

# Individual Decision

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The attached report will be taken as an Individual Portfolio Member Decision on:

**Thursday 29 June 2017**

<b>Ref:</b>	<b>Title</b>	<b>Portfolio Member</b>	<b>Page No.</b>
ID3301	<b>Public Rights of Way Case Programmes</b>	Councillor Dominic Boeck	3 - 40



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## Individual Executive Member Decision

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### Public Rights of Way Case Programmes

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<b>Committee considering report:</b>	Individual Executive Member Decision
<b>Date ID to be signed:</b>	29 June 2017
<b>Portfolio Member:</b>	Councillor Dominic Boeck
<b>Forward Plan Ref:</b>	ID3301

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#### 1. Purpose of the Report

- 1.1 To report progress on the Case Programmes for 2016/17 and to recommend Case Programmes for 2017/18.

#### 2. Recommendations

- 2.1 To note progress in dealing with the cases assigned for 2016/17. To agree recommended cases for 2017/18.

#### 3. Implications

- 3.1 **Financial:** None.
- 3.2 **Policy:** The PROW Case Programmes contribute to a number of objectives within the Council Strategy.
- 3.3 **Personnel:** None.
- 3.4 **Legal:** None.
- 3.5 **Risk Management:** None.
- 3.6 **Property:** None.
- 3.7 **Other:** None.

#### 4. Consultation Responses

##### Members:

<b>Leader of Council:</b>	Councillor Graham Jones
<b>Overview &amp; Scrutiny Management Commission Chairman:</b>	Councillor Emma Webster
<b>Ward Members:</b>	N/A
<b>Opposition Spokesperson:</b>	Councillor Lee Dillon

<b>Local Stakeholders:</b>	Mid and West Berkshire Local Access Forum
<b>Officers Consulted:</b>	Paul Hendry, Jon Thomas, Sallie Jennings, Stuart Higgins
<b>Trade Union:</b>	David Lowe

## 5. Other options considered

- 5.1 No, as it is considered necessary to have a set of work programmes in order to aid communication to the public and work planning.

## 6. Executive Summary

- 6.1 The Council possesses statutory duties to maintain the public rights of way network; keep it open for public use; and to record it and then to keep the records under continuous review (the 'Definitive Map' process). These duties have been translated into three public rights of way Case Programmes, concerned with 'Maintenance and Improvement', 'Enforcement', and 'Path Orders'.
- 6.2 The Council also has a statutory duty to prepare a Rights of Way Improvement Plan ROWIP, which is the means by which the council identifies the changes to be made to its rights of way networks in respect of management and improvement, so that it can improve provision for walkers, cyclists, equestrians and people with restricted mobility. Implementation of the ROWIP is not a duty, and it is therefore good practice to formulate an appropriate Case Programme so that progress can be made within available resources.
- 6.3 The Maintenance and Improvement Case Programme is concerned with ensuring that the standard of public rights of way is suitable for the public use which is made of them. It is drawn up each year from requests and complaints from the public, and from surveys, and incorporates strategic improvements which enhance the network in accordance with the objectives of the Rights of Way Improvement Plan.
- 6.4 The Enforcement Case Programme is concerned with ensuring that the network remains free from obstruction and interference. The Council possesses extensive legal powers to assist it to carry out enforcement work if necessary. The Enforcement Case Programme is compiled from complaints from the public, surveys, and problems noted by officers. Some categories of enforcement work can be grouped together so as to utilise economies of scale, and these are termed 'projects'. An example of an annually active project is ploughing and cropping.
- 6.5 The Path Order Case Programme comprises two processes: 1. the investigation of evidence to support the existence of a public right of way which has not yet been recorded on the Definitive Map (a 'claim'); 2. the legal diversion, extinguishment or creation of a right of way. Both processes are usually carried out on receipt of an application from the public. The Council is under a statutory duty to investigate claims, but only a discretionary power to divert, extinguish or create rights of way.

## 7. Introduction/Background

- 7.1 **Maintenance Case Programme.** There are many outstanding requests and needs for maintenance and improvements on the network, but limited resources require a method of prioritisation. As a general approach, relative priorities for attention are

determined through a matrix, attached as Appendix A, through which benefits to the public and value for money are assessed. The recommended priorities for the coming year are listed in the Maintenance and Improvement Priority Case Programme attached at Appendix B, which also includes projects completed in 16/17. The full Case Programme is an ongoing working document which also records routine annual work such as signposting, vegetation clearance, volunteer tasks, stiles/gates and minor drainage. It is updated continually as new requests and needs come to light.

- 7.2 Funding comes via the annual revenue rights of way works budget, and the capital programme (including S.106/CIL). There are plans to seek increased external funds where appropriate. Most surface works projects are carried out by contractors and a large amount of other maintenance work is carried out by the team of rights of way Rangers, e.g. vegetation clearances and winter signposting. Volunteers also carry out simple tasks to keep the network open and easily useable.
- 7.3 **Enforcement Case Programme.** There are many outstanding enforcement matters recorded on the rights of way network, and present resources do not allow the Council to resolve them all. A monthly prioritisation process takes place, from which the highest priorities are selected for attention. The prioritisation matrix used is attached at Appendix A. The resulting Case Programme for 2017/18 is represented at Appendix C, showing progress and work yet to be done.
- 7.4 **Path Order Case Programme.** The Path Order Case Programme is determined each year with close reference to the prioritisation procedure which was agreed between Countryside and Environment and Legal Services in 2008/09 (see background papers). 'Claims' are generally dealt with in chronological order of receipt. For the diversion, extinguishment or creation of public rights of way, the application will only be accepted if the relevant legal criteria are met, and will generally need to demonstrate public benefit, or benefit to the overall management of PROW.
- 7.5 Appendix D lists all path order cases which have been dealt with in 2016/17. Completion is regarded as reaching the WBC decision stage (a public inquiry might follow, which is outside our control). Appendix E lists the path order cases proposed for 2017/18 and Appendix F lists the remaining path order cases yet to be dealt with. If a new case is presented in a current year which meets the Statement of Prioritisation for Claims and Path Orders, then officers have agreed to make a request to the Portfolio, and relevant ward members, for permission for it to replace an agreed lower-priority case in the current Case Programme.
- 7.6 For 'claims', the Council has 12 months, from the date that the landowner was notified of the possibility that a right of way exists, to decide whether the evidence is sufficient for a Definitive Map Modification Order to be made. This timescale allows for the due legal processes to be followed. There is a right of appeal to the Planning Inspectorate if the Council either declines to make an Order or if there is a delay of more than one year in reaching a decision. A public inquiry procedure will be required if an Order is made and objections received.
- 7.7 For diversions, extinguishments and creations, there is no right of appeal to the Planning Inspectorate, but a public inquiry procedure will be required if an Order is made and objections received.

