessary to make inferences about pre-CROW use to allow some sort of assessment to be made. In making assessments of the impacts of CROW, the extent of pre-existing use has been judged in relation to a number of bits of data:
- Whether the land carried existing area-wide access rights (i.e. it is section 15 land);
  - Whether PROW crossed the site;
  - The appearance of tracks and paths across the site, as seen in aerial photography (using Google Earth);
  - Answers to specific questions in the survey, notably:
    - Length of time a dog walker had been bringing their dog to the site (particularly if over 5 years, or between 3 and 5 years);
    - Proportion of first time visitors;
    - The proportion of people who had 'always known' about the site;
    - The proportion of people who gave as their reason for coming to the site as being 'always come here'.
- 1.43 This cannot be a precise measure but, where the above indicators show a high degree of corroboration, confidence can be placed in the inference.
- 1.44 Based on this approach to assessing the probable impacts of CROW implementation on site management, a number of conclusions can be drawn. In summary, these are as follows:

- Overall, the impact of CROW implementation is likely to be low at most sites (54 of the 63 sites). At the other nine sites, impacts were uncertain due to lack of corroboration in the evidence used but in most of these cases, the likelihood is that impacts would be low. At only two sites (Stiperstones and Great Ovens) was there indications of increased use in recent times that could be attributable to CROW, although these tended to be an exacerbation of existing problems rather than new ones;
- Where designated sites are in poor condition (from a biodiversity perspective) and a reason for this is given in the site condition assessments, factors other than legitimate public access are quoted as the cause in virtually all cases. One exception, identified by inference, is the influence that the presence of the public's dogs might have on selection of management methods where livestock are needed for grazing in order to maintain biodiversity;
- This does not mean that there are not pre existing visitor pressures or residual concerns for land managers that can be attributed to public access, just that CROW implementation is not a direct cause, *per se*. The most common residual concerns are:
  - Control of dogs/management of dog owners
  - Effectiveness of restrictions (on people with and without dogs)
  - Heavy use causing damage to important sensitive features
  - Need for continued visitor management
  - 'urban influences' (e.g. dogs, litter dumping/fly tipping).

1.45 The spatial visitor data collected can now be used by Natural England for future assessments or reassessments of sites, as it will provide some of the inputs into predictive computer models and enable the spatial relationship between visitor levels and patterns of use and position of sensitive biodiversity areas, management points and restrictions to better understand and inform the effectiveness of positive access management and restrictions developed to influence visitor behaviour on the most sensitive sites.

### Developing an Appropriate Communications Strategy

1.46 In developing a communications strategy there are two main considerations:

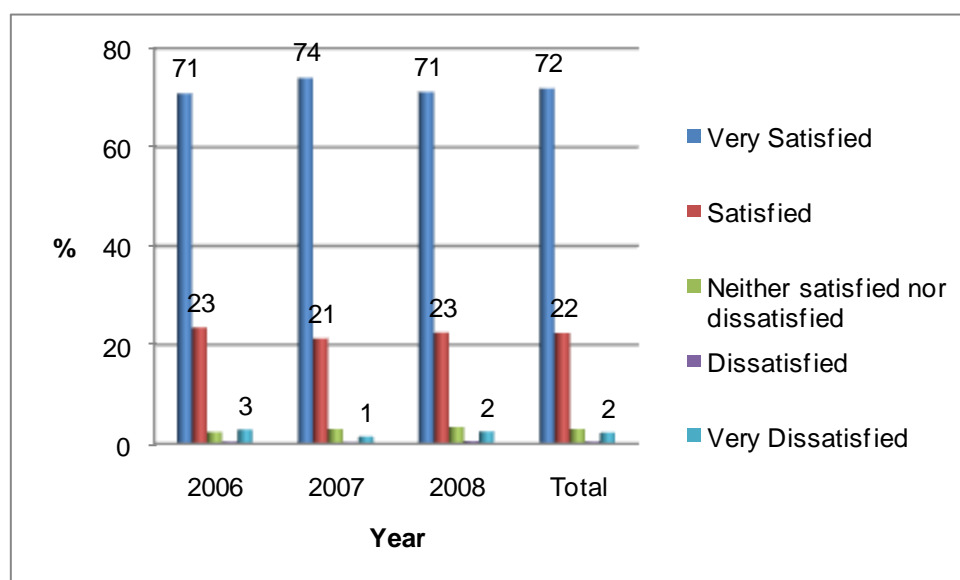
- Promotion of Open Access Land; and
- Raising awareness of responsibilities when visiting Open Access land to protect biodiversity.

