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Yvon Le Caro, Andrew W. Gilg

### ► To cite this version:

Yvon Le Caro, Andrew W. Gilg. Farmland as a leisure space: exclusive and public access in Ille-et-Vilaine (France) and Devon (England). Colloque "Leisure and exclusion", Staffordshire University, Sep 1999, Stoke-on-Trent, United Kingdom. halshs-00291253

**HAL Id: halshs-00291253**

**<https://shs.hal.science/halshs-00291253>**

Submitted on 23 Mar 2022

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# Farmland as a Leisure Space

## Exclusive and Public Access in Ille-et-Villaine (France) and Devon (England)

Yvon LE CARO (University of Rennes, CNRS, France)

and

Andrew W. GILG (Exeter University, England)

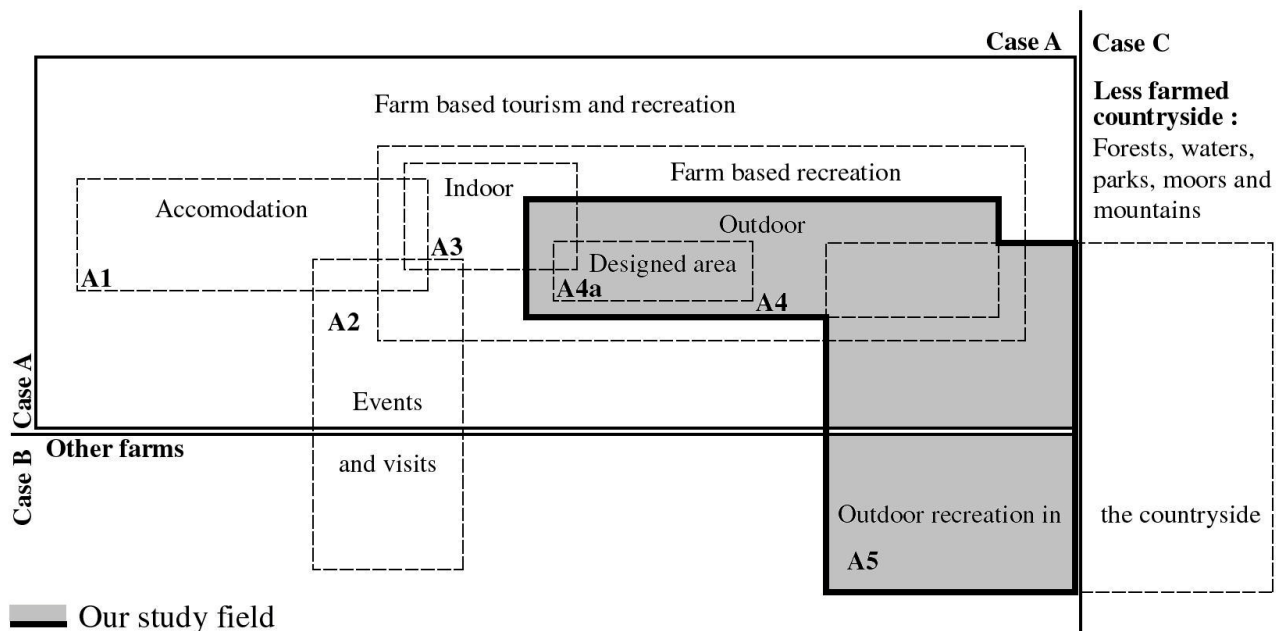
Note : This paper was presented to the "Leisure and exclusion" conference, Staffordshire University, Stoke-on-Trent, 2 septembre 1999. A french version of the paper was published in 2002 : LE CARO Yvon & GILG Andrew W., Accès récréatif à l'espace agricole : Ille-et-Vilaine (France) et Devon (Royaume-Uni), ESO Travaux et documents, 2002, 18, pp. 33-41.

### 1. Introduction

a) A conceptual model of farm based recreation and some differences between France and England

Countryside recreation is a very diverse activity and even walking in the countryside has been classified by Kay and Moxham (1996) into 20 different types. This paper thus focuses on one type of countryside recreation, namely, outdoor recreation on farms.

