

OPEN SPACES SOCIETY

formally
THE COMMONS, OPEN SPACES AND FOOTPATHS
PRESERVATION SOCIETY

STRATEGIC PLAN 2008 – 2013

This strategic plan aims to set out the strategic direction for the Open Spaces Society (OSS) for the five years to 2013. It is to be supported by a business plan for the period, and detailed annual work plans and budget. It has been drawn up by OSS's Executive Committee (trustees).

1. INTRODUCTION AND BACKGROUND

INTRODUCTION

- 1.1 The Open Spaces Society (OSS) was founded in 1865 as the Commons Preservation Society, and is Britain's oldest national conservation body. In 1899 it enveloped the National Footpaths Society, and 'open spaces' was added in 1929 to complete the formal title of Commons, Open Spaces and Footpaths Preservation Society.
- 1.2 The society has a long and distinguished history, including in 1895 the creation of the National Trust to administer some of the lands given to it. It has always been in the forefront of those campaigning for commons, open spaces and paths, in the countryside and towns, which are so important to the British way of life.
- 1.3 The OSS is an unincorporated registered charity, reliant upon voluntary support from subscriptions, donations and legacies. It provides advice to local authorities and the public, as well as campaigning and championing causes relevant to its aims and objectives. It covers the whole of England and Wales, though not Scotland or Northern Ireland which have different laws relating to public access.
- 1.4 The purpose of the strategic plan is to empower management to run the business in accord with the strategy, augmented by a (five-year) business plan and detailed annual plan and budget. Through these plans, the trustees should not only be setting strategy but also identifying key, measurable targets against which performance will be monitored and assessed;

BACKGROUND

- 1.5 Pressures of modern life, with increasing population, leisure time and rapacious demands on natural resources and space, for development and all the paraphernalia of modern transport and communications, sit uneasily with the desire of much of the community to preserve its rights, actual or perceived, to quiet enjoyment of its open spaces and public paths. Some recent legislation has helped bring clarity to some aspects of accessibility, but other legislation has exacerbated the confusion on these issues. Far from automatically providing the protections sought by the OSS, recent legislation opens up the need for a massive and on-going exercise in protection, enhancement, enforcement and education.

- 1.6 As well as positioning itself in relation to this changing framework, the OSS needs to be responsive to the increasing demands placed upon charitable organisations, not only in terms of professional governance and management, but in response to the increasing recognition that the not-for-profit sector can and does provide some of the most cost-effective delivery of services in this country.
- 1.7 This strategic plan is the first to formalise the strategic direction for the OSS, previously enshrined in its aims and objectives and expanded upon at executive committee meetings. It is intended not only to inform the future deliberations of the OSS's executive committee and staff, but also to provide a framework for wider communication with members and stakeholders.
- 1.8 We regard open space as extending beyond the definition in the Open Spaces Act 1906 and use the term in this manner.

2. OSS'S MISSION

- 2.1 **The OSS's mission is to protect, increase, enhance and champion the common land, village greens, other open spaces and public rights of way of England and Wales, and the public's right to enjoy them.**
- 2.2 The OSS is the only national organisation with these wide-ranging aims. The areas coming within the OSS remit are all those open spaces in England and Wales that have public value. These include commons and town and village greens, which have clear definitions in law, as well as amenity areas such as allotments, churchyards, green corridors, accessible countryside and civic spaces which are less precisely defined.
- 2.3 The OSS is also unique in seeking to protect the interests and rights of the legitimate users, not just those on foot, along all kinds of rights of way.
- 2.4 This mission has been essentially unchanged throughout the society's history. But with increasing development and social pressures the scope for OSS activities has widened and the plan needs to reflect this.