- 7.8 In addition to the cases, there has been a completed project to re-digitise the Definitive Map of Public Rights of Way. The present Definitive Map is accurate to a scale of 1:10,000 only, and this restricts the scale at which it can be viewed accurately, therefore limiting its use for both the public and council staff. Re-digitisation at 1:1250 also is consistent with British Standard 7666 Pt. 4 and is needed prior to the statutory re-publication of the Definitive Map so that legal changes can be incorporated at the correct scale. Re-digitisation will also enable the rights of way to be shown on the National Street Gazetteer, which is used by utility companies to identify and protect highways planned for excavation. This project was left for several years whilst the rights of way Case Programme backlog was reduced but is now almost complete.
- 7.9 In 2026, any right of way or highway which was in existence in 1949 and which has never been formally recognised will be automatically extinguished. Parish councils and interested groups are being contacted to explain this legislation and being asked to make known to us any suspected public rights of way which are useful to the public but under threat of extinguishment under this legislation. WBC will then have a duty to examine the evidence for any such suspected routes and to make or reject an Order.
- 7.10 **Rights of Way Improvement Plan Case Programme (ROWIP).** The ROWIP contains 63 strategic objectives, concerned with improving access provision for users and also improving the efficiency of service delivery. Many of these objectives are ongoing, and are incorporated into the normal day-to-day work of the team. Some require special effort in order to progress, and to this end the objectives are reviewed each year and the proposed manageable number are identified by a \*\* in the table of all 63 objectives (Appendix G).
- 7.11 The key background information to this report is:
- Public Rights of Way Case Programmes  
Report to Management Board - 11th September 2008  
Statement of Prioritisation for Claims and Path Orders  
Rights of Way improvement Plan 2010 – 2020  
Full working Maintenance and Improvement Case Programme

## 8. Proposal

- 8.1 Portfolio Holder to note progress in dealing with the cases assigned for 2016/17 and to agree recommended cases for 2017/18.

## 9. Conclusion

- 9.1 Progress on the Rights of Way Case Programmes has been set out in this report together with the recommended Case Programmes for 2017/18.

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### Subject to Call-In:

Yes:  No:

**Officer details:**

Name: Elaine Cox  
Job Title: Senior Rights of Way Officer  
Tel No: 01635 519069  
E-mail Address: elaine.cox@westberks.gov.uk

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**10. Appendices**

- 10.1 Appendix A – Prioritisation matrix for maintenance and enforcement
- 10.2 Appendix B – Maintenance and Improvement Priority Case Programme 2017/18
- 10.3 Appendix C – Enforcement Case Programme proposed 2017/18
- 10.4 Appendix D – Path Order Case Programme - path order cases completed 2016/17
- 10.5 Appendix E - Path Order Case Programme – proposed cases for 2017/18
- 10.6 Appendix F – Path Order Case Programme - remaining cases
- 10.7 Appendix G – Rights of Way Improvement Plan Priority Case Programme 2017/18
- 10.8 Appendix H – Equalities Impact Assessment – Stage 1

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**APPENDIX A - PUBLIC RIGHTS OF WAY MAINTENANCE AND ENFORCEMENT**

**Add your ratings for each parameter in this column**

***PROW Priority Matrix Calculator Spreadsheet***

	<b>Factor</b>	<b>Circumstances which would produce a score of 0</b>	<b>Circumstances which would produce a score of 5</b>	<b>Score for your path</b>	<b>Multiplier</b>
1	<b>Danger level along used route</b>	No danger	Severe danger on a well-used path		4
2	<b>Usage level</b>	Not used	Very well used		3
3	<b>Degree of obstruction of Definitive line</b>	No obstruction	Completely obstructed		3
4	<b>Benefit to general public once resolved</b>	No benefit	Great benefit		2
5	<b>Cost/time effectiveness in resolving</b>	Major works on little-used path / poor evidence for enforcement action	Minor works on little-used path/ good evidence for enforcement action		1
6	<b>Level of complaint</b>	Minor problem noted by staff member or a survey / very low number of complaints	Many complaints received and/or representation from Parish Council		1
7	<b>Potential for deterioration</b>	Unlikely to deteriorate	Rapid deterioration could be stopped by prompt action		1
<p align="center"><b>Score of 45 or over: high priority / 44 or less: low priority</b></p>				<b>Total with Multiplier</b>	

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# APPENDIX B - MAINTENANCE AND IMPROVEMENT CASE PROGRAMME

## Work proposed for 2017/18

### ***Must do –see importance/actions below:***

#### **Thames Path - very important – see separate list of actions**

**Pangbourne Footpath 8** – aggregate needed either side of bridge at eastern end of National Trust land.

**Purley Footpath 8 / Pangbourne Footpath 8** – at ‘Saltney Mead’ - c 30m long boardwalk. Springs Farm may pay for this work.

**Streatley Footpath 25** - bank work.

#### **Other - important**

**Brimpton Byway 11** – Brimpton Common, delivery of aggregate for residents to maintain byway.

**Bucklebury Byway 49/7** - 4WD damage on Bucklebury Common

**Bucklebury Byway 39/2** – 4WD damage on Bucklebury Common, PROW Rangers may be able to do some of the work.

**Catmore Bridleway 3 and Byway 1** – work needed as we open up Byway 1, which has been obstructed for many years.

**Chaddleworth Footpath 15** - western end, tarmac patches in residential access.

**Chieveley Byway 49** – grips to release flood

**Farnborough Restricted Byway 15/3** – repair of soft spots as part of vehicle management work.

**Thatcham Footpath 10** - off Tull Way – jetting / clearing culvert initially, to see if this works.

**The Ridgeway National Trail** – the annual survey and works to keep the Trail up to the Surface Standard as agreed with Natural England

**Theale Footpath 7** - near kissing gate – deteriorating. Revisit to see if work required yet.

**Ufton Nervet Footpath 6** – work needed in conjunction with a legal diversion.

**Mortimer Fairground footpaths** – muddy areas by gates.

**Winterbourne Restricted Byway 10/1** across Snelsmore Common. Muddy and in a gully, a request from BBOWT to improve for all users. *Need to meet Simon Barnett on site. Waiting for some dates from him.*

#### **To visit and consider priority:**

**Bucklebury byways to have seasonal TROs** – List being prepared. Visits required to see if basic summer levelling work is sufficient, e.g. Byway 11 – Holly Lane vehicle damage.

**Lambourn Bridleway 58/1** – Park Farm westwards – hedge and weed growth, and badger holes.

#### **With others:**

**Compton Byway 2** – possible maintenance arrangement with Peter Cundell. We deliver material and pay him for work.

**Geenham Footpath 6** - barriers needed as part of work to prevent unauthorised vehicle rat-running.

**Lambourn Bridleway 59A/1 and 59A/3** – unauthorised surface.

**Newbury Footpath 22** – riverbank footpath used for pedestrian access to and from Hitachi riverbank Newbury FP22 – Hitachi to pay. .

**Shaw Footpath 18/2** (Honeybottom) – we are to carry out improvements to muddy area, possibly with a police presence due to landowner objections. Landowner has failed to do the work required under a maintenance agreement.

### ***Lower priority:***

**Aldworth Byway 11/2** – deep surface gullying.

**Cold Ash Footpath 15** - 'Siskin House' – flooding of adjacent properties – work to prevent, working in liaison with Highways, and Planning.

**Hungerford Footpath 41/3** – very muddy in low area.

**Pangbourne Footpath 17/1** - muddy, a popular path by river.

**Stratfield Mortimer Byway 7** – potholes in residential access.

### ***Flood money***

**Streatley Footpath 24** – some more bank work needed.

### **OTHER**

Grip and ditch maintenance.

Vegetation clearances.

Rangers to trial doing some jobs with diggers.

**Sustainable practices** - find out about appropriate materials to use in woodland environments, use appropriate materials for all environments. Consider ecological surveys where appropriate

**Signs needed** - '**uneven surface**' for residential accesses – see quote information 14/1/14

### **MONITOR**

**Aldworth Byway 9 / Ridgeway link to Warren Farm access** –monitor pro-actively once every 3 months, keep photos and dates of inspection. Inform Warren Farm residents of dates of inspection and results. Also we have agreed to provide aggregate for Warren Farm residents to use to maintain the access ROWs and for 'reasonable use' for driveway maintenance.

