

# Oral evidence

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## Taken before the Committee of Public Accounts

on Wednesday 22 November 2006

Members present:

Mr Edward Leigh, in the Chair

Mr Richard Bacon  
Mr David Curry  
Mr Philip Dunne  
Helen Goodman  
Mr Sadiq Khan

Mr Austin Mitchell  
Dr John Pugh  
Mr Don Touhig  
Mr Alan Williams

**Sir John Bourn KCB**, Comptroller and Auditor General, National Audit Office, gave evidence.

**Ms Paula Diggle**, Treasury Officer of Accounts, HM Treasury, gave evidence.

### REPORT BY THE COMPTROLLER AND AUDITOR GENERAL

#### DEPARTMENT FOR ENVIRONMENT, FOOD AND RURAL AFFAIRS:

#### THE RIGHT OF ACCESS TO OPEN COUNTRYSIDE (HC 1046)

*Witnesses:* **Mrs Helen Ghosh**, Permanent Secretary, Department for Environment, Food and Rural Affairs; and **Dr Helen Phillips**, Chief Executive, Natural England, gave evidence.

**Q1 Chairman:** Good afternoon. Today we are considering the Comptroller and Auditor General's Report, *The Right of Access to the Open Countryside*. We welcome back Helen Ghosh, who is the Permanent Secretary at the Department for the Environment, Food and Rural Affairs, and Helen Phillips, Chief Executive of Natural England. Mrs Ghosh, welcome back. I know that you were scheduled to return to us on Monday but our witness once again claimed that he was ill so we are going to resubmit our application for his reappearance next month, or whenever he is better, because we think it is important that he comes to this Committee, if at all possible. Here we are dealing with another issue. Although the end result has been a success, if we look at paragraph 5 of the summary there are some disturbing similarities with the Single Payment Scheme that we were asking you about earlier in the month. In the haste to deliver this project and meet a date set by ministers, the Agency did not pilot test their approach, under-estimated the work involved, failed to monitor progress adequately and costs doubled; have we not heard all this before, Mrs Ghosh?

**Mrs Ghosh:** I think, as you said Chairman, this was a successful project which delivered to time. The pace of the project was very much set by the political imperative. As I think the Report implies—

**Q2 Chairman:** But presumably you could have said, "I am sorry, Minister, I cannot deliver it by this date and if you ask me to deliver it by this date then indeed costs might double," as they have done. It was supposed to cost £28 million; it has cost the best part of £60 million. Why did no civil servant say to the Minister, "Minister, we must have a pilot project"?

**Mrs Ghosh:** The £28 million original estimate was very much just that, an estimate, one might almost say a guesstimate. Once the project had really been gripped by the Agency and we set up much better governance procedures, I think the costs rapidly became clearer and better focused over time, and that is reflected in a number of PQs. There was constant communication between the Agency and the Department and ministers about costs and ministers were kept fully informed about revised cost estimates. I think it is far from clear that even had there been a pilot, and there is extensive discussion in the report on this, that the approach we took or the outcome would have been significantly different, but we do certainly agree that we would have had an earlier handle on costs. I know in the *Lessons Learnt* exercise that the Agency has carried out that is one of the issues that they would look at for any future exercise of this kind.

**Q3 Chairman:** I have some personal experience of this. In a wholly undistinguished parliamentary career I have achieved one thing which is the Right of Way Act 1990, a Private Member's Bill. I am a very keen walker and I myself contacted the Agency with a whole set of map references in the local area where I live in Lincolnshire which were then promptly lost. I am just one member of the public so that is not very reassuring, is it? I wrote to them and rang them up and they just admitted after a bit that they had been completely lost.

**Mrs Ghosh:** I am well aware, Chairman, of that very unfortunate bit of administration. Again, if you look back at the difference between the original very high-level estimate and the cost as it has emerged over time, there were a number of things that were very difficult to predict and indeed would not have been

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 Department for Environment, Food and Rural Affairs and Natural England
 

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produced by a pilot in a single area. So for example, as the Report says, a number of the additional costs arose from the number of appeals and changes that were suggested through the mapping process. One pilot might not have revealed that. The Agency now think it would have taken about 33 months to have done that pilot and meanwhile the conclusion of the programme, so successful in late 2005, would not have been achieved on that deadline.