In more detail, Figure One, which is based on a conceptual model developed by Evans and Ilbery (1989), conceptualises three types of countryside recreation depending on the environment they are practised in. The first type is focussed on one farm as shown in Box A in Figure One. The second type is focussed on several farms in the farmed countryside in general as shown in Box B. The third type is practised in the less-farmed landscape of woodland, water, parks, moors and mountains as shown in Box C where the land may be farmed but only in an extensive way.



Based on a conceptual framework proposed by Evans & Ilbery (1989)

**Figure 1 : A conceptual model of farm based recreation**

Six main recreational activities can be seen in Box A of Figure One. Four of these activities are not considered by this paper, namely: A1-Accommodation; A2-Events and Visits; A3-Indoor

attractions; and A4a-Special areas like golf courses because they either depend on purpose built facilities or don't depend on multiple land use. Instead this paper concentrates on the two boxes A4b, that is outdoor recreation provided by a farmer on his farmed land (for instance the hunting lease), and A5, that is outdoor recreation using a wider countryside area including farmland (as walking along a trail).

The paper thus focuses on the problems caused by recreational use of the farmed landscape in terms of both multiple land use management conflicts and the social relationship between farmers and the general public. In particular it concentrates on how farmer attitudes to unpaid recreational use may have become more negative as recreation has become to be seen as a business opportunity to be exploited rather than as an activity to be tolerated.

In this regard there is a big difference between France and England. In France farm based recreational facilities are poorly developed compared to England with a general acceptance that only about 2% of French farmers provide farm-based accommodation compared to the 10% of English farmers who have been estimated to have developed a farm based recreation facility according to Chaplin (1998). When both business recreation and non-business recreation are combined the English percentage of farms involved rises to 40% (Chaplin, 1998) but the survey by Le Caro on which much of this paper is based produced a figure of nearly 100% for non-business recreational use of the French countryside.

Thus, in England recreational access to the farmed environment is restricted to only about a third of such farms and much of this is based on payment of a fee to enter a purpose built facility. In contrast, in France the public has access to virtually the entire farmed countryside but is unlikely to pay a fee to enter a relatively rare purpose built facility. There is one main reason for this. In France access to the countryside is socially considered to be a right not just for walking but for other activities too, for example, shooting, fishing and picking wild fruits and flowers. In contrast, in England there is no right of access to the farmed countryside or even to open land. Furthermore, shooting and fishing are controlled by legal rights of access which are a very expensive and highly saleable commodity which exclude all but the wealthy in most cases.

#### b) The concept of exclusion applied to farmland access

Farmers control most of the countryside in both France and England and since most members of the public live in towns they are axiomatically excluded from the countryside by the friction of distance except during weekends and holidays. Even during these times many people are excluded by behavioural and attitudinal factors rather than locational factors. For example, some people exclude themselves from countryside recreation even to those areas where they are lawfully allowed to have access because they lack confidence in themselves having been 'excluded' (Paugam, 1996) elsewhere in society. Other factors according to Burgess (1996) include fear of open spaces, fear of woodland and its potential to hide danger, fear of wild creatures and fear of being told off by farmers and their agents.

As farming has become more technical and has eliminated more and more semi-natural features, notably hedgerows, the general public can only feel more excluded from an environment that often feels more like a factory floor than a natural environment. Ironically, the intensification of agriculture has been a prime factor in the production of surpluses and a decline in farm profitability which in turn has encouraged many farmers to diversify into farm based recreational facilities, notably in urban fringe areas. Any other use of the countryside by non paying visitors has thus become less amenable to farmers who have diversified while those who continue to invest in 'hi-tech' farming are also less and less likely to welcome recreational access.

Nonetheless, the provision of some low price recreational facilities in urban fringe areas may have opened up the countryside to some social groups who cannot afford to travel to more distant sites. Furthermore, the surveys by Le Caro (forthcoming) often found that farmers were happy to

provide access when a member of the public or a group asked politely. In this case recreational use may prove a route to breaking down barriers between farmers and the public and reducing exclusion through informal non-business arrangements.