#### Promotion of Open Access Land

1.46.1 The opening up of land for recreation on foot through CROW legislation has in theory increased the amount of area available on which to walk. While the surveys have shown that people do use Open Access Land off PROW, there is no available information from pre-CROW implementation at the majority of sites to provide evidence of change as a result of CROW. Furthermore there is no evidence to indicate that visits to sites have increased over the three year survey (no counts were carried out as part of the survey; this was outside the scope).

1.46.2 The surveys indicate that many people have been coming to the same sites for many years, and awareness of a sites' designation as Open Access Land is very low, so this has not been a reason for coming to the site. Fewer than 1%of respondents said they were actively 'utilising their right of access' when asked why they had gone off PROW. The majority of visitors had always known about the site being visited.

1.46.3 However, in 'providing inspiration and enjoyment' (Outcome 1) Open Access Land is fulfilling a role. Although only 3% gave enjoying the scenery as their main activity, 19% mentioned it as a reason for their visit, and 32% mentioned that the scenery was why they had visited that site rather than anywhere else. Also, a very large majority of visitors were very satisfied with their visit to Open Access Land, 74% and a further 21 % were satisfied, see Figure 4. There have been no trends by year in the levels of satisfaction.



Base 2006, 432 2007, 736 2008, 830 All, 1998

Figure 4 How satisfied are you with your visit to this area of land today?

- 1.46.4 As has been shown, younger people, people from ethnic backgrounds and those with mobility impairments are under represented amongst visitors to the countryside (Outcome 2). The data show that younger people are much less likely to be taking a serious walk than other age groups (11% for under 24 year olds compared with 16% overall). They are also less likely to be dog walking, but more likely to be involved in other activities, for example climbing, or cycling. Engaging younger people is a challenge, and reference should be made to other research which has targeted this group specifically to identify their motivations.
- 1.46.5 The promotion of walking (and other outdoor activities) will lead to longer term health benefits, and so encouraging younger people to be involved has many advantages. Many Open Access Land sites act as local green infrastructure, for example, Dorset Heaths.
- 1.46.6 The survey data has provided information on the types of information that people use before visiting Open Access Land, and that which people make reference to when planning visits. The Internet is becoming an increasingly important source of information and it is likely that younger people will be greater users of this than will older people.
- 1.46.7 To reach local audiences, both local press and local radio are important sources of information and these could be used to generate interest in specific areas of land locally. To promote Open Access Land more widely, the national press, printed and TV are more appropriate.
- 1.46.8 Being able to legitimately go off PROW and wander on Open Access Land may not in itself be a suitable or enticing message to promote the benefits of visiting the countryside at all sites. This may be appropriate however at those sites with particular attractions that were not previously accessible on PROW providing any adverse impacts on biodiversity can be managed.