**Beenham Byway 1** – Clay Lane – south from Beenham village. Monitor pro-actively, keep photos and dates of inspection. Inform residents of dates of inspection. Regular monitoring needed due to heavy use. Try to do frequent work so condition does not become very bad. May have to cut out potholes so don't upset grading of remaining surface. Also monitor parking in byway, letter sent to occupiers Jan 2014 to ask them not to park there.

**Note – Thames Water works from 9/10/15, reinstatement / possible damage needs to be monitored.**

**Bucklebury Byway 67** on drive to Marywell – temporary advisory signage installed April 2013, monitor and replace if needed. Also monitor condition of drive for potholes – agreed with Chief Executive May 2013.

**Compton Byway 2.**

**Shaw Footpath 13/16 (Honeybottom)** – agreed with parish council 2011 to monitor the section subject to the maintenance agreement with the landowner.

### **Major work completed 2016/17**

**Aldworth Byway 9** – work to access used by residents of Warren Farm.

**Bradfield Bridleway 19** – Stanford Dingley to Tutts Clump – popular pedestrian and equestrian link.

**Chaddleworth Footpath 1** – replacement of rotten steps on village footpath.

**Chieveley Byway 26** – Doctors Lane – surface and drainage improvements along a route taking users away from a busy road.

**Chieveley Byway 42** – Sandy Lane – repair of potholes along residential access.

**Chieveley Byway 49** – Marsh Lane – work to access used by residents, partly funded by developer.

**Holybrook Footpath 5** – surface improvements and lighting of new link leading from estate to the Linear Park.

**Hungerford Footpaths 33 and 43** – Hungerford Marsh – improvements of heavily-used recreational footpaths across SSSI marsh, in liaison with Natural England.

**Ridgeway National Trail** – annual work to keep surface up to the agreed National Trail Surface Standard.

**Sulham Footpath 2a** – surface of popular urban-fringe route which was very muddy and confined.

**Theale Footpath 7** – tarmac patching of well-used route between Theale and North Street.

**West Ilsley Restricted Byway 11** – filling of large hole caused by four wheel drive vehicles. Steps are now being taken to prevent illegal vehicular use of the restricted byway.

**Winterbourne Byway 26** – potholes along residential access.

### **Other**

Route to school across Wokefield Common(not funded by Countryside).

Signposting – most of the backlog was cleared in the winter of 2016/17.

Vegetation clearances – routine and responding to requests - summer 2016.

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## APPENDIX C - PROW Enforcement Case Programme 2017/18

**Target progress:**

**Green** – very likely to meet target

**Amber** – likely to meet target

**Red** – will not meet target

<b>MAJOR SPECIFIC SITE CASES</b>					
<b>Officer</b>	<b>Case</b>	<b>Summary of issue</b>	<b>Target</b>	<b>Action taken</b>	<b>Target progress</b>
<b>JT</b>	<b>Lambourn BW60</b> sarsens, gates, vehicles obstructing.	Trip/ impact/ hazard. Client of Concern.	Complete in 2017/18.	Legal advice sought, letter sent. TVP, NE & Oxon CC contacted. Sarsens etc. remain in spite multi-agency approach. Resolve by March 2018 (+ adjoining paths in Oxon.).	
<b>JT</b>	<b>Lambourn BW61</b> ploughing.	Byway unavailable.	Aim to deal by harvest time 2017.	Warning letters sent. NE & Oxon CC contacted. Tied in with BW60.	
<b>SJ</b>	<b>Catmore BW1</b> ploughing / obstruction	Byway unavailable.	Aim to complete by end of March 2018.	Byway to be re-opened across the field, landowner to be informed. Surfacing works are required on sections of the byway and an adjacent bridleway.	
<b>JT</b>	<b>Boxford FP17</b> large pond excavated, trees planted.	Definitive line unavailable, unofficial line inconvenient.	Decide on appropriate action 2017/18.	Enforcement action stalled from several years ago – diversion may be needed, but landowner highly resistant. Time constraints meant not picked up in 2016/17.	
<b>EC</b>	<b>East Ilsley BR15</b> horse injury on steel posts.	Trip/ laceration/ impact hazard.	Aim to complete by end of March 2017.	Suggested replacement S66 installation of gap. Steels removed, but replaced with gate posts on slope. Enforcement stalled due to landowner objections and lack of clarity on how far we can enforce.	
<b>JT</b>	<b>Greenham FP6</b> Illegal vehicles.	Safety of public (and residents) on path.	Complete in 2017/18.	WBC to install anti-vehicle barrier in 2017. Landowner agreement.	
<b>JT</b>	<b>Beenham BR 15</b>	Obstructed definitive line (alternative permitted BR but often problem on that).	Complete in 2017/18.	Need to interview l/o under caution if necessary.	

**APPENDIX C - PROW Enforcement Case Programme 2017/18**

<b>MAJOR SPECIFIC SITE CASES</b>					
<b>Officer</b>	<b>Case</b>	<b>Summary of issue</b>	<b>Target</b>	<b>Action taken</b>	<b>Target progress</b>
<b>SPECIFIC SITE CASES - high priorities to be added during the year</b>					



## APPENDIX C - PROW Enforcement Case Programme 2017/18

PROJECTS					
	Project	Summary of Issue	Actions required	Action taken / info.	
	<b>General Obstructions</b> Various locations throughout District.	Many erected by farmers/ landowners to prevent illegal vehicle access.	Site visit. Make initial contact. High priorities to go to specific site cases.	Ongoing area of work, new cases coming in all the time.	
	<b>Illegal vehicles</b> Various BRs & RBs specifically in Downlands.	Safety hazard, surface damage. Police involvement.	Ongoing area of work in Bucklebury Common, Farnborough and East Garston areas. Kent Carriage Gaps installed /to be installed during winter months on routes identified. Action days with police to be organised periodically during autumn and winter months.	Carriage gaps, signage installed, camera trap installed at various sites.	
	<b>Illegal use of byways to access farms/properties for burglaries/hare coursing etc.</b>	Landowners are asking for WBC to limit public use by vehicles.	Liaise with Police, not ours to do. Some actions might arise from Police requests.	Ongoing area of work, new cases coming in all the time.	
	<b>Electric gates</b>	Liability on WBC / public accessibility.	Research histories. Enforcement as necessary.	Ongoing area of work, new cases coming in occasionally.	
	<b>Electric fences</b>	Safety of public.	Inspected or landowner contacted on receipt of complaint within 24 working hours of complaint.	Ongoing area of work. Tends to be seasonal, and temporary.	
	<b>Stiles and gates project</b>	Need to increase accessibility of the network for less agile or disabled users.	Stile complaints inspected within 3 weeks of complaint. Enforcement action taken or	Ongoing area of work replacing stiles with more user-friendly structures esp. on well-used routes. Currently 1 gate installed per month by the Ramblers' Work Party / gate kits supplied to	

## APPENDIX C - PROW Enforcement Case Programme 2017/18

			gate kits delivered for l/o installation. Or added to volunteer list.	landowners.	
	<b>Ploughing &amp; Cropping</b>  (divide these into Ploughing/lack of marking and cropping?)	Network problem.	Spring & Autumn round- robin letter. Enforcement of complaint if required.	Ongoing area of work. Seasonal.	
	<b>Visual tree inspection project</b>	Safety of users, particularly on popular routes and routes to school.	The high-priority tree-lined routes must be identified and surveyed. Works needed and/or contact landowners.	The high-priority tree-lined routes have been identified and many have been surveyed.  10 Top Tier Urban routes & 9 Rural Service Centre school routes surveyed. .  School Route inspections complete. Some WBC works needed, plus enforcement.	
	<b>Landowner tree problems</b>	Safety of users, obstructions.	Landowners need to be contacted.	Ongoing area of work.	
	<b>Intimidation</b> Person/ animal/ notice.	Safety of users, availability of network.	Police, landowners contacted as necessary.	Ongoing area of work.	
	<b>Fence encroachment</b>	Safety of users, loss of path.	Landowners need to be contacted.	Ongoing area of work.	
	<b>Overhanging vegetation</b>	Boundary vegetation can obstruct PROWs, but it is the responsibility of the landowner.	Landowners/farmers contacted in Autumn round-robin letter, and householders contacted following inspection of problem.	Ongoing area of work.	
	<b>Badger Setts</b>	Interfering with public use.	Liaise with Natural England over where action can and can't be taken. Cordon off or close PROW where there is a hazard and	Ongoing area of work.	