### c) Methodology

The paper is largely based on research carried out in France (Le Caro, 1999) where 176 farmers completed a face to face questionnaire between 1993 and 1999. This sample represented 75% of farmers in the study area in Ille-et-Vilaine. The sampled farms were in three types of countryside: the urban fringe; open countryside; and coastal countryside with tourism attractions. Sixteen farmers were also interviewed in depth during a two hour walk through their farm about their feelings towards the conflicts generated between farm productivity, landscape management and recreational access. This walking interviews allow a more comprehensive understanding of how farmers manage relationships with recreationists, with respect to the place configuration. Some factors as land use, distance from the farmhouse, ownership of the particular place are better considered than in desk interviews. And ideology and stereotypes thus loose a part of their power on farmers individual attitude.

In England, data were collected from 6 interviews with farmers in December 1998 and from a variety of qualitative and quantitative sources, for example, Denman (1978), Evans and Ilbery (1989) and notably Chaplin's (1998) major survey of recreation on 2237 farms in the mid 1990s.

## 2. A comparison of usage between France and England

### a) Introduction

This section is based on evidence provided by the French surveys carried out by Le Caro and on a review of the literature on English recreational usage carried out by Gilg as a comparator. The key findings of the French survey are shown in Table One. Three activities from this table have been picked out for a more detailed discussion in this paper: shooting; angling; and walking/rambling since these allow the main comparisons to be made. They are now considered in turn.

Location of farms	Rural	Urban Fringe	Coastal	Total
Number of farms	47	76	53	176
Year of survey	1993	1998	1999	
Use of farm by %:				
Shooters	96	83	98	91
Anglers	38	29	6	24
Walkers	11	64	72	52
Ramblers	11	22	51	28
Picking things	38	30	13	27
Horse riders	13	37	70	40
Cyclists	4	31	70	36
Farms with tourism business	0	1	7	10
Farms with no recreation	0	3	0	1

Source: Surveys by Le Caro

**Table 1 : Recreation on a sample of farms in Ille-et-Vilaine**

## b) Shooting

In France, shooting rights were at the centre of a debate during the French Revolution with a catalogue of grievances concerning both the abuses of aristocrats shooting over farmed land and the excessive severity of the courts against poor poachers (Duby and Wallon, 1976). The result was that citizens were given widespread rights to have a gun and for farmers to be able to shoot on their farmland. Nevertheless, the new definition of private property still gave the remaining gentry the right to shoot over let land on their estates. Elsewhere, the division of landownership first arising from the Revolution and then from divided inheritance under the 'Code Napoleon' meant that shooting rights linked to land ownership became so widespread throughout the community that in practice a 'right' to shoot over farmland came to be exercised collectively by citizens of the commune and their friends.

As a result, most game disappeared until an attempt to control overshooting was provided by the 'Loi Verdeille, 1964'. This created Authorized Communal Shooting Associations (Associations Communales de Chases Agréées: ACCA) which were enabled to exercise the accepted 'rights' to shoot over small agricultural properties as long as they are able to manage game and have respect for farming and local inhabitants. Under an arbitrary threshold of 20 hectares (raised to 27 hectares when a house is located on the property) landowners are unable to refuse access.

Even if only 28 of the 99 French Départements adopted the ACCA system (including Ile-et-Vilaine) the philosophy of an extensive 'right' to shoot over farmland is accepted as an unofficial norm across most of rural France. In contrast, some landowners, often on the largest estates, chose to keep shooting rights for themselves and their friends on the English model, outlined below. As the survey by Le Caro has found this behaviour is not very well thought of and one farmer expressed the following paraphrased sentiment:

*Some large farmers, that is more than 100 hectares keep shooting for themselves, but they can't ever find the time to shoot all over it, preferring to keep it for themselves. As for me I allow people to shoot on the 3 hectares that I have retained now that I've retired.*

Overall, the survey found that farmers in Ile-et-Vilaine do accept communal shooting even if few of them shoot themselves. On average about 6% of Frenchmen shoot, compared to 26% of all French farmers, although our french survey only found about 13% of the surveyed farmers shot.