### ***Raising Awareness***

- 1.47 Promoting the use of open access land to generate greater visitor numbers brings with it the need to raise awareness of the rights and responsibilities, which at present are poor.
- 1.47.1 It should be remembered that CROW is still relatively new and Open Access Land has only been around for 4-5 years. The term 'Right to Roam' has been around for decades, yet only 78% of respondents in the National survey had heard of it, compared with the 68% who had heard of Open Access. The proportion of dog walkers aware of Open Access is lowest of the visitor types, at 55%, and highest amongst serious walkers, although still only 84%. This level of awareness is quite high, but awareness of the rights and responsibilities that come with it may be a concern.
- 1.47.2 Not all sites are important for biodiversity but where they are visitors bring potential risks, especially those with dogs (Outcome 3). Dog walkers, being frequent visitors are the group least likely to take notice of signage at sites. Many dog walkers tend to originate from the local area and so where there are particular issues at sites that cannot be addressed by on site signage, a more direct approach might be needed. This would obviously be more suited to urban sites or well defined catchments. For sites surveyed over the last 2-3 years, postcode information has been collected which highlights the origins of visitors. This is likely to be in addition to other positive management techniques, discussed later.

### **Comparison of findings from National Sample Survey and Lake District Sample**

- 1.48 The surveys conducted in the National Survey included no Open Access Land within a National Park, as such land falls under the Park Authorities' management and is being monitored at their own discretion. The Lake District (LD) National Park Authority undertook Local Monitoring using the Toolkit in 2008. A summary of these sites can be found in Annex 2, and the Lake District Case Study presents reports for each of the 10 sites. An overview of the main differences from the National Sample Survey is presented below:
- Almost two thirds of visitors to the LD sites were holiday makers; 88% of trips to National Sample sites originated from home;
  - A quarter of visits in the LD were first time visits compared with 11% at National Sample sites;

- Only 9% of visitors interviewed were at the site alone, compared with the 42% in the National Sample;
- Only 7% were visiting sites in the LD to walk a dog as their main purpose, compared with 42% in the National Sample;

- 1.48.1 There were no notable differences in the demographics of visitors. There were no differences in the awareness of Open Access Land or in whether respondents knew they were at an area of Open Access Land or not.
- 1.48.2 Although there is no directly comparable data from the National Sample, comparing the data with that from the Local Monitoring data from outside National Parks there appears to be a greater propensity to keep dogs on leads for given circumstances in the LD.
- 1.48.3 Visitors walk longer distances at the Lake District sites, but the usage of land off PROW on areas of Open Access land is very similar.

### Overall Conclusions

- 1.49 The method used to sample the usage of Open Access Land is robust and confidence can be placed in the findings. Visitors to the countryside are not representative of the population as a whole, with older, white, male and employed people without physical impairments being over represented.
- 1.50 There is little evidence to suggest any significant change in the pattern of use of Open Access Land over the three years of the survey.
- 1.51 CROW implementation has been assessed, using information available through the survey, as probably having no or a low effect on change of use and hence on biodiversity in terms of the levels and patterns of use at most sites. The main reasons for making this assessment are:
- Existing use, pre-CROW, means that any problems are not new ones
  - Tendency for people to stay on PROW and tracks
  - Low level of use
- 1.52 Where there are residual concerns, the behaviour of dog owners is the most common.
- 1.53 From an access management point of view, dog walkers are perhaps the most challenging type of user. This is because:
- Dog walking is the most common activity undertaken on Open Access Land (note that in addition to those who describe themselves as 'dog walkers', there will be other user types who happen to have dogs with them);
  - The dog has potential to cause adverse impacts on wildlife, livestock and, in some circumstances, soil nutrient status. The presence of dogs can also inhibit the introduction of appropriate land management measures;
  - A significant proportion of dog walkers visit Open Access Land sites specifically because they believe they can let their dog off the lead, irrespective of whether dog restrictions are in place or not;
  - Dog walkers have a higher tendency to walk off PROW than other types;
  - Dog walkers are less influenced by signs and on-site information than other types of user and so are difficult to influence.
- 1.54 However, most dog walkers have an inherent acceptance of the need to keep dogs on leads under some circumstances, as evidenced by the high proportion of dog owners who accepted this when questioned. The challenge is to ensure people understand when those particular circumstances are required that dogs need to be kept on a lead. Standard methods such as signs and leaflets may not achieve the desired results and more direct approaches may be needed (e.g. personal approaches by wardens/rangers).
- 1.55 People's understanding of the rights they are exercising when visiting these sites is poor. Many people knew of Open Access but only in a general way; further, estimates of the proportion of