## **APPENDIX C - PROW Enforcement Case Programme 2017/18**

			where action can't be taken.		
	<b>Investigate use of more robust enforcement approach to clear problems</b>	There are instances when enforcement processes can be more streamlined.	More consideration needed.	We have already increased the efficiency of our processes through more action being taken by PROW officers, without the need for legal sanction. There are also instances when we can and do take direct action to remove obstructions.	
	<b>Thousands of lower-priority enforcement issues in database</b>		Look through every 6 months and extract higher priorities.	Ongoing area of work.	
	<b>Measures to prevent problems before they arise</b>	We hope that through spreading the message about the responsibilities of the public and landowners, we can prevent a number of enforcement problems arising out of ignorance.	Improved web site. Considering an annual newsletter to farmers. Possible use of social media.	A letter is already sent to farmers twice a year, to remind them of their obligations when ploughing and cropping.	

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**Public Rights of Way: DRAFT Legal Order cases for April 2016-2017**

Case Type*	Title	Parish	Ward	Description
PPO	Public Footpaths Burghfield 2 & 22 - extinguishment of obsolete cul-de-sac paths	Burghfield	Burghfield	Public Footpath Burghfield 2 is a cul-de-sac path that runs along Searle's Farm Lane, and has been obstructed by a building at its northmost end for around thirty years. Public Footpath Burghfield 22 is a cul-de-sac public footpath that was flooded by a lake 50+ years ago but has never been formally extinguished. <b>Decision to make order: 23rd December 2016.</b>
PPO	Public Footpaths Burghfield 15 & 24 – diversion to re-align paths to take into account relocation of River Kennet bridge	Burghfield	Burghfield	Bridge over River Kennet has been moved eastwards by 15+ metres, and the legally recorded public footpath network needs to be formally amended by Order. <b>Decision to make order: 23rd December 2016.</b>
DMMO	B4001 to Oldings Road, Lambourn – claimed public footpath	Lambourn	Lambourn Valley	Investigation and decision needed on a 2015 application to record a public footpath running east from the B4001, over field immediately north of the M4, running east onto Oldings Hill (a cul-de-sac public road). As of November 2016, Council is awaiting response from a key path user.
PPO	Public Footpaths Thatcham 16 & 27 (on border with Hampshire) – diversion application	Thatcham	Thatcham South & Crookham	Application in requesting diversion of footpath from cross-field route prone to flooding, onto a riverbank route on higher ground, along a route 210 metres longer, on a pleasant route by the river. Consultations made. An objection has been raised. A decision report is being drafted, although final liaison will take place with objector to see if this objection can be overcome. <b>APPLICATION WITHDRAWN 28th February 2017</b> in light of objection.
PPO	Public Footpath Welford 16, Elton Farm, Weston - diversion application	Welford	Kintbury	Application to divert public footpath out of old farm yard onto a more direct route with better views to the north-east. Applicant will cover costs. Consultations made - deadline for comments 18th July 2016. An objection has been raised. <b>CASE ON HOLD</b> whilst landowner considers whether to proceed in light of the objection.
PPO	Public Footpath Welford 15, Easton Farm House, Easton	Welford	Kintbury	Diversion application to re-route a public footpath out of a garden/drive onto a route alongside a spur of the River Lambourn, and across a small area of trees - opposed by Open Spaces Society but liaison took place to mutually agree an alternative diversion. Applicant will cover WBC admin costs. Investigation and consultation within WBC will take place before a final decision is made. Consultations made. <b>Decision to make Order: 20th October 2016.</b> Order is to be drafted and submitted to legal team for sealing, before public rights of way team advertise the order for objection. Final meeting between WBC, applicant and original objector held 17th November 2016.
DMMO	Legal Event Modification Order - 2014-2016	Various	Various	Administrative Order to update the Definitive Map and Statement with the effect of completed path order cases from the last two years. Decision to proceed made <b>16th May 2016.</b> Orders made and completed <b>7th October 2016.</b>

<b>General</b>	Definitive Map:	Further work to publish a new Definitive Map. A new Deregulation Act 2015 has been passed that will have great effect on public rights of way legal work, but the relevant sections are not yet in force - this is estimated to happen in April 2016, but there is no guarantee that it won't be postponed for longer than this.
	Definitive Map and Path Orders:	DEFRA are due to bring in new Regulations and guidelines in 2016 that is likely to increase the number of decision reports that is needed, and may have other material effects on legal order case work. Until they are published, the precise effect is unclear.

\*DMMO = Definitive Map Modification Order case (i.e to prove/disprove existence of a public right of way)

\*PPO = Public Path Order case (e.g. diversion, creation or extinguishment)

Definitive Map Officer, Countryside Team, West Berkshire Council, Market Street, Newbury RG14 5LD

Tel: 01635 503251

From webpage: <http://info.westberks.gov.uk/index.aspx?articleid=28887>

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**Public Rights of Way: DRAFT Legal Order cases for April 2017-2018**

Case Type*	Title	Parish	Ward	Description
DMMO	Saltney Mead claimed public footpath	Pangbourne	Pangbourne	Claimed public footpath to investigate, over old track to the west of Springs Farm - recently fenced off. Lots of user evidence. Landowner to oppose. Investigation and determination required.
DMMO	Route running parallel, and west of, the Sul Brook, claimed public footpath	Pangbourne	Pangbourne	Claimed public footpath to investigate to west of Sul Brook linking to Thames Path. Investigation and determination required.
DMMO	Springs Farms claimed public footpath	Purley-on-Thames	Purley-on-Thames	Claimed public footpath to investigate between Sul Brook and Pangbourne Meadow, linking to Thames Path. Investigation and determination required.
DMMO	Cold Ash Woods	Cold Ash	Cold Ash	A large amount of user evidence has been submitted in relation to Cold Ash Woods and Westrop Woods in Cold Ash and Bucklebury parishes. No formal application as yet, but the large public interest suggests the matter should be investigated.
DMMO	Westrop Woods	Bucklebury and Cold Ash	Bucklebury and Cold Ash	A large amount of user evidence has been submitted in relation to Cold Ash Woods and Westrop Woods in Cold Ash and Bucklebury parishes. No formal application as yet, but the large public interest suggests the matter should be investigated.
PPO	Bucklebury 138 Public Footpath diversion proposal	Bucklebury	Bucklebury	An obstructed public footpath, blocked by two fences and a pond by the previous landowner. The new landowner is seeking to create a new route through the copse to the east and is prepared to physically create a new public footpath route to accommodate it. Matter to be investigated to see if long-standing issue can be resolved to benefit of all parties.
DMMO	B4001 to Oldings Road, Lambourn – claimed public footpath* outstanding from 2016-2017 case list	Lambourn	Lambourn Valley	Decision needed on a 2015 application to record a public footpath running east from the B4001, over field immediately north of the M4, running east onto Oldings Hill (a cul-de-sac public road). As of November 2016, Council is awaiting response from a key path user.
PPO	Public Footpath Welford 16, Elton Farm, Weston - diversion application - outstanding from 2016-2017 case list	Welford	Kintbury	Application to divert public footpath out of old farm yard onto a more direct route with better views to the north-east. Applicant will cover costs. Consultations made - deadline for comments 18th July 2016. An objection has been raised. <b>CASE ON HOLD</b> whilst landowner considers whether to proceed in light of the objection.
PPOs	Draft orders for all 2016-2017 path orders have been lodged with the Legal Team for formal sealing so that Public Rights of Way team can advertise the orders. PROW team awaiting for this to be done before we can proceed. This this will require significant work, especially if objections are received.			
General	Digitising of Public Rights of Way data to enable publication on National Streetworks Gazetteer	Work is required to restructure the way that the Public Rights of Way network so that it can be added to the National Streetworks Gazetteer. It is a statutory obligation for West Berkshire Council to do this, and it will enable better communications and statutory processes for physical works by utility companies on public rights of way		