In England shooting rights are a saleable commodity and some areas can command prices of over £1,000 a day at certain times of the year. What can be shot is also closely controlled by season and by conservation legislation. Shooting in England is thus a very exclusive activity confined by and large to a wealthy elite, mainly large landowners with private capital which means they can manage their land for shooting purposes rather than solely for production. In these cases, usually landed estates, gamekeepers rear game birds, mainly pheasants, which are then shot on highly ritualistic occasions when the pheasants are driven by beaters into a line of 'guns' for a mass slaughter on a few days in the autumn. Another elite is represented by wealthy individuals who can afford to purchase shooting rights from those farms that have preserved habitats suitable for shooting rather than seeking productivity gains by 'hi-tech' farming (Winter, Watkins and Cox, 1996).

These two type of farms are however, very much the exception and shooting is very much an adjunct to farming on most farms. For example, Chaplin (1998) found that 9% of farms had 'game shooting', and 8% 'rough shooting' as a formal recreation activity. On the majority of farms however 'rough shooting' might take place on a few days in the year involving the farmer and a few of his friends, often in a loose syndicate.

The Devon survey confirmed this view, with most farmers pointing out that the lack of cover for game due to 'hi-tech' farming meant that shooting rights were hard to sell, because there was little to shoot and few environments in which to do it. Three comments from farmers which have been paraphrased exemplified this.

*We own the shooting rights, but we let our neighbours shoot. This is free, because we haven't got very much cover, so there aren't many pheasants but some friends go rabbiting.*

*We are about to stop renting out the shooting rights because fewer of the people coming were our friends. We are going back to putting down a few birds ourselves and inviting our friends to a shooting party.*

*I normally shoot with my neighbour, but then only maybe on Boxing day. Some people have asked to shoot on the farm but I usually refuse.*

In summary, there is an enormous difference between England and France in both accessibility to shooting and attitudes to shooting. In France it is still very much a part of rural culture, but in England it is seen as an elitist and perhaps a rather unsavoury practice. These differences are also reflected in the type of birds shot. In England only a few 'game' birds are shot, but in France, a much wider variety of birds are shot. To some extent this is a reflection of the longer established urban society in England allied with a much higher proportion of large farms and thus a more excluded population compared to France where far more people have a relative who still owns farmland. It is also a reflection of a much less densely populated France where there are far more genuinely wild places to provide habitats suitable for hunting away from settlements.

### c) Angling

In France, the public have fishing rights to all navigable waters and the public have access to 1.5 metres of land parallel to the watercourse. Along the 250,000 kms of private water (non-navigable water) the public can fish if they are given a right of access by the landowner (Guilbaud, 1992). However, on most rivers and streams (but not ponds) fishing rights are either provided legally by Authorized Associations or informally by the tacit approval of landowners. If farmers want to stop fishing they have to go through an explicit public process which many are unwilling to do since it would make them unpopular in the local community.

In England, angling on most water bodies is controlled by fishing rights (Bonyhady, 1987) which like shooting rights may be very expensive for certain waters, notably the main Salmon rivers like the Wye and Severn and some famous trout streams notably in Hampshire. This type of angling, known as 'fly' fishing or 'game' fishing is thus very exclusive and restricted mainly to non-farmers.

However, angling is a very popular sport in England with over a million participants (Glyptis, 1991) who have traditionally been confined to canals and stretches of river where local councils or clubs have been able to purchase the less desirable stretches of water. The general mass of anglers are also confined to 'coarse fishing' using a hook suspended by a float aimed at catching so called 'coarse' fish like perch and carp. Chaplin (1998) found that only 7% of farmers offered formal angling facilities for 'coarse fishing'. In recent years some farmers have invested in trout ponds which have widened access to 'game' fishing albeit in artificial environments where the catch may be limited to one or two fish and fish may even have to be returned. However, Chaplin (1998) found that only 3% of farmers offered a 'game fishing' facility.

Two paraphrased comments from the Devon survey exemplify these observations.

