



Llywodraeth Cymru  
Welsh Government

[www.cymru.gov.uk](http://www.cymru.gov.uk)

Developing integrated  
legislation for outdoor  
recreation

Datblygu deddfwriaeth  
integredig ar gyfer  
hamdden awyr agored



# Background

- A fairer and more prosperous Wales

For outdoor recreation this means:

- securing better access to the outdoors for recreation,
- modernising and simplifying the current regulatory framework, and
- providing clarity and certainty over where people can go and what they can do there.

# Cefndir

- Creu cenedl deg a ffyniannus

Ar gyfer gweithgareddau hamdden awyr agored mae hyn yn golygu:

- sicrhau gwell mynediad i'r awyr agored ar gyfer hamdden,
- moderneiddio a symleiddio'r fframwaith rheoleiddio presennol, a
- darparu eglurder a sicrwydd ynghylch lle gall pobl fynd a'r hyn y gallant ei wneud yno.

# Benefits

# Maintenance



# “It’s the economy, stupid”

- Walking: £562m of additional demand, £275m of GVA, and around 11,980 person-years of employment.
- Wales Coast Path: £32.2m of additional demand, £16.1m of GVA, and 730 person-years of employment.
- Proximity to high quality green space increases property values by 2.6%-11.3%.
- Every £1 of public spend on green space projects levers in £4.20 of private sector investment, boosting regeneration.
- Cerdded: £ 562m o alw ychwanegol, £ 275m o GVA, ac oddeutu 11,980 person-mlynedd o gyflogaeth.
- Llwybr Arfordir Cymru: £ 32.2 miliwn o alw ychwanegol, £ 16.1m o GVA, a 730 person-mlynedd o gyflogaeth.
- Agosrwydd at fannau gwyrdd o ansawdd uchel yn cynyddu'r gwerth eiddo o 2.6% -11.3%.
- Mae pob £1 o' wario cyhoeddus ar brosiectau manau gwyrdd yn creu £4.20 o fuddsoddiad gan y sector preifat, gan roi hwb i adfywio.

# Participation

- Changes to who participates
- Changes to activities
- Changes to where people go

# Cymryd Rhan

- Newidiadau i pwyl sy'n cymryd rhan
- Newidiadau i weithgareddau
- Newidiadau i'r lle mae pobl yn mynd

## Demand

- 60% of the adult population in Wales would like to visit the outdoors more often.
- Participation is static, but stated demand is high
- Convenience is important, with short duration visits close to home.
- Access to a diversity of activities could be an important factor in destination choice.

## Galw

- Byddai 60% oedolion yng Nghymru yn hoffi ymweld â'r awyr agored yn amlach.
- Cymeryd rhan yn sefydlog, ond mae galw yn uchel
- Cyfleustra yn bwysig, gyda ymweliadau cyfnod byr yn agos at eu cartrefi.
- Gallai mynediad i amrywiaeth o weithgareddau fod yn ffactor bwysig wrth ddewis cyrchfan.

# Current Legislation    Deddfwriaeh Presennol

- Small Holdings and Allotment Act 1908
- Allotments Act 1950
- National Parks and Access to the Countryside Act 1949
- Countryside Act 1968
- Highways Act 1980
- Wildlife and Countryside Act 1981
- Cycle Tracks Act 1984
- Countryside and Rights of Way Act 2000

# Limitations

- Public rights of way based on historic use
- Areas of high recreational value without secure public access
- Access to, and on water, is creating areas of conflict
- Doesn't address the need for multi-use
- Current provisions create confusion
- High cost to administration
- Provision of green space, including allotments is patchy

# Cyfyngiadau

- Hawliau tramwy cyhoeddus yn seiliedig ar ddefnydd hanesyddol
- Ardaloedd o werth adloniadol uchel heb fynediad cyhoeddus diogel
- Mynediad i, ac ar ddŵr, yn creu ardaloedd o wrthdaro
- Nid yw'n mynd i'r afael â'r angen am aml-ddefnydd
- Darpariaethau presennol yn creu dryswch
- Cost uchel i weinyddiaeth
- Darparu manau gwyrdd, gan gynnwys rhandiroedd yn anghyson



# Principles

- presumption in favour of increasing access for responsible recreation
- meet the needs of the widest possible range of activities
- easy to communicate, both on the extent of access but also what is responsible use
- be flexible and responsive to changes in demand and use
- simplify administration for local authorities and other regulating bodies

# Egwyddorion

- rhagdybiaeth o blaid cynyddu mynediad ar gyfer gweithgareddau hamdden cyfrifol
- diwallu anghenion yr ystod ehangaf posibl o weithgareddau hamdden
- hawdd i gyfathrebu beth yw defnydd cyfrifol
- Yn hyblyg ac yn ymatebol i newidiadau mewn galw
- symleiddio gweinyddiaeth i awdurdodau lleol a chyrrff rheoleiddio eraill

# Scope

- Access to the countryside
- Public Rights of Way
- Green spaces
- Allotments and Community Growing Spaces

# Cwmpas

- Mynediad i gefn gwlad
- Hawliau Tramwy Cyhoeddus
- Mannau gwyrdd
- Rhandiroedd a Mannau Tyfu Cymunedol

# The Process

- Pre-consultation
- Green Paper consultation
- Decisions

# Y Broses

- Cyn ymgynghori
- Ymgynghoriad ar sail Papur Gwyrdd
- Penderfyniadau

# Access to the countryside

How do we best secure in perpetuity areas of potentially high recreational value whilst retaining flexibility to meet changes in demand?

How can we provide safeguards for land management and wildlife without resorting to placing limiting or disproportionate conditions on access?

Access to, and on water in particular is unresolved, creating areas of conflict. How should new legislation be framed in order to remove conflict?

Would legislation and / or guidance be the most effective means by which to provide clarity, or reduce, the degree of occupiers liability?

Should there be separate provisions for commercial activity, or should the same rights and responsibilities be shared across all users?

What sanctions should there be for 'any person' who contravenes anything that would be provided for in new legislation?

# Public Rights of Way

Is there merit in removing the duty on local authorities to maintain public rights of way, and instead replace this with more robust duties and powers on the removal of obstructions?

Is it still necessary to maintain a hierarchy of paths and places?

How should the high cost of administering the existing system be reduced?

Should we seek to relax current restrictions on how paths can be used?

Should there be a duty on local authorities to publish maps of 'priority' network of multi-use paths?

How can we make it easier to divert and extinguish paths under certain conditions?

# Green spaces and allotments

Should there be a duty on local authorities to undertake robust needs assessments for paths and public open space to inform Single Integrated Plans and Local Development Plans?

Should there be a duty to map a network of priority routes, to include all types of public open space, thus requiring local authorities to identify and register all open space sufficient to meet demand for open air recreation?

Should legislation be used to help meet demand for land for community gardening and growing, currently not served by allotment legislation?

Is it feasible to require local authorities to meet local demand in the area for allotments?

Could creating a register of all publically owned land help to increase the amount of land potentially available for allotments or community growing?

Is there merit in creating a standard for allotment waiting lists, to ensure the information which is captured is consistent?