walks completed on PROW or Open Access Land differed significantly from the proportion assessed through mapping. This means that their behaviour is probably best managed 'on-the-ground' rather than via messages linked to 'Open Access Land' and 'public rights of way', and through guidebooks/leaflets. There is little to be gained from promoting good practice that operates along the lines of "when on PROW you can do X" and "when on Open Access Land you can do Y": a more strategic approach is required working at the site level. Clear indications of where people can go and more subtle positive management techniques, such as location of car parks, stiles/gates, and stream crossings are likely to be more effective at influencing where people walk.

- 1.56 The data obtained through the survey can be used when looking at the possible effectiveness of a range of positive access management techniques can be used, such as zoning a site into areas of biodiversity or land management sensitivity, e.g. ground nesting bird assemblages, habitat sensitive to erosion. For example, the spatial visitor use data can be overlaid with the sensitivity zoned areas to guide or improve positive access management techniques to be employed across the site or sites at major decision making points (e.g. at junctions in path and PROW networks).
- 1.57 Even so, it is important that wider considerations are not forgotten – people may take routes for reasons not affected by on-the-ground measures (such as if following a self-guided route, or aiming for a particular destination). However, as the results indicate, there is a lack of awareness of the general dog restriction (i.e. the need to keep dogs on a short fixed lead during the breeding season and close proximity to livestock) and long standing visitors and dog walkers may strongly feel that their rights have been reduced by CROW if restrictions are implemented forcibly, as they have always let their dog off the lead and come for a walk to do so. The data can be interrogated to help determine the best approach to be used in devising positive management measures.
- 1.58 Therefore rather than implementing awareness of the general dog restriction across the whole site this could be guided by understanding the spatial relationship between visitors and the zoned sensitivity biodiversity areas.
- 1.59 Some sites could have areas where there is a dog walking area, where dogs are encouraged to be let off the lead, and 'no go' areas, where people are asked not to walk with their dog. An integrated approach would be needed so that published guides allow the user to choose appropriate routes walks and with on-the-ground way marking/ colour coding to reinforce the messages, linked to primary information interpretation boards at major entry points to guide visitors away from the most sensitive biodiversity zoned areas (as used at Canford Heath). All this can be done with positive access management without the need for further restrictions.
- A photograph showing a dog walking off a path into a muddy area, illustrating the concept of a dog walking area.
- Dog off lead, on path, Canford Heath*
- 1.60 The majority of these sites will have existing access management in place or have been recently funded by the Access Management Grant Scheme (AMGS). The monitoring site reports can now be used to understand the effectiveness of existing management and guide potentially a more strategic approach to managing these sites and integrating access, biodiversity and landscape objectives at the SPA level, rather than the site level. Apart from on urban sites, people have a strong tendency to stay on what they believe to be PROW (although they may be just tracks or permissive paths). This is because people find it easier to walk on paths than not and because PROW take them where they want to go. So, by creating a recognisable path to where people may want to go (e.g. to attractive features like viewpoints), visitors can be channelled along preferred routes and away from sensitive features. Where people go off paths, for example for bird watching rather than to access specific locations these would be harder to manage, and signage may be required.



- 1.61 Walking as a means of exercise, sustaining or leading to better health and well-being, is a motivation (to a greater or lesser extent) for many users. It may be possible to exploit this motivation when considering how land is managed.
- 1.62 Two thirds of respondents had travelled less than 5 miles to reach the site at which they were interviewed. This information may have relevance to NE's proposals for provision of Green Infrastructure and developments of appropriate targets. The reasons given for visiting Open Access Land sites may also have relevance to the design of green infrastructure where built as part of major residential developments (and assessment of the impacts of such developments).

