

## Use of Land Provisions

72. The Government welcomes the Joint Committee's recommendation that the package of rights of way reforms contained in the draft Bill should be accepted as a whole, in order to maintain the Stakeholder Working Group consensus:

**Paragraph No. 130. "We are aware that the law governing rights of way is highly contentious and commend the SWG for its achievement in reaching a consensus on the issue of recording unrecorded historic rights of way. We acknowledge also that maintaining that consensus requires the package of reforms contained in the draft Bill to be accepted as a whole."**

**Paragraph No. 139. "Whilst the SWG has managed to forge a consensus in support of the package, aspects of the new provisions are still under discussion both within the SWG and more widely. We expect the Government to show leadership and balance to take this vital part of our Report to a successful conclusion."**

73. Defra is continuing to convene the Stakeholder Working Group and engage in wider discussions with stakeholders, such as the Intrusive Footpaths campaign, in order to see the rights of way reforms package through to a successful conclusion.

**Paragraph No. 145. "We have some concerns about the current backlog of rights of way applications and the likely additional pressures caused by the reforms and the imposition of the cut-off date. We question whether the implications for local authorities, in particular, have been fully assessed by the Government. Against this background, if these clauses are to go forward in this Bill, the Government will need to address the impact on local authorities."**

74. The Government fully recognises the concerns about the current backlog of rights of way applications and the additional pressures likely to be caused by implementation of the cut-off date. Indeed that is the reason behind the formation of the Stakeholder Working Group and implementation of their recommendations for simplifying and streamlining the current procedures, in order to complete the task of completing the definitive map. Although it has been suggested that measures such as replacing the Secretary of State's role with the magistrates court shift a burden rather than removing it, the policy is specifically aimed at helping to reduce the local authority backlog.

75. We cannot intervene in the way that local authorities choose to resource their rights of way work, but we can ease the burden of this work through reform. Local authorities are expected to make savings of almost £2 million a year through these measures. The Deregulation Bill presents an opportunity to reduce bureaucracy in this area and through these clauses.

76. The key bodies that represent local authority rights of way practitioners on the Stakeholder Working Group are urging the Government to implement the reforms package. The Government is also continuing to engage with all local authorities across England through workshops and seminars organised by the Institute of Public Right of Way and Access Management to ensure that we assess both the practical and legal impacts of the Bill on local authorities.

**Paragraph No. 154. "We took the view at the outset that we would focus our attention on the clauses in the draft Bill and that we would not consider proposals for additional provisions. Given the level of public interest in rights of way, however, we draw to the attention of the Government the wider rights of way concerns raised in the course of this inquiry and urge them to take action to meet them."**