*I'm the tenant farmer but I think my landlord sold the fishing rights for £300,000. That's enormous and its only for the fishing rights, no ground, and for only half a mile too.*

*We've actually made more ponds for carp. If people ask we let them fish especially if we know them like, three or four local young children we let fish. But if we did it commercially we'd have to have somebody there on overtime, taking money, which wouldn't be worth it.*

In summary, angling is in common with shooting more restricted in England than in France but the division is less strong. In England, angling is a part of urban working class culture and is thus focussed in urban areas alongside the main rivers and canals. In the more remote countryside English angling is the preserve of a wealthy elite. As with shooting the difference between the two countries is also largely a reflection of resource availability, in terms of both waters mileage and conservation.

#### d) Walking/Rambling

In France, ‘rural ways’ (chemins ruraux) provide a compact network through the countryside, nearing a million of kilometres. They are generally linear features, 3 to 10 metres wide and are owned by the commune. They were created for general rural life and not for recreation. A lot of them were sold to farmers after a 1959 ordinance from the Government which aimed to reduce the maintenance costs of an underused network. Some ‘rural ways’ have also disappeared under individual restructuring of rural properties, notably ‘remembrement’ which has consolidated fields and cut down many hedgerows notably in the bocage areas of north west France. Those that do remain are often poorly maintained and a number of farmers may wilfully restrict access by blocking access, ploughing up paths and fencing land.

Around 18% of french ‘rural ways’ are signposted and maintained for recreation, often under the 1985 PDIPR regulation (Plan Départemental des Itinéraires de Promenade et de Randonnée) according to national figures. In Ille-et-Vilaine, 5137 kms have been registered under the PDIDR. Some more 1236 kms are signposted for off-road cycling (see Table Two). Much of the network is intended also for tourist use. Another innovation is for various groups to provide circular routes of between 2 and 15 kms often intended to boost tourism. The rest of the network remains neglected and used only by a few local residents.

	Devon (UK)	Ille-et-Vilaine (France)
Surface	7.600km <sup>2</sup>	6.775 km <sup>2</sup>
Inhabitants	1.050.000	800.000
<u>Existing network</u> :		
“PROW” (total length)	5.630 kms	
“Rural ways” (estimated length)		15.000 kms
i.e. for a km <sup>2</sup>	0,74 km	2,21 km
i.e. for an inhabitant	0,0053 km	0,019 km
<u>Signposted network</u> (*)	5.735 kms	5.137 kms
Footpaths	4.670 kms	2.448 kms
Bridleways	900 kms	2.689 kms
Off-road Cycling routes	165 kms	1.236 kms
In proportion of existing network	near 100 %	under 34 %
<u>Total identified routes</u> (*)	1.315 kms	5.137 kms
Walking trails	1.150 kms	2.448 kms
Horse-riding routes	no routes	2.689 kms
Off-road Cycling routes	165 kms	1.236 kms
In proportion of signposted network	23 %	100 %

(\*) Some are dedicated to several uses

Source: Surveys by Le Caro / Devon County Council / Conseil Général d’Ille-et-Vilaine

**Table 2 : Paths and ways networks (Ille-et-Vilaine and Devon comparison)**

In England, there is no right of access to any land, even open unenclosed farmland, unless a right of way has been negotiated (Watkins, 1996). Furthermore, the laws of trespass allow landowners to remove people from their land and to prosecute trespassers if they cause damage. The underlying ethos according to Curry (1997) has been one of restricting access and of diverting public pressure into highly managed sites like country parks and picnic sites as part of an unholy alliance between farmers and nature conservationists to keep the public out of the countryside (Harrison, 1991).