\*DMMO = Definitive Map Modification Order case (i.e to prove/disprove existence of a public right of way)

\*PPO = Public Path Order case (e.g. diversion, creation or extinguishment)

Definitive Map Officer, Countryside Team, West Berkshire Council, Market Street, Newbury RG14 5LD

Tel: 01635 503251

From webpage: <http://info.westberks.gov.uk/index.aspx?articleid=28887>

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	Ward	DMMO or PPO*	Case Title	Proposal	Applicant	Receipt date	Notes
1	Aldermaston	DMMO	Brimpton, Little Park Orchard	Claimed Public Footpath	ex local resident	01/02/2006	Application withdrawn. 2014: have informed applicant that NO Order will be made - to formally close the case.
2	Aldermaston	PPO	Public Footpath Brimpton 21	Diversion	Mr C Hayes	09/01/2006	This diversion is from one landowner's property onto an objecting landowner's property. Compensation claims and a legal wrangle/neighbour dispute seems likely.
3	Birch Copse	PPO	Tilehurst 14 diversion	Diversion	WBC	n.a.	divert from blocked gully route onto tarmac path already constructed along edge of Recreation Ground
4	Bucklebury	PPO	Public Bridleway Bucklebury 54a	Diversion	WBC	n.a.	Possible diversion to resolve farm buildings on path, but possible development may resolve this so matter on hold
5	Burghfield	PPO	Public Footpath Burghfield 5	Temporary Diversion	Mineral Extraction Company		Mineral Extraction diversion request ??
6	Chieveley	PPO	Byway Open to All Traffic Chieveley 49	Diversion	Mineral Extraction Company	n.a.	Path was temporarily diverted (12 years) for mineral extraction - this has expired - the landowners have inquired about a diversion - but this would be needed through the Magistrate's Court (WBC has no direct powers for Orders or Byways Open to All Traffic). They should have reinstated as clearly stated in the Temp diversion.
7	Chieveley	PPO	The Green to Chie/10b	Creation	Portfolio Holder (Hilary Cole)	2013	Hilary asked for Public Footpath from The Green west onto Public Footpath Chieveley 10b
8	Downlands	DMMO	Beedon Manor Farm	Investigate whether to make Order to modify Def. Map	Mr V Pocock	01/10/2004	Application withdrawn. 2014: have informed applicant that NO Order will be made - to formally close the case.
9	Kintbury	PPO	Public Footpath Welford 16	Divert public footpath for benefit of landowner	JHL Puxley	11/02/2015	proposal to divert path out of farmyard and onto a route to the east around the farm
10	Lambourn Valley	PPO	Blind Lane, Lambourn	Regularize PROWs by diversion/creations	WBC	01/11/2013	Lambourn 36/2 is a fenced off drainage ditch. Walkers in the area use a well trodden route with no formal status between Bockhampton Road and Newbury Road, NW of Beales Farm Road.
11	Lambourn Valley	DMMO	Lambourn 59 bridleway 'gap'	a section in the middle was wrongly omitted from 2000 DMS	WBC		this section will be permanently deleted in 2026 at present - it was wrongly omitted from the 2000 DMS due to its line being wrongly interpreted as being on the modern, physical track that runs in Oxfordshire, but should have been on historic route to south, in Berkshire. Oxon said they do not intend to do anything to record a PROW along the route in their section unless an application comes in. Threat of being lost altogether.
12	Northcroft & Speen	DMMO	Speen/Newbury	DMMO	WBC		Moor Lane, Hill Lane and Croft Lane are all 'Private Streets' but Highways probably don't recognize them as privately maintainable highways. There is a threat to them having Public Rights extinguished in 2026 if not recorded on the DMS by then. Would be very bad as they are vital links to the PROW network in a populous area.
13	Pangbourne	PPO	Pangbourne 10	Diversion	WBC	n.a.	longstanding unofficial/unintended diversion
14	Speen	PPO	Public Footpath Shaw-cum-Donnington 20	Diversion	Charles Oliver-Bellasis for Mr & Mrs Newman, Honeybottom House RG20 8AL	03/02/2008	Small diversion to benefit owner of adjacent house but house has since been sold and reasons given for diversion appear to have been superceded. Landowner has appointed a consultant to divert the path after being told that the unauthorized electric gate erected across the path is an obstruction.
15	Speen	PPO	Public Footpath Boxford 17	Diversion	WBC	n.a.	landowner has created a pond on the line of the footpath and refuses to fill it in - no enforcement action proposed.
16	Sulhamstead	PPO	Beenham 15	Diversion	Mr Nelson	01/05/2013	Divert onto an existing permitted bridleway away from farms and paddocks

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## APPENDIX 1

## ACTION PLAN - DATE OF LAST UPDATE 31 March 2017

Key: PROW = 'public right(s) of way'; WBC = 'West Berkshire District Council'; AONB = 'Area of Outstanding Natural Beauty'

**\*\*Suggested priorities for 2017/18**

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
<b>A well-maintained and safe access network</b>		
<b>Produce a strategy to reduce the instances of laying of unauthorized tarmacadam surfaces on PROW and a policy to set out the District Council's approach to tarmacadam on PROW.</b>	ROWIP 1	Need to spread the message via Land Charges searches, web site etc.
<b>Carry out a complete condition survey of all Definitive PROW every five years.</b>	ROWIP 2	Survey completed 2010. Lack of funds is preventing further surveys.
<b>Investigate the feasibility of a limited scheme to remunerate landowners for carrying out repair, maintenance and improvement works on PROW.</b>	ROWIP 3	One trial project planned in Compton.
<b>**Implement measures to ensure that landowners maintain all hedges adjacent to PROW so as to prevent obstruction of PROW by overgrowth.</b>	ROWIP 4	WBC does not clear hedge overhang, and enforces against landowners when such growth impedes public access. A reminder to landowners about their responsibilities is sent in the annual autumn ploughing/cropping reminder letter..
<b>**Formally adopt the draft policy governing the maintenance of PROW used for access to residential properties, farms and other private land or establishments.</b>	ROWIP 5	Completed.
<b>**Produce a design and consultation protocol for the repair, replacement and installation of bridges on PROW.</b>	ROWIP 6	A meeting has been held with the WBC Bridges section and a system is in place
<b>**Review PROW sign and waymark designs to reduce future instances of fading and unauthorized relocation or redirection.</b>	ROWIP 7	Some work has been done with manufacturers regarding reduction of fading, and monitoring takes place. Particular attention is to be given to monitoring the new generation of resin-coated signpost fingers which contain the WBC logo within the arrow. We are monitoring the performance of newer signs. Taller signs are now used to prevent tampering.