3. OSS'S VISION

3.1 The OSS's vision is that:

- everyone should be able to enjoy the benefits of commons, greens, other open spaces and public rights of way within easy reach of their homes, workplaces and leisure destinations;
- existing commons, greens and other open spaces should be protected for their historical, social, environmental and ecological value;
- new greens, open spaces and public rights of way should be created and afforded protection wherever they will benefit society,
- the public should enjoy rights of access, of commons, greens and other open spaces and along all public rights of way, for quiet enjoyment;
- the authorities should be fully aware of their obligations and duties to enforce legislation, and should act willingly to enforce them; and
- the public should be fully aware of their rights and able to pursue them.

3.2 In pursuing the above vision, the OSS has three primary functions:

1. **To campaign** - for changes in the law as it affects commons, greens, open spaces and public rights of way;
- for authorities to use their existing duties and powers in support of the public's rights; and
- for anything which helps procure the OSS's vision.
2. **To advise and inform** - on the current law on commons, greens, other open spaces and public rights of way;
- on how the law might be improved;
- on the obligations of the authorities;
- on the rights and responsibilities of the public;
- on matters relevant to commons, greens and other open spaces; and
- on matters pertinent to rights of way.
3. **To take direct action** - to report unlawful or anti-social actions on commons, greens, other open spaces and public rights of way; and
- to take legal action against local authorities, individuals and organisations who erect unlawful works on commons or greens, or obstruct public rights of way.

3.3 The OSS will achieve this through:

- retaining and building on its current membership base, especially with local authorities and other public bodies, but also with that section of the public who care about their historic rights to common land, town and village greens and rights of way;
- research and collection of relevant data;
- a relatively small, dedicated workforce for campaigning;
- a national (England and Wales-wide) network of contacts, able to collect and disseminate information;
- production of additional expert publications;
- providing training for local authorities, government departments and agencies, and organisations;
- efficient use of modern channels of communication;
- our recognition of the distinction between campaigning and advisory services;
- seeking appropriate funding and/or payment for work done (including for members) where appropriate;
- contributing to a resolution to any conflicts between nature conservation and recreation;
- collaborating with other organisations and individuals sharing aspects of the OSS's vision; and
- being prepared to be resolute in defence of our aims.

4. STRATEGIC AIMS

- 1. to protect commons, greens and other open spaces;**
- 2. to protect and enhance public rights of way and public access;**
- 3. to secure new open spaces and public rights of way, and**
- 4. to protect the beauty of the countryside.**

The four strategic aims listed above are taken, in summary, from the existing constitution of the OSS, with the first aim concentrating on protection and the third on creation.

4.1 To protect commons, greens and other open spaces

This is core to the OSS, both historically and in the present circumstances of legislation which is about to be brought into force.

4.1.1 The OSS is uniquely placed as the only national society with this aim:

- it has a knowledge base second to none in this field;
- it is a statutory consultee in this area;
- it has the opportunity to deliver its advisory services more broadly than at present; and
- it has the opportunity to raise its profile and draw on wider support for its campaigning activities.

4.1.2 The OSS will do this by:

- maintaining and developing its research and its staff's knowledge base;
- maintaining and developing its network of contacts at England and Wales level;
- maintaining relations with the Department for Environment, Food and Rural Affairs (Defra) and the Welsh Assembly Government, especially as an independent statutory consultee;
- distinguishing between its campaigning (necessarily independent) and its advisory services (where it would be possible to be recognised and funded as an efficient, private-sector provider of advice to both authorities and the public);
- using its profile as an adviser to raise awareness of its campaigning, and vice versa, but recognising the need for voluntary subscriptions and funding to preserve independence;
- ensuring that the delivery of all of its activities is as efficient as possible; and
- collaborating with others who can provide elements of the necessary services more efficiently or effectively than the OSS can by itself.

4.1.3 **What we do now**

- respond to all applications for works on common land, or exchange of commons, greens and open spaces, in accordance with our guidelines;
- advise on the registration of land as a town and village green, which protects it from development;
- remain abreast of current legislation and case law;
- inform our members and the wider public through our website, press releases, *Open Space* and our other publications;

- lobby for improvements to law, guidance and practice;
- encourage local authorities to exercise their powers to protect commons, greens and open spaces;
- keep a record of all unlawful works on commons which are reported to us; and
- carry out research on appropriation and deregistration of local-authority owned land.

