



General Certificate of Education
Advanced Subsidiary Examination
June 2010

Critical Thinking

CRIT2

Unit 2 Information, Inference and Explanation

Source Material

This source material is to be read in conjunction with the questions in unit CRIT2

Document A

Right-to-roam revolution

Until now, Britons have had no legal right of access to the entire coast. But that's about to change – thus throwing down the gauntlet to the nation's landowners and privacy-loving celebrities.



- (1) We may like to be beside the seaside, but – apart from in Scotland – we have much less right to be there than the people of far less maritime nations. The Danes and the Swedes have complete right of access to beaches, the foreshore, dunes, cliffs and other uncultivated land. In France, Portugal and the Netherlands the foreshores and beaches are in public ownership.
- (2) Polls suggest that most English think they have similar rights. But they are wrong. There is a legal right of access only to about half of the English coast. And there is virtually none to beaches.
- (3) Even where there are rights of way on the coast, it is often hard to get a long walk, because paths do not join up or abruptly run into private property festooned with Keep Out signs. Ramblers who set out on a seaside stroll have the choice of either retracing their steps or heading inland, often to have to resume their walk along the side of a busy road.
- (4) So the plan to throw open the coast to the public is a revolution: a “right to roam” corridor around the entire coast.
- (5) The first working-class rambling club was opened in Sheffield in 1900 and, by the 1920s and 1930s, tens of thousands of workers spent their Sundays walking; by 1932, some 15 000 of them headed for the hills from Manchester alone each weekend. But they found their access blocked by rich landowners.
- (6) It all came to a head 75 years ago this month when some 600 ramblers carried out a mass trespass, to Kinder Scout, a high plateau in the Peak District. They demanded that landowners should open a public path through Kinder Scout which they could use when the land was not in use. Scuffles followed and six of the demonstrators were arrested and imprisoned. The Ramblers’ Association started its right-to-roam campaign three years later.
- (7) In 1945 the newly elected Labour government recommended establishing a system of national parks and establishing the right to roam across all open and uncultivated land. Ten national parks were created but the only access improvement achieved was to strengthen the existing system of public footpaths. It was left to Tony Blair’s government, in 2000, finally to legislate for the right to roam over mountain, moor-land, heath and down-land. It went through, however, in the teeth of opposition from landowners – and from the then Prime Minister, Tony Blair, himself, who backed their calls for setting up voluntary arrangements instead of a public right.
- (8) Members of the House of Lords called it “an attack on property and the rights of ownership” and “a travesty of justice”, and warned that it would increase “drug parties”, “devil worship” and “supermarket trolleys” in Britain’s wild places.
- (9) None of the worst fears have been realised, and the opening up of vast areas of countryside has passed almost without incident. But similar battle lines are already being drawn up against new plans for the coast – the biggest extension of the right to roam since its establishment.

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- (10) David Fursdon, the president of the Country Land and Business Association (CLA) – which represents landowners – said “It is important to protect the property rights of people who have purchased land at a full market price. When it is devalued by legislation they should be compensated.” And the National Farmers’ Union insisted that access should be provided only by voluntary agreements.
- (11) This time celebrities are also expected to enlist to fight on the beaches. Madonna’s land agent, Philip Eddell of Knight Frank property agents, who helped many landowners to gain exemption from the original right to roam – said he would be writing to alert all his clients. He called the plans “morally wrong”, adding that “anyone famous who cares about their privacy and security is affected”. He said that they would attempt to use human rights legislation to defend their property.
- (12) Seventies rock-star Kate Bush has a home on the Devon coast; Jonathan Ross has one near Swanage, Dorset; and Jamie and Louise Redknapp live in Sandbanks, near Poole, one of the most expensive spots in the country.
- (13) Maxine Fox, countrywide director of Sands Home Search, which negotiates the sale of elite homes said: “People who acquire these properties will have paid a huge premium for a private beach, and they expect that beach to remain private. Imagine you had someone who was not very desirable plonking themselves down with a can of beer on the beach when you were entertaining in your garden. It really would be quite awkward.”

Source: adapted from GEOFFREY LEAN, *The Independent*, 8 April 2007

Document B

Concerns about coastal path as Marine Bill proposed

Farmers and landowners have pledged to fight for compensation if a new coastal path crosses their land.