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
<b>Remedy all unresolved PROW signage defects by the end of April each year.</b>	ROWIP 8	There has been a hiatus due to the need to introduce a protocol over digging /underground utility searches. In winter 2016/17, every effort will be made to resolve outstanding problems.
<b>**Produce a prioritization scheme for physical works, vegetation clearance and enforcement on PROW.</b>	ROWIP 9	So far only an annual surface maintenance case list is produced, but is to be reported to members as a draft maintenance case list each spring. A scheme of routine vegetation clearance has been in place for some years. A priority review is underway to take into account increased growth due to climate change, and an increase in on-line reports from the public. A draft internal enforcement protocol has been produced. It will be finished this year and then widely publicised.
<b>A legally-recorded PROW network</b>		
<b>** 'Consolidate' and publish the Definitive Map and Statement in a clear and useable format.</b>	ROWIP 10	Re-digitisation at 1:1250 scale is complete. There are plans to republish in 2017. The data needs to be added to the National Street Gazetteer, so that utility companies, etc. can see locations of PROW.
<b>Each year to complete the processing of the annually-agreed list of applications for modification orders and path orders.</b>	ROWIP 11	Completed each year. Any amendments to the programme are agreed by the Portfolio member.
<b>**Produce a published prioritization scheme for dealing with applications for modification orders and applications for path orders.</b>	ROWIP 12	Completed.
<b>**Carry out risk assessments for trees within PROW and formulate a prioritized plan of action to ensure the safety of PROW users.</b>	ROWIP 13	Priority locations have been identified and a major survey completed. Landowners are being contacted where relevant. Additional budget has been allocated for initial works.
<b>Consider appropriate legal mechanisms to recognise acquisition of cycling rights along urban footpaths.</b>	ROWIP 14	Little progress. Recent thinking is that cycling may lead to restricted byway status. Should not install 'no cycling' signs where it is not known if the landowner objects. Sustrans may be of assistance.
<b>An environmentally-sustainable access network</b>		
<b>**Implement methods to prevent fly-tipping and littering of PROW and also</b>	ROWIP 15	The volunteer group ROAR clears litter from selected routes. Fly

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
<b>improved methods for clearance of litter and fly-tipping when instances occur.</b>		tipping strategy is the responsibility of the WBC Waste section. Tipping on PROW is cleared when accessible, otherwise contractors are needed. Approximately 150 fly-tips are cleared from PROW by the Waste Team each year. The Waste section has used enforcement cameras at some hot spots.
<b>**Implement improved sustainable procurement practices</b>	ROWIP 16	Sustainably-sourced wood is stipulated and recycled surfacing material used where possible. Vigilance will continue in the field of procurement.
<b>**Introduce improved environmentally-sustainable working practices, which also protect and enhance biodiversity and historic landscape and features.</b>	ROWIP 17	To be done via a review of procedures and ongoing monitoring of environmental effects. A checklist has been compiled of environmental aspects to consider when carrying out practical works. PROW staff and volunteers have been trained in basic habitat identification. Consideration being given to the use of recycled plastics for certain purposes. More work is needed on the impacts on trees of different types of surfacing - liaison with WBC's Tree and Ecology sections is taking place. The new WBC-hosted Local Nature Partnership Officer may be able to assist.
<b>Providing information / promoting the use of the access network</b>		
<b>**Increase the availability of PROW / access information and promotional material and explore greater use of a wider range of formats, to compliment relevant work carried out by others.</b>	ROWIP 18	Work on improved use of electronic media and a more interactive web site are particular priorities for the future, with improvements to the WBC on-line map already having been made. Many Parish Plan teams are producing promotional leaflets and WBC may assist with and fund them. Work has begun to re-design and print the set of 8 WBC walks and rides leaflets, and the two WBC riding routes. This work is to be led by WBC's Heritage team.
<b>Support parish councils and parish plan groups to increase the range and availability of promotional material for PROW / access.</b>	ROWIP 19	Many Parish Plan teams are producing promotional leaflets and WBC may assist with and fund them.

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
<b>Education / encouragement of responsible behaviour</b>		
<b>**Produce published material to provide information about PROW / access and about the responsibilities of PROW users, landowners and other bodies.</b>	ROWIP 20	Some work on a booklet and web site material has started, some material is on the web site now. Greater efforts are needed at dissemination of the information more widely. Social media might be considered.
<b>Produce a formal policy for the management of vehicular use and vehicular surfaces, with the aim of improving the condition of PROW used by recreational vehicles.</b>	ROWIP 21	Completed.
<b>Implement procedures to remove unsuitable PROW from published satellite navigation routes.</b>	ROWIP 22	A couple of routes have been removed from the material produced by some sat. nav. companies. Much more work is needed, as the problem appears to be increasing. It may not be possible as there are so many companies. The best way appears to be to take measures on the ground at each problem site.
<b>Continue to contribute access information to the "Greenways" newsletter.</b>	ROWIP 23	This particular newsletter has lapsed. More use of newsletters and publications is needed to spread PROW news and good practice.
<b>Explore opportunities to work with schools within the National Curriculum to increase understanding of the role of access within the countryside and the responsibilities of citizens.</b>	ROWIP 24	No work done directly by PROW team.
<b>Development of new access</b>		
<b>**Seek to promote, improve and create (where necessary) safe and commodious links between, within and around population centres, rural and urban facilities, attractions and transport interchanges.</b>	ROWIP 25	Piecemeal work done annually via the annual programme of improvements and maintenance. A more planned approach is needed. BBOWT approval for the Snelsmore bridleway link has been given, and obstructions have been removed. Clearance of vegetation is planned for winter 2016/17. The Hermitage to Hamsptead Norreys railway line path is also progressing well.
<b>**Seek to promote, improve and create (where necessary) suitable routes to school and consider an increased maintenance programme for these routes.</b>	ROWIP 26	A greater effort is being made to keep important school routes clear of vegetation. A priority is also given to surface improvements which may be required. The PROW team often works with the

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
		School Transport team.
<b>Seek greater partnership with businesses and landowners to secure the provision of additional permissive or Definitive access for all users.</b>	ROWIP 27	Some work to protect CAP permitted routes has been done by the LAF. Work now this kind is not carried out by the PROW team unless opportunities arise indirectly from other work, e.g. path diversions.
<b>**Increase the provision of suitable equestrian routes where existing provision is low or fragmented, and where demand is high, especially routes which facilitate riding to and from livery yards without horseboxes.</b>	ROWIP 28	Piecemeal work done annually via the annual programme of improvements and maintenance. A more planned approach is needed.
<b>Develop circular interlinking equestrian routes around settlements (“community circuits”) which also link to longer rides.</b>	ROWIP 29	Piecemeal work done annually via the annual programme of improvements and maintenance. A more planned approach is needed.
<b>Increase access for equestrians and carriages on West Berkshire-managed commons.</b>	ROWIP 30	Liaison needed with BBOWT. Note that BBOWT have recognized the lawful rights for horse riding on those commons with a Scheme of Management made under the 1889 Act following submissions by the BHS & LAF to the access audits.
<b>Physical improvements to the access network</b>		
<b>Research and implement mechanisms to realign the road user hierarchy in favour of non-motorized transport modes, especially walking (LTP 2, policy WI9).</b>	ROWIP 31	Need to review in the light of new LTP policies.
<b>Work with partners in rural areas to identify opportunities for improving the safety of the physical environment, in particular for pedestrians, cyclists and horse riders (LTP2, policy RSI 7).</b>	ROWIP 32	Need to review in the light of new LTP policies.
<b>**Implement measures to ensure that all gates on equestrian routes are easily-openable from horseback, using best practice gate and latch designs and gate configurations. Mounting blocks to be installed where dismounting cannot be avoided.</b>	ROWIP 33	There is a corporate target to improve 20 equestrian gates per year. The British Horse Society has been consulted and has report on the results of a survey of visiting 62 gates known to be a problem. Also, Natural England has published the results from a trial on the design & safety of self-closing bridleway gates. Many of those fitted in West Berks do not comply with the recommendations.
<b>Increase the numbers of PROW signposts indicating destinations, distances and local attractions.</b>	ROWIP 34	Some signposts already show these from an old project with parish councils. There may be scope to produce such signs where replacement is