Visual analysis of the routes plotted and of the observation data suggests that estimates of usage of Open Access Land from the spatial analysis are high, that is, the majority of people do actually follow the general alignments of established routes, and the number of people who wander completely away from paths and tracks is actually quite low.

On the whole, uptake of the new CROW rights in the first 4-5 years has been slow, and awareness is generally poor at this stage. How this develops over the longer term could be monitored with future surveys, possibly at five yearly intervals to track levels of awareness and levels of use.

The results indicate that access use has not changed considerably and for most sites there has been little change in patterns of use. This generally indicates that there is unlikely to have been an effect on the nature conservation/sensitive feature/land management of the site and therefore potentially no significant impact on the biodiversity or bird populations of the site or across access land as a whole and designated sites.

The spatial information gathered for each of the sites will provide an excellent evidence base of spatial visitor use, for Natural England to now make sound judgements when reassessing those sites that have Positive Access Management and /or restrictions to protect biodiversity concerns sites and land management sites.

### Discussion

- 1.63 The information collected through the National and Local monitoring programme has allowed levels and patterns of use to be monitored over time, in the early life of the CROW legislation. Although the findings have shown that to date the effects have been few, the results have established a baseline against which future trends can be measured.
- 1.64 The information collected can be combined with other information from other sources, for example the Upland Breeding Bird Survey, to provide an understanding of whether the introduction of CROW has generally had an impact on sensitive wildlife areas and biodiversity on access land.
- 1.65 The spatial use information collected by the monitoring approach has now been tested on over 80 sites and shown to provide valuable information on patterns of use. These spatial methods could be adapted and applied across NNRs and other types of sensitive site (e.g. protected landscapes) to understand the relationship between people, and especially dogs, and sensitive biodiversity areas across a site.

- 1.66 The survey should be repeated in the future using a survey method as close as possible to the current survey to allow comparisons to be made over time. Ideally, this should be at intervals of (say) 5 years and include the National Parks, so a consistent method is used across all open access land.
- 1.67 The datasets created about the use of Open Access Sites around the country are a very valuable resource; some of the data, such as that showing where people walked, are not available elsewhere in similar abundance. Much more intelligence can be gained from the data, should NE want to undertake or commission further detailed analysis. Areas that merit further research include:
- Isolating the data on people with dogs, so that a better understanding is gained as to how their patterns of behaviour differ from others. This may assist in deciding how best to target this user type;
  - Coastal sites, as this may have relevance to imminent changes in coastal access arising from implementation of the Marine and Coastal Access Act 2009;
  - On designated sites, the search for any links between condition assessments and public access.
- 1.67.1 There is scope to investigate further the link between management measures applied at sites (e.g. via AMGS), the pattern of visitor behaviour and the indicators of biodiversity health. An example of this is the report produced recently (Asken 2008) examining the effect of public access on the breeding success of hen harriers in the Bowland Fells (which made use of data from the national monitoring survey collected in 2007) and research paper assessing visitor monitoring and modelling on access land across Rombalds Moor, Ilkley, which also used the National Visitor monitoring data to understand the accuracy of the Predictive Site Use Model and understand the effect of restrictions and positive access management (Keane, 2009).
- 1.67.2 The outcomes of this survey, and any further detailed analyses undertaken, may hold valuable lessons for NNR site managers contemplating the use of access restrictions on National Nature Reserves that have been dedicated as Open Access Land using CROW legislation.
- 1.67.3 When considering applications for built developments that involve its inclusion in residential developments, the preferences of local residents in terms of informal access to green space as expressed in this survey should be taken into account. Similarly, the data may be of value when assessing the impacts of developments that will lead to the loss or major modification of green infrastructure.

The impacts of CROW in terms of biodiversity protection and land management concerns are largely low and on the whole unlikely to have had a significant effect, as the uptake of public access in the first 4 -5 years has been slow and use is not significantly different from the pre CROW situation in the majority of cases.

It is therefore probably too early to evaluate the current restrictions definitively and the recommendation would be to continue to monitor at the most sensitive sites.