In England, public rights of way are the accidental product of links between villages that were not important enough to be made roads. They have been legally incorporated as public rights of way since the 1949 National Parks and Access to the Countryside Act gave local councils the power to make definitive maps showing each public right of way. However, most rural local councils have been dominated by farmers or landowning interests and progress in defining rights of way and updating the network, let alone looking after it and signposting it has been lethargic. The Countryside Commission (Countryside Agency since 1999) has attempted to speed up the process and the advent of more and more non-farming people in rural areas has led to the election of less farmer dominated councils. In turn this has led to more interest in the rights of way network. New rights of access are being created as part of agri-environment schemes with for example, the Countryside Stewardship Scheme providing 250,000 hectares in its first year (Ravenscroft, 1996) this has been criticised by Shoard (1996) who argues that exclusion has been turned into a tradeable asset. However, Curry (1996) argues that in the absence of non-excludability that such opportunities are more efficient and equitable.

Because 85% of the network is paths (Ravenscroft and Long, 1994) which are threaded through farmland, there is a good deal of conflict between users and farmers. Users accuse farmers of deliberately obstructing paths, ploughing up paths and leaving dangerous animals in fields crossed by paths. Farmers accuse users of leaving gates open, letting dogs interfere with livestock and leaving litter including glass and plastic which are dangerous to livestock. Not surprisingly, Chaplin (1998) found that only about 2% of farmers had created formal access facilities to farmland via access agreements or nature trails. Typical attitudes were revealed by survey of Devon farmers who expressed the following paraphrased comments:

*Its a problem because these footpaths used to be functional, they weren't created for recreation.*

*There are too many people that don't understand country life and think that milk comes from a bottle and not from a cow. Another problem is that people who own land are afraid that you might get an influx of people from the towns and more interference from the government.*

In summary, the system in England does not encourage people to ramble but to follow paths closely and less than one half of one per cent is covered by non-linear access agreements (Shoard, 1996). This causes conflicts with not only farmers but also other users, notably between dog owners, cyclists, horse riders and motorised visitors (Kay and Moxham, 1996). Jenkins and Prin (1998) in their review of access have argued that English landowners have a long developed tradition of exclusive control of the countryside, but also note that recent policy developments have resulted in a change from the perceived need to control the public to their wholesale encouragement as agriculture is no longer seen by policy makers as the primary user of rural space. In France there is less conflict largely because of the lower population density and also because the wider nature of the 'ways' allows a more diverse range of uses, notably: rambling; horse riding, cycling and motorised access (Table Two able a comparison between Ille-et-Vilaine and Devon).



### 3. A comparison of farmer attitudes to recreation between France and England

#### a) The attitudes of French farmers to farmland access

The attitudes of French farmers about access to their farms were surveyed as shown in Table Three. This demonstrates that about half of French farmers agree to allow access to the land for some resource based activities as shooting, angling or picking mushrooms, with a better tolerance with shooting. Table Three demonstrates that farmers are less than happy with some aspects of the status quo as recorded in Table One. For example, in Table One farmers report that shooting access is virtually universal yet only half are happy with this type of access. Perhaps more significant in terms of social inclusion is the attitude about linear access : some 80 per cent of the surveyed farmers agree with public use of rural ways, even when they are not included in referenced routes for leisure.

Location of farms	Rural	Urban Fringe	Coastal	Total
Number of farms (n)	47	76	53	176
Year of survey	1993	1998	1999	
<u>Resource based recreation</u>				
Farmers agreeing with (%)				
Shooting access	45	39	62	48
Fishing access	15	26	25	23
Mushroom picking	23	32	28	28
No access	53	49	32	45
<u>Linear access</u>				
Ways would have to be either (%)				
Closed or protected	26	21	17	21
Open (a)	53	41	45	45
Open and signposted (b)	21	38	38	34
Total "open" (a + b)	74	79	83	79

Source: Surveys by Le Caro

**Table 3 : The attitudes of French farmers about access to their farmland**

The more detailed comments from farmers revealed that they were becoming less happy about access, as their farms became more productive and more dependent on 'hi-tech' systems. They did however continue to allow access as part of a tradition of access, as part of a wider community to which they felt a responsibility, and because of their legal obligations.

It was also found that some farmers thought that access was a price worth paying as an antidote to opposition to intensive farming and that public grants and business opportunities could develop as a result of informal access.