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
		<p>needed and the information would be useful.</p> <p>Some authorities, e.g. Herts, have much information on every signpost (e.g. path number, destination and mileage). An investigation revealed that the signs cost about twice as much to produce as those with basic status information.</p> <p>There are no plans for any major progress at present due to staff resource constraints and the higher priorities of statutory duties. There is also a question over the practical usefulness because the signage would often have to continue each time at several points beyond the roadside.</p>
<b>**Improve the signage of PROW in and around West Berkshire's countryside sites.</b>	ROWIP 35	Much recent work has been done by the BBOWT access audits. Need to check that they are promoting access beyond the boundaries of their sites.
<b>Implement measures to improve signage and promotion of all permissive access.</b>	ROWIP 36	The routes are digitised for internal staff use. We cannot publicise these widely because there are so many variations in permission and we do not have the resources to review the paths and to keep the records up to date. Some are signed by WBC or by landowners.
<b>Implement measures to improve management and promotion of open access land and links to and from access land.</b>	ROWIP 37	Initial work only was done to waymark access routes when the legislation was introduced.
<b>Improving accessibility for all users</b>		
<b>Identify routes and circuits which are suitable for promotion for use by those with restricted mobility, including within countryside sites. Promote and sign the routes in terms of grading and carry out works, where needed.</b>	ROWIP 38	<p>Work is ongoing on a circular route at Purley, nearing completion 2016. Another priority location needs to be identified, preferably in the urban fringe so as to provide maximum benefit.</p> <p>BBOWT have established routes on Snelsmore &amp; Wokefield Commons.</p> <p>The WBC on-line map now shows locations of structures on PROW.</p>
<b>Continue to provide buggies, for those with restricted mobility, at West Berkshire countryside sites.</b>	ROWIP 39	Ongoing at Snelsmore Common, but there are some problems with use of the scooters, and booking. Find out from BBOWT if they plan any such work.
<b>Continue to improve the accessibility of structures on rights of way and introduce</b>	ROWIP 40	Ongoing project to replace stiles with gaps or gates, mostly via



Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
<b>and implement new incentives for landowners to do likewise.</b>		volunteer help. For a number of years, one new easily-accessible gate was installed on average every three weeks via the volunteer Ramblers' Work Party team, and their 250 <sup>th</sup> gate was installed in 2016. The scheme is to continue, but a review in 2017 has concluded that one gate every four weeks will be less of a strain on staff and volunteer time, and will also allow the internal PROW Rangers to install additional gates occasionally.
<b>**Implement improved promotion of access to the PROW / access network for Walking the Way to Health (WHI) participants.</b>	ROWIP 41	Waymarking of some 'Walk4Life' mile routes has taken place. More local short routes are planned around population centres. Work being led by the Public Health team in conjunction with PROW officers via the WHI Steering Group.
<b>Establish greater dialogue with ethnic minority groups, children and young people and groups which traditionally do not visit the countryside, to produce an action plan of high-quality measures to encourage and maintain participation.</b>	ROWIP 42	No progress by PROW team but work could be done to encourage this via other sections of WBC.
<b>Support and encourage measures to provide shower, clothes-drying and cycle-parking facilities at schools, work places and other destinations, to encourage non-car transport.</b>	ROWIP 43	For Transport Strategy Team, also via Cycle Forum.
<b>Audit car park barriers on the access network, and ensure that access is possible for horseboxes, where appropriate.</b>	ROWIP 44	Examples are Bury Down, Paices Wood, Hosehill Lake, Sheffield Bottom, Snelsmore Common, Bowdown House. Progress has been made by removal of the height restrictor at Snelsmore Common.
<b>Seek new car parking, cycle parking and horsebox/trailer parking on the access network, where there is a proven need.</b>	ROWIP 45	Little progress made.
<b>Working with partners</b>		
<b>Provide support, where needed, to other bodies whose aspirations compliment those of this ROWIP.</b>	ROWIP 46	Any offers of help are welcomed and considered. We try to use all offers if we can, providing it is cost-effective.
<b>**Encourage parish councils to use their full range of powers where appropriate and support the appointment of parish council public rights of way officers.</b>	ROWIP 47	A simple guide was produced c 2010 and sent to parish groups via the Community Council. WBC is presently exploring how parishes can assist more with PROW work via the 'Devolution' scheme.

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
<b>Arrange formal rights of way training for parish public rights of way officers, parish plan teams and voluntary groups.</b>	ROWIP 48	WBC is presently exploring how parishes can assist more with PROW work, therefore training requirements may arise. Advice sheets have been sent to parish councils on several occasions. Advice has also been added to the WBC PROW web site. WBC is presently exploring how parishes can assist more with PROW work via the 'Devolution' scheme. There are few requests for training from parishes but the PROW team would be willing to meet any such requests.
<b>Continue to provide support and direction to voluntary groups and to encourage the participation of volunteers of all ages in access work.</b>	ROWIP 49	The ROAR and Ramblers' Work Parties continue to help to maintain and improve the ROW network. There is no staff time available to introduce initiatives to expand the volunteer scheme.
<b>Support the access work identified within parish plans and 'Area Visions'.</b>	ROWIP 50	Reactive support given when ROW team approached.
<b>Improving working practices and customer care</b>		
<b>**Create a comprehensive PROW / access library incorporating controlled copies.</b>	ROWIP 51	An on-line and hard-copy library exists but it is not controlled, therefore there is no system to identify superseded items. It is also not a comprehensive library, but is added to only when items come to light.
<b>Use all appropriate internal District Council communication channels to inform relevant parties of developments in PROW / access work.</b>	ROWIP 52	There is an active informal system where District councillors are regularly informed and updated.
<b>Improve the efficiency and speed of use of available legal powers in relation to PROW.</b>	ROWIP 53	Legal Notices can now be issued by the PROW team. Much work has been done to identify where direct action can be taken, thus reducing the length of some procedures.
<b>Improve awareness of land management priorities and procedures amongst District Council PROW staff.</b>	ROWIP 54	Efforts ongoing to increase knowledge of relevant aspects of land management.
<b>Liaise more closely with West Berkshire's Planning and Transport Strategy group, and other planning consultees, so as to benefit the PROW / access network.</b>	ROWIP 55	At present the main mechanism is via the Cycle Forum (meets quarterly). Liaison increased following incorporation of Countryside into Planning.
<b>Funding</b>		
<b>Investigate the feasibility of a grant scheme for access work by parish councils, parish plan groups and others, taking into account funding already available.</b>	ROWIP 56	Successful schemes already run in Hampshire and Wiltshire. A cost/benefit analysis is required.