4.1.4 What we'd like to do

- maintain an up-to-date, digitised, database of commons and greens registers;
- carry out surveys of commons and greens to record unlawful encroachments;
- encourage our members and the public to report to us encroachments on commons and greens;
- be more proactive in dealing with encroachments on commons and greens, with legal action if appropriate;
- commission specific projects to promote community benefits of commons, greens and other open spaces;
- be able to contribute to recording commons which will become eligible for registration under Commons Act 2006;
- undertake research to inform our campaigns;
- run training days and seminars, in particular for government departments and agencies, local authorities and organisations;
- create, train and support network of local representatives dealing with commons, greens and open spaces;
- provide toolkits and guidance for our volunteers;
- increase our coverage and effectiveness in Wales;
- produce more publications on how to protect commons, greens and open spaces;
- produce help-sheets on technical issues for staff answering the phone, so that they can better assist inquirers; and
- enable our local correspondents and other local activists to expand their traditional interest in paths to commons issues as well.

4.2 To protect and enhance public rights of way and public access

4.2.1 The OSS is unique in being the only national society, covering England and Wales, which seeks to protect and preserve all kinds of public rights of way for all kinds of users:

- the OSS is active and successful in campaigning for improved public access;
- much of the campaigning on rights of way is closely allied to issues affecting the vision of the OSS and its other objectives;
- there are many other societies committed to similar aims, but on behalf of specific user groups and/or particular kinds of rights of way;
- there are few organisations with as accurate an understanding and appreciation of the full range of issues affecting rights of way and public access; and
- The majority of rights of way cases are handled by the Society's local correspondents, with selected cases handled by HQ.

4.2.2 Because of its close affinity to other activities, this strategic aim is core to the OSS. However, recognising the introduction of recent legislation and the need to prioritise scarce resources, the focus of attention in this area over the next five years will be on providing advice and enforcing current legislation, whether with or against authorities or private landowners.

4.2.3 There is much to be done in advising authorities and the public of their obligations and rights, disseminating information about the recent legislative changes and the rights and obligations which arise thereunder.

4.2.4 The OSS will do this by:

- collaboration with other societies to share the workload and financial costs of any campaigns;
- distinguishing core activities funded by subscriptions from specific campaigns for which specific funding can and must be raised;
- seeking third-party and even official funding in support of the advisory services offered in this area;
- obtaining commercial rewards for providing detailed and on-going advice and/or training;
- developing and maintaining research and accurate data on rights of way, including maps, either alone or in collaboration;
- prioritising those activities which are self-funding and/or where the OSS offers a unique and cost-effective service;
- continuing to advocate access for all where appropriate; and
- bringing rights of way into balance with commons, greens and open spaces in the provision of dedicated staff or other resources.

4.2.5 What we do now

- identify and appoint local correspondents to get involved with all proposed path-changes in their area, in accordance with our guidelines;
- inform our local correspondents of changes in the law and guidance;
- engage with our members and the wider public through our website, press releases, *Open Space* and our publications;
- keep up to date with legislation and case law;
- lobby for changes in the law, guidance and practice;
- oppose centrally those path-changes which are detrimental to the public, or where members wish us to get involved and we have no local correspondent (level of involvement depends on such criteria as whether setting a precedent, opportunities for publicity, etc);
- encourage our local correspondents to take action against blocked paths or the authorities themselves, where local authorities fail to act, under sections 56, 130A and 137 of the Highways Act 1980; and
- keep informed of how access under the Countryside and Rights of Way Act 2000 is working on the ground and support others in promoting and protecting the access.