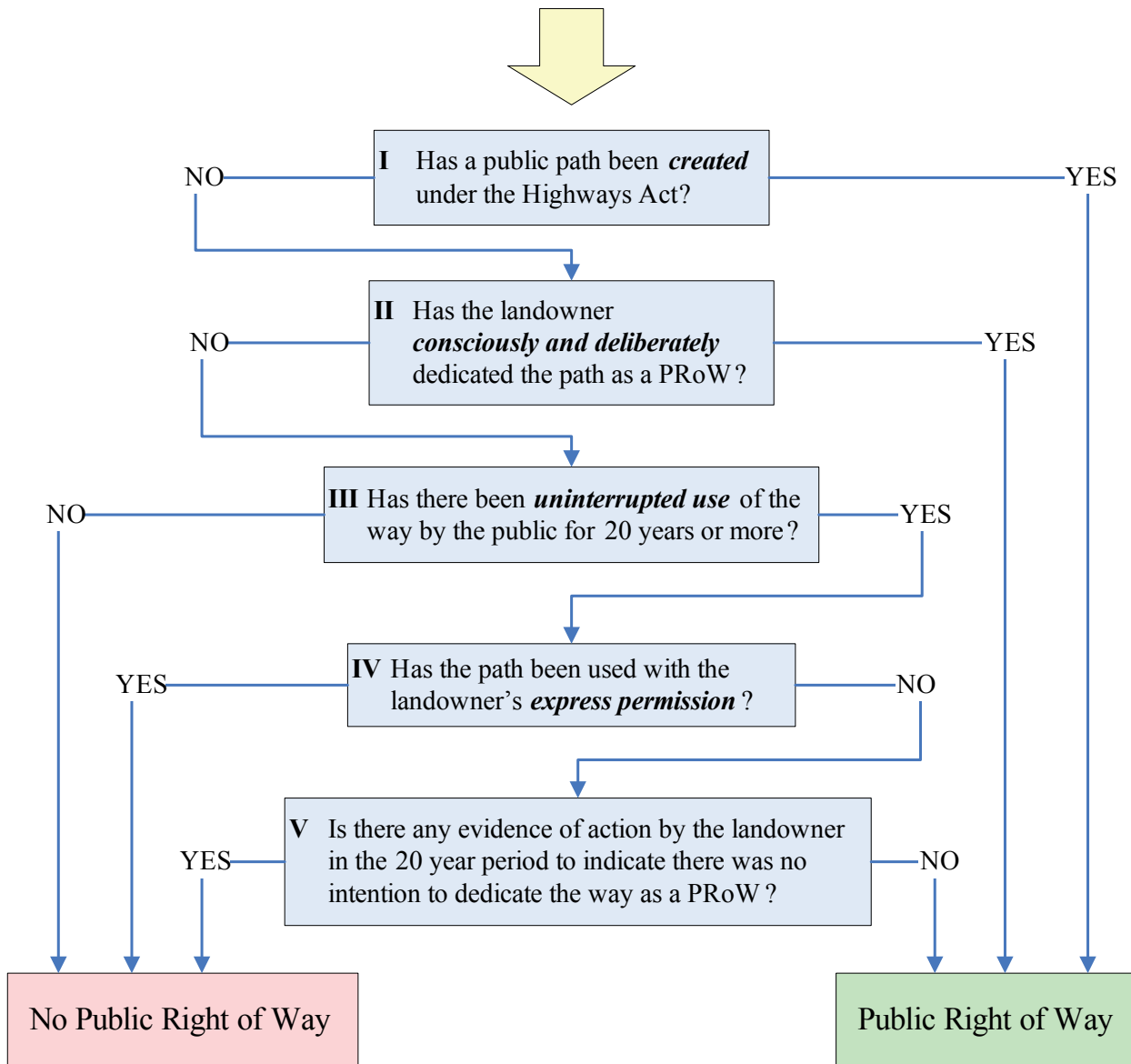
The Marine Bill (which has been introduced to protect the UK’s ocean wildlife and improve public access to the coast) will give people the right to roam around the English coastline. The 2,500-mile route will go through privately owned beaches, golf courses and farms, but ministers have said landowners will have no right of appeal or compensation.

The Country Land and Business Association (CLA) said it was unjust. A spokesman said: “The Government apparently sees no need for independent right of appeal and there was no provision for compensation, even when loss could be proven.”

Source: adapted from LOUISE GRAY, *The Telegraph*, 1 December 2008

Document C: The law on Public Right of Way (PRoW)

The flow chart and accompanying notes can be used as a guide as to whether a disputed footpath is or is not a PRoW:



Notes:

- I. A PRoW may be created by means of a Public Path Creation Order under the Highways Act 1980, but most PRoWs exist as a result of being ‘dedicated’ by the landowner.
- II. Sometimes a landowner will *consciously and deliberately* ‘dedicate’ a PRoW, but far more often the dedication is *presumed* on evidence of use by the public and by the actions or inactions of the landowner.
- III. The first requirement for *presumed* dedication is uninterrupted use by the public over 20 years or more, in the belief that their use was of *right*.
- IV. Belief that use was as of *right* excludes use which was known to be with the express permission of the landowner.
- V. The presumption can be contradicted by *evidence* showing that over the period in question the landowner did not intend to dedicate the way, for example by an interruption of the public’s use of the way, or by notices clearly displayed along the way indicating that it was private.