#### b) Comparison between French and English attitudes

As shown above French farmers are less able to exclude people from their farms and thus don't see recreation as an obvious business venture. In contrast, English farmers, except for the restricted network of public rights of way can not only exclude people from their land, but can charge for access. Consequently, most farm diversification in England is based on recreation and tourism usually focused around some sort of activity or accommodation. In both countries however we might begin to see a polarisation of attitudes between two types of farms. First, in rural areas 'hi-tech' farms will want to exclude recreation because it interferes with productivity and because it is

not financially necessary. Second, in urban fringe, tourism or marginal areas, recreation might offer greater financial rewards and may already be interfering with commercial farming enough already for recreation to be reluctantly accepted as a ‘cuckoo in the nest’.

#### **4. Trends in exclusion**

##### **a) Local people and tourists**

The French data have shown that local people have a great advantage over urban visitors to the countryside, because they can negotiate informal access with local farmers on the basis of personal relationships developed as part of the local community. There is some evidence that similar patterns exist in England but probably less so far there are fewer farmers and more incomers in the English environment. In contrast urban based visitors tend to use public or privately provided access facilities.

In France, an April 1999 decision by the European Court of Human Rights decreed that French landowners could ban hunting on their property even if they own less than 20 hectares under the Loi Verteille. This was perceived as an urban attack against field-sports. In England, the Government after some prevarication published a consultation paper in the summer of 1999 concerning proposals to give a ‘right to roam’ over open land, that is land not farmed, except very extensively, for say sheep grazing (Kay, 1998). Several surveyed farmers spoke about that in terms of urban invasion.

Nonetheless, many French urban dwellers do shoot on French farms, similarly, in England many people from the towns support and follow fox and stag hunting. And a lot of rural people would enjoy the benefits of a priori urban rambling claims. That’s why debates, both in France and England, about hunting and rambling cannot be seen as town against country debates, but more as conflicts between two cultural trends in rural consumption.

##### **b) Rich and poor**

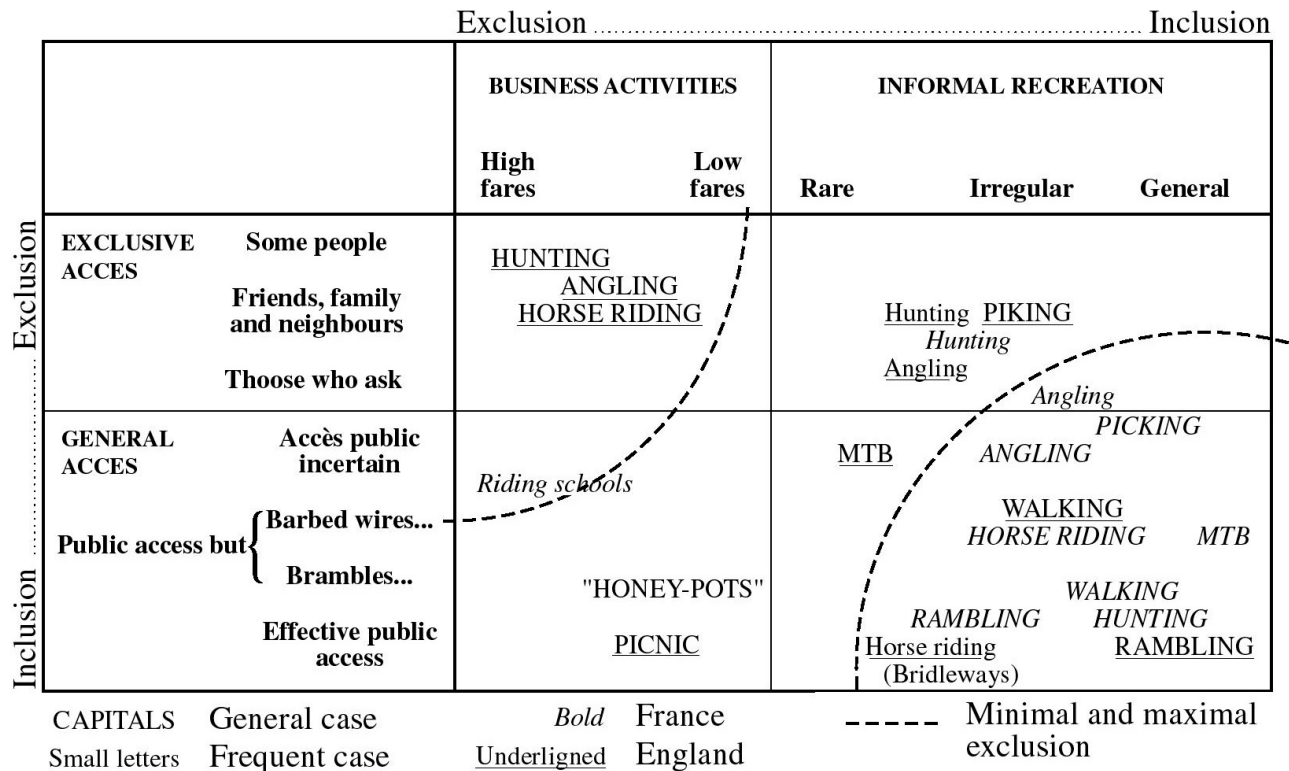
Poverty imposes three types of exclusion: travel problems; access problems; and lack of self-confidence. First, travel may be a problem because the lack of a car makes access very difficult except to urban fringe sites. Second, access to private recreational facilities is also difficult if a fee has to be paid. Even access to the network of informal recreational sites in France may also be difficult. For example, many of the local networks have been negotiated by wealthier people able to buy second homes in villages but such properties are out of the reach of the urban poor. Third, and notably in England, the laws of trespass and the antagonistic attitude of many farmers may deter many people who lack self-confidence from using rural spaces.