4.2.6 What we'd like to do

- appoint local correspondents to cover every local-authority area;
- appoint (employ) a rights-of-way officer or equivalent resource;
- improve training and support for local correspondents;
- carry out some high-profile prosecutions of law-breaking landowners and local authorities who fail to act;
- discover lost ways and simply unrecorded ones to prevent a potential major loss of paths;
- ensure the whole of England and Wales is covered by a definitive map of public rights of way;
- campaign for a national (England and Wales-wide) definitive map of all forms of public access on all forms of open spaces and paths,;
- campaign for better access for disabled people and the infirm;
- improve widths, structures and surfaces of routes in an appropriate and sensitive way;
- get involved in local plans to improve paths;
- discourage local authorities from closing, moving or gating paths on grounds of crime prevention, and encourage identification of other solutions to perceived problems;
- encourage members and the public to report path problems to the highway authorities;
- run campaigns to ensure local authorities increase their spending on public rights of way;

- develop a legislation shopping-list for improvements we wish to see in the law on public rights of way; and
- enable our local correspondents and other local activists who specialise in commons and open spaces to expand their expertise and interest into paths.

4.3 To secure new open spaces and public rights of way

4.3.1 This objective is central to the vision and mission of the OSS. While the skill set and knowledge base for achieving this are similar to those for the first two objectives above, they also require vision and persuasion.

4.3.2 The OSS will do this by:

- supporting member organisations and individuals with advice and information on how most effectively to secure new open spaces or public rights of way;
- offering support and advice to campaigns which meet the society's criteria; and
- in special cases, which are seen to help the society in its wider mission, or which help test a particular point of principle, taking a prominent role in such a campaign.

4.3.3 **What we do now**

- advise our members on the registration of land as a town or village green (as in 4.1 above); and
- respond to draft rights-of-way improvement plans to ensure there is a positive attitude to path creation, but not at the expense of the existing path network.

4.3.4 **What we'd like to do**

- carry out surveys to find land eligible for registration as greens;
- expand village-green pages on website, to include list of successful registrations;
- provide training and representatives to appear at inquiries into new greens;
- develop a methodology using maps or other material for identifying new links or upgrading that would substantially enhance the network;
- encourage use of procedures to create new open spaces and paths, eg through section 106 agreements with developers under the Town and Country Planning Act 1990 and the latest planning gain procedures, including special protection area directives;
- campaign for new types of public open space to be secured properly with a permanent, public right, rather than merely permissive;
- encourage local planning authorities to require dedication of open spaces as greens as part of development schemes;
- encourage our local correspondents to become actively involved in the creation of paths under the rights-of-way improvement plan, but not at the expense of the existing path network; and

- campaign to change legislation on the disposal of open space, to the position pre the Local Government, Planning and Land Act 1980 (which required exchange land to be provided for open space to be appropriated or disposed of and failing that, the plans to be subject to special parliamentary procedure).

As stated under strategic aim 1, in para 4.1.4 we should also like to:

- create network of local correspondents for commons, greens and open spaces; and
- be able to contribute to recording commons which will become eligible for registration under Commons Act 2006.

4.4 To protect the beauty of the countryside

4.4.1 This objective is both at the heart of the OSS and the least specific. It is retained because it underlies much of the mission and vision of the organisation and its specific aims. However, there are numerous other organisations equally devoted to this aim in a broad sense, including public sector as well as private charitable and not-for-profit organisations. The potential demands for support and advice under this broad heading could severely strain the resources, human and financial, of the OSS unless subjected to strict selection criteria.

4.4.2 The OSS will, for the period of this strategic plan, focus its activities in response to this objective on those matters which are directly connected with open spaces or the creation of open spaces, recognising that the society's unique role is its championing of common land and village greens as a resource for all.

4.4.3 What we do now

- oppose planning applications which have an adverse effect on land to which the public has access, by right or custom, normally when we are informed of them by our members;
- join with others to oppose planning applications in appropriate cases,
- influence all local plans to ensure open spaces and public rights of way are properly protected; and
- support organisations who are working to achieve desirable aims, eg designation of new national parks.