**Q4 Chairman:** But what other programmes run by the Agency have now been lost? What other opportunities to increase public access have now been lost as a result of the doubling of the cost of this scheme?

**Mrs Ghosh:** The costs of the scheme were found by reprioritisation within the Agency programmes, and Helen might want to say a bit about how they did that.

**Q5 Chairman:** What does “reprioritisation” mean; that nothing was actually ever lost but something else was delivered?

**Mrs Ghosh:** No, I meant the Department did not assign additional money and the budget of the Agency was not increased.

**Q6 Chairman:** Do you want to explain?

**Dr Phillips:** There was a requirement, quite clearly, for some reprioritisation of the Agency’s deliverables within the Countryside Agency’s budgets. It was all from within other access programmes, most notably National Trails and Discovering Lost Ways and also the early cessation of a programme they ran called Vital Villages.

**Q7 Chairman:** I was trying to encourage you to put some more sites on Lincolnshire. We went on the website today and it is not particularly easy to find your way around this website and all that gets printed off, certainly in my entire 600-square mile constituency, is this tiny piece of paper. You cannot zoom in and you have got to then get a map. There are no useful hints, suggested walks or anything like that. As a walker in the middle of a 600-square mile constituency that would not be a lot of help to you.

**Dr Phillips:** The on-line maps are intended primarily for people to find out about restrictions that may apply at the time, so they are very helpful if you want to go on and plan where it is you would like to go for that particular outing or day and also to see whether any restrictions might apply on that particular walk. They were not intended as walkers’ maps. Clearly the Ordnance Survey *Explorer* range of maps are designed to fulfil that function, along with the website. Having said that, clearly there are further improvements that could be made to the website and indeed as part of our action plan response to the NAO report we have flagged up. We will have a phased programme of improvements to the website, obviously in addition to any further recommendations that come from the Committee.

**Q8 Chairman:** Unfortunately, most of us live in lowland areas. Is there any work as a result of the doubling of cost that has been lost? Are there any opportunities to open up access to lowland which might have been gained but which are not being pursued rigorously enough? Certainly as far as many constituencies in England are concerned, this has made no difference at all. I agree it is very useful if you are in the Pennines or moorland areas like that but most people do not live in these areas.

**Dr Phillips:** The CROW Act was designed to open up mountain, moor, heath and down, and it has done just that. Clearly where you have large blocks, for example of the Upper North West, we have seen a vast increase, and another good example would be the Yorkshire Dales where we have got an increase in access from around 4% to 62%, but in lowland areas there is less of that type of landscape to be mapped, less of that landscape available.

**Q9 Chairman:** Okay. What about the experience of your staff. This is dealt with, Mrs Ghosh, in paragraph 7 of Appendix 3 on page 35, and you might want to look at that. Do you think there was a problem here? It says that: “The Chief Executive acknowledged that, as Accounting Officer, he should have demanded more explicit formal reports from the director responsible and the Chief Executive at the time acknowledged the shortcomings which he believed were due to the culture of the organisation and an absence of professional procurement expertise.” It is a bit of a damning indictment, is it not?

**Mrs Ghosh:** It is but I think the Agency responded very positively to that, so for example I think the Gateway Three report in 2003 highlighted some of the weaknesses around project management. By the Gateway Four report it was responding very positively on the action that the organisation had taken. I think things like the partnership of the OGC to pull down the contract numbers on the mapping were a very good example of using professional expertise to produce better project outcomes. So I think the Agency learnt the lessons. I think we also in terms of governance between the Department and the Agency set up excellent governance arrangements which made sure there was a very good flow of information.

**Q10 Chairman:** If you look at paragraph 1.5 you will see that our excellent walkers from the National Audit Office encountered few other walkers during many of their site visits. There is anecdotal evidence that not many people are making use of this new right. Can you say something about this. I agree that the last thing you want to do when you walk on the Pennines is to encounter many other people.

**Mrs Ghosh:** That was going to be my first point, Chairman. The object of the Act was the right of access. What we did not want was mass access at any one time which would have destroyed for many people the experience. Helen may want to say a bit more about how they are tracking this but the baseline data for 2005 showed that there were 22.1 million visits (visits as opposed to visitors so it could