In contrast, more affluent people will own a car and increasingly as in the United States will also own a recreational vehicle. Such people will also often be a member of a rural recreational club, notably golf in England, which allows exclusive use to a stretch of countryside. Axiomatically, wealthier people will also tend to be self-confident and not be deterred by unwelcoming signs or attitudes.

#### **5. Conclusion**

Figure Two presents a typology of exclusion and inclusion in England and France. The typology is created from four concepts. First, business recreation where a full commercial charge is made. Second, informal recreation where a charge may be made but more often than not access is provided on an exchange basis. For example, gifts may be exchanged as a token of appreciation or a proportion of the catch/kill will be handed over at the end of the day. Third, exclusive recreation whereby access is by wealth, social contacts or by the self-confidence to ask for access. Fourth,

inclusive recreation where the availability of access may range from implicit to explicit and from passive encouragement to active encouragement to participate.



**Figure 2 : A typology of exclusion and inclusion in England and France**

In this typology, four zones stand out when England and France are compared. First, England dominates the ‘most exclusion’ area of Figure Two. Second, France dominates the ‘least exclusion’ area of Figure Two, but England is reasonably well represented by linear access activities. Third, England has some field sports provision in the informal recreation sector but it is dominated by traditional rural social networks and by and large excludes incomers and urban people. Fourth, both England and France have special areas set aside for rural recreation, and by and large, ideas of exclusion are implicit in these ‘honey pot’ sites designed to filter people out from either fragile sites in National Parks or from the wider countryside.

The failure of english farmers to increase access via voluntary agreements which might often include some sort of financial payment marks a big difference with their French counterparts where the survey has found that farmers have a greater sense of public conscience and social obligation to their wider community.

In summary, in England there is a generally antagonistic attitude to countryside recreation for everybody, everywhere and at all times, unless some money can be made, but in France the attitude is more generally welcoming to recreational activity and less likely to be financially motivated.

In order to improve the comparative data the two surveys carried out in France could be repeated in England. In particular attention could be drawn to the attitudes of the many millions of people who have moved to rural settlements and market towns in the last two decades, notably in southern England and around the major French conurbations. In both countries more work could also be done on the more conceptual issues of why people perceive rural recreation to be beneficial to them and how recreation and the countryside are socially constructed. Finally, the economic aspects of farm-based recreation could be studied by comparing the situation in the urban fringe, the farmed countryside and the marginal fringe.

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