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP reference	Progress to date
		Budgetary constraints following the 50% cut in the capital PROW budget means this is probably not a practical option at present.
<b>Seek to involve community and special interest groups in funding and delivering small access schemes.</b>	ROWIP 57	Little progress made.
<b>Investigate opportunities for external and grant funding for PROW / access projects.</b>	ROWIP 58	Little progress made, partly due to lack of staff time. Also, many grants are not available for statutory Council work. However, new promising sources can be accessed via Government money for sustainable transport, particularly cycling, and where the network has been severed by major roads. Some AONB funding has been acquired in the past but effort needs to be made to source more. Other possible promising sources might be the Greenham Common Trust, Landfill etc.
<b>Monitoring / continued consultation</b>		
<b>Continue to receive and consider requests for improved access, and to incorporate them into an annually-updated list of requests for specific access improvements.</b>	ROWIP 59	Ongoing. All requests to date are shown on the staff mapping system. The 2005 ROWIP public requests are also shown on the public on-line map.
<b>The Mid and West Berkshire Local Access Forum to advise on implementation of the Rights of Way Improvement Plan.</b>	ROWIP 60	Via annual report to the LAF.
<b>Learn and listen to views of others, at the same time seeking and implementing best practice in relation to PROW / access work.</b>	ROWIP 61	Ongoing
<b>Implement an effective internal method of recording good practice and lessons learnt in PROW / access work, for the benefit of present and future staff.</b>	ROWIP 62	There is the Institute of Public Rights of Way Officers Good Practice Guide, and all staff are required to read the IPROW publication 'Waymark' each month. Efforts are made to record legal advice and learning points on the WBC shared system. There is an annual WBC training budget.
<b>Produce an annual progress report on the Rights of Way Improvement Plan Action Plan.</b>	ROWIP 63	Sent to LAF and Portfolio member annually.



### Equality Impact Assessment - Stage One

We need to ensure that our strategies, policies, functions and services, current and proposed have given due regard to equality and diversity as set out in the Public Sector Equality Duty (Section 149 of the Equality Act), which states:

- “(1) A public authority must, in the exercise of its functions, have due regard to the need to:**
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;**
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; This includes the need to:**
    - (i) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;**
    - (ii) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;**
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it, with due regard, in particular, to the need to be aware that compliance with the duties in this section may involve treating some persons more favourably than others.**
- (2) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.**
- (3) Compliance with the duties in this section may involve treating some persons more favourably than others.”**

The following list of questions may help to establish whether the decision is relevant to equality:

- Does the decision affect service users, employees or the wider community?
- (The relevance of a decision to equality depends not just on the number of those affected but on the significance of the impact on them)
- Is it likely to affect people with particular protected characteristics differently?
- Is it a major policy, or a major change to an existing policy, significantly affecting how functions are delivered?
- Will the decision have a significant impact on how other organisations operate in terms of equality?
- Does the decision relate to functions that engagement has identified as being important to people with particular protected characteristics?
- Does the decision relate to an area with known inequalities?

- Does the decision relate to any equality objectives that have been set by the council?

Please complete the following questions to determine whether a full Stage Two, Equality Impact Assessment is required.

<b>What is the proposed decision that you are asking the Executive to make:</b>	To approve the Public Rights of Way (PROW) Case Programmes for 2017/18
<b>Summary of relevant legislation:</b>	Highways Act 1980 Rights of Way Act 1990 Countryside and Rights of Way Act 2000
<b>Does the proposed decision conflict with any of the Council's key strategy priorities?</b>	No
<b>Name of assessor:</b>	Elaine Cox
<b>Date of assessment:</b>	21/6/17

<b>Is this a:</b>		<b>Is this:</b>	
<b>Policy</b>	<b>No</b>	<b>New or proposed</b>	<b>Yes</b>
<b>Strategy</b>	<b>No</b>	<b>Already exists and is being reviewed</b>	<b>Yes</b>
<b>Function</b>	<b>No</b>	<b>Is changing</b>	<b>Yes</b>
<b>Service</b>	<b>Yes</b>		

<b>1. What are the main aims, objectives and intended outcomes of the proposed decision and who is likely to benefit from it?</b>	
<b>Aims:</b>	Improvement of the PROW network and ensuring ease of use.
<b>Objectives:</b>	A number of priorities relating to overall management of the PROW network.
<b>Outcomes:</b>	Improvement of the PROW network and ensuring ease of use in relation to the specific priorities as set out in the programmes.
<b>Benefits:</b>	Maintenance and improvement of the PROW network for the general public.

<p><b>2. Note which groups may be affected by the proposed decision. Consider how they may be affected, whether it is positively or negatively and what sources of information have been used to determine this.</b></p> <p>(Please demonstrate consideration of all strands – Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race,</p>
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Religion or Belief, Sex and Sexual Orientation.)		
Group Affected	What might be the effect?	Information to support this
Age	Inaccessible structures, e.g. stiles, and uneven PROW surfaces, exist on the PROW network.	Works take place following EIA and consultation with local people, parish councils and the Local Access Forum
Disability	Inaccessible structures, e.g. stiles, and uneven PROW surfaces, exist on the PROW network. For the blind or partially-sighted, there may be trouble reading promotional information.	Works take place following EIA and consultation with local people, parish councils and the Local Access Forum
Gender Reassignment	None	N/A
Marriage and Civil Partnership	None	N/A
Pregnancy and Maternity	Inaccessible structures, e.g. stiles, and uneven PROW surfaces, exist on the PROW network.	Works take place following EIA and consultation with local people, parish councils and the Local Access Forum
Race	For those who are unable to read English, the case programme contains steps to introduce greater use of QR codes and interactive web pages.	Works take place following EIA and consultation with local people, parish councils and the Local Access Forum
Religion or Belief	For those who are unable to read English, the case programme contains steps to introduce greater use of QR codes and interactive web pages.	Works take place following EIA and consultation with local people, parish councils and the Local Access Forum
Sex	None	N/A
Sexual Orientation	None	N/A
<b>Further Comments relating to the item:</b>		
<p>Those managing the public rights of way (PROW) network are legally obliged to ensure that all PROW are maintained in a suitable condition for those who wish to use them. There is a network of 700 miles of rural, urban and suburban PROW. When managing and maintaining this network, each PROW is considered on a case-by-case basis and reasonable adjustments are made to for access for the disabled.</p>		

Inaccessible structures, e.g. stiles, and uneven PROW surfaces, are to be removed/improved as part of the case programmes. The aim is a gradual improvement in accessibility across the network, with priorities in the case programme for replacement of stiles with gates and for identification of new routes for easy access by those with reduced mobility.

The case programme contains aspirations to introduce greater use of interactive web pages, which could benefit the partially-sighted and those unable to read English.

3. Result	
Are there any aspects of the proposed decision, including how it is delivered or accessed, that could contribute to inequality?	No
Please provide an explanation for your answer:	
Will the proposed decision have an adverse impact upon the lives of people, including employees and service users?	No
Please provide an explanation for your answer:	

If your answers to question 2 have identified potential adverse impacts and you have answered 'yes' to either of the sections at question 3, or you are unsure about the impact, then you should carry out a Stage Two Equality Impact Assessment.

If a Stage Two Equality Impact Assessment is required, before proceeding you should discuss the scope of the Assessment with service managers in your area. You will also need to refer to the [Equality Impact Assessment guidance and Stage Two template](#).

4. Identify next steps as appropriate:	
Stage Two required	No
Owner of Stage Two assessment:	N/A
Timescale for Stage Two assessment:	N/A

Name: Elaine Cox

Date: 21/6/17

Please now forward this completed form to Rachel Craggs, Principal Policy Officer (Equality and Diversity) ([rachel.craggs@westberks.gov.uk](mailto:rachel.craggs@westberks.gov.uk)), for publication on the WBC website.