Source: Data from www.naturenet.net

Document D: Land ownership in the UK

“It is estimated that two-thirds of UK land belongs to fewer than 200 000 families!”

Total area: 243 000 km²

1 km² = 100 hectares = 247 acres

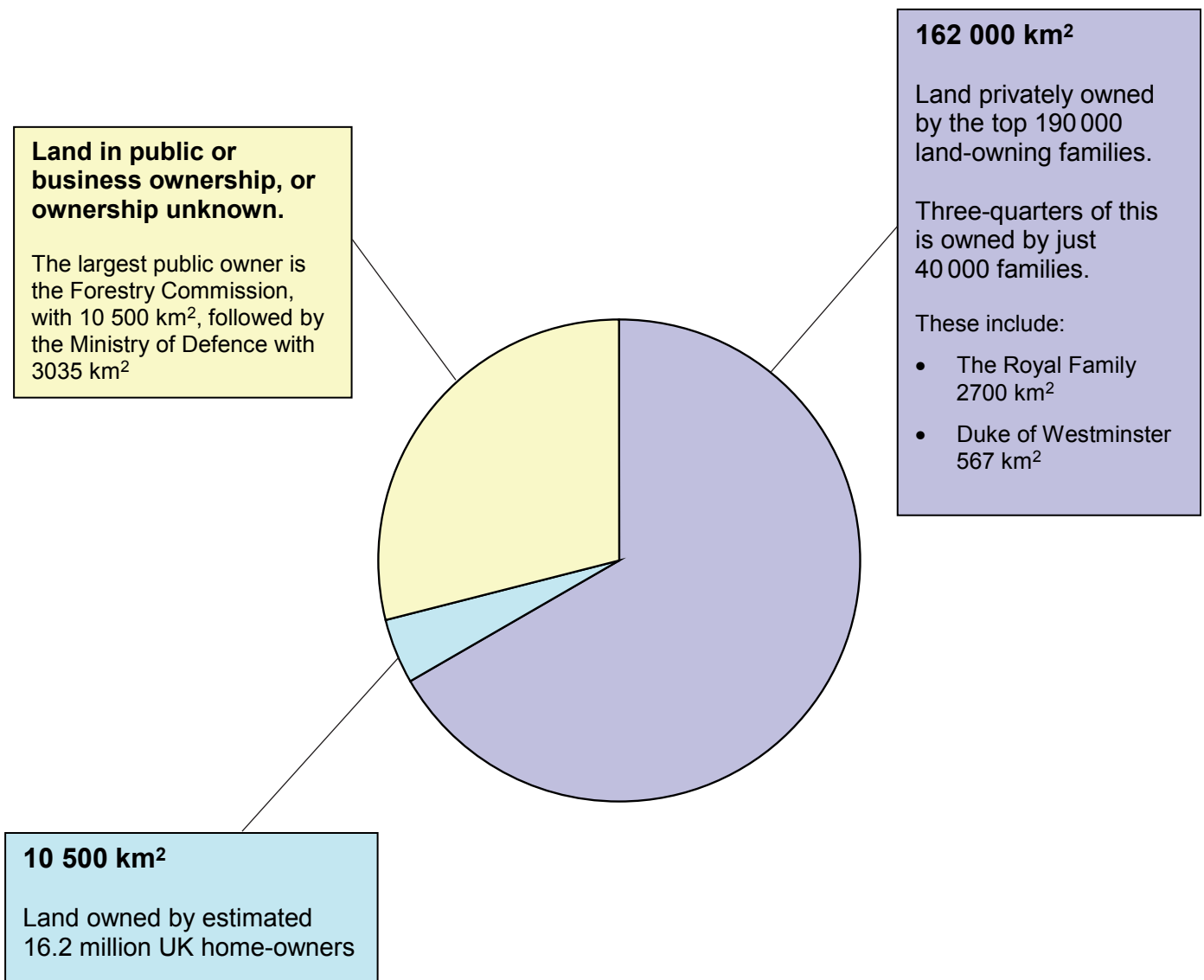
Total UK population: 61 million

1 acre = 0.4 hectares = 0.004 km²

Population density: 251 people per km²

Number of households: 24 million

(‘Household’ means a house or flat and its occupants.)



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