

Individual Decision

The attached report(s) will be taken as Individual Portfolio Member Decision(s) on:

Thursday, 27th May, 2010

Ref:	Title	Portfolio Member(s)	Page No.
ID2020	Rights of Way Improvement Plan (ID2020)	Councillor Hilary Cole	1 - 70
ID2093	Representation on Outside Bodies - Royal Berkshire Fire Authority and Thames Valley Police Authority (ID2093)	Councillor Graham Jones	71 - 112



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Individual Executive Member Decision

Title of Report:	Rights of Way Improvement Plan
Report to be considered by:	Individual Executive Member Decision
Date on which Decision is to be taken:	27 May 2010
Forward Plan Ref:	ID2020

Purpose of Report: To seek approval for the 'Rights of Way Improvement Plan' (ROWIP).

Recommended Action: To approve the report, either with or without suggested modifications.

Reason for decision to be taken: To secure members' approval prior to publication of the Rights of Way Improvement Plan.

Statutory: **Non-Statutory:**
Other:

Other options considered: N/A

Key background documentation: Draft Rights of Way Improvement Plan September 2008.

Portfolio Member Details	
Name & Telephone No.:	Councillor Hilary Cole - Tel (01635) 248542
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Contact Officer Details	
Name:	Elaine Cox
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Implications

Policy:	The policy proposals contribute directly to a number of corporate policies, especially those relating to 'quality of life' and 'transportation'. The draft document contains full references to these linkages.
Financial:	The implications of all the proposals will be accommodated by existing budgets, plus external funding where applications for such funding are successful. If there are any financial implications contained within this report this section must be signed off by a West Berkshire Group Accountant. Please note that the report cannot be accepted by Policy and Communication unless this action has been undertaken.
Personnel:	The proposals would affect personnel primarily of the rights of way team in the Countryside section. There will be some indirect effects on staff of other departments, in line with the links to wider corporate aspirations.
Legal/Procurement:	There will be some effects on legal staff, but an additional work load is not anticipated.
Environmental:	An number of other policy proposals of the ROWIP are intended to improve the environmental performance of the rights of way team, and many of the policies themselves are intended to help to reduce carbon emissions.
Partnering:	Many policies advocate improved synergy with both internal colleagues and external bodies.
Property:	There are implications only where specific improvement proposals affect Council-owned land.
Risk Management:	A level of risk is indicated for each policy proposal in the draft ROWIP.
Community Safety:	A number of the proposals would result in a direct improvement in safety of the public.
Equalities:	A number of the policies of the draft ROWIP would have a positive impact on traditionally under-represented groups. An Equalities Impact Assessment has been completed, and the approach adopted in Improvement Plan towards improving the access network ensures that equalities are always considered when improvements are being planned (see Chapter 5). Groups representing those with restricted mobility were approached directly for their views during the consultation period. For advice please contact Principal Policy Officer (Equalities) on Ext. 2441.

Consultation Responses

Members:

Leader of Council: No comments

Overview & Scrutiny Management Commission Chairman: No comments

Select Committee Chairman: No comments

Ward Members: No comments

Opposition Spokesperson: No comments

Local Stakeholders: The comments of the Mid and West Berkshire Local Countryside Access Forum, and other users of the access network, have been included in the document.

Officers Consulted: Paul Hendry, Gary Lugg, Sharon Armour, Stuart Higgins, Sallie Jennings, Jon Thomas, Sue Pepper, Jenny Noble, Mark Edwards.

Trade Union: No comments

Is this item subject to call-in.	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by OSC or associated Task Groups within preceding 6 months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>

Supporting Information

1. Background

- 1.1 A statutory duty was introduced by section 60 of the Countryside and Rights of Way Act 2000 for each highway authority to publish a Rights of Way Improvement Plan (ROWIP), covering all its area.
- 1.2 Rights of Way Improvement Plans are intended to be the prime means by which local authorities will identify the changes to be made, in respect of management and improvement, to their rights of way networks in order to meet the Government's aim of better provision for walkers, cyclists, equestrians and people with mobility problems. The ROWIP should be a strategic document, and in producing the Improvement Plan, the District Council is required to do the following:
- (1) Assess the extent to which local rights of way meet the present and likely future needs of the public.
 - (2) Assess the opportunities provided by local rights of way (and in particular by footpaths, cycle-tracks, bridleways and restricted byways) for exercise and other forms of open-air recreation and the enjoyment of its area.

- (3) The accessibility of local rights of way to blind or partially-sighted people and others with mobility problems.
- 1.3 The assessment should include access in a broad sense by considering the Definitive Map in conjunction with the wider highway network, for instance roads; cycle tracks; permitted routes, open access land and other land with permitted access and habitually-used routes. The ROWIP terms these collectively as 'the access network'.
- 1.4 The ROWIP must also include a statement of the action the Council proposes to take to improve the network of rights of way and its management, having particular regard to the items listed above. Once the Improvement Plan has been published, the Council is required to review and, if necessary amend and republish the plan at intervals of not more than ten years.
- 1.5 The statutory requirement was to produce the draft by November 2007, but an extension to this deadline was granted by DEFRA in 2008.
- 1.6 A wide consultation exercise preceded the first drafting of the ROWIP, which was approved by Individual Decision. The further statutory process of consultation on the draft ROWIP then took place, and notices appeared in two local newspapers. The draft was placed on the West Berkshire Council web site and the following bodies were also directly consulted: The Mid and West Berkshire Local Countryside Access Forum; parish councils and neighbouring local authorities; access user groups, land mangers, the North Wessex Downs Area of Outstanding Natural Beauty and Tourism South East.
- 1.7 The aim has been to incorporate the spirit of all the consultation responses into the ROWIP, and in particular into the strategically-based Action Plan section of the document. The consultation exercises produced a very large number of requests for specific new routes and improvements to the existing access network. Resources will not permit all these requests to be pursued in a short time-scale, and the considered method of dealing with them is set out in Chapter 6 of the ROWIP.

Appendices

Appendix A – Rights of Way Improvement Plan



RIGHTS OF WAY IMPROVEMENT PLAN 2010 - 2020

WEST BERKSHIRE COUNCIL

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5. Objectives and Action Plan
6. Specific improvement projects
7. Funding and resources
8. Measurement and management of performance
9. Monitoring and sustainability

Appendix 1	Assessment of need
Appendix 2	Work carried out to date
Appendix 3	Statutory duties and powers
Appendix 4	Policy context

1. Overview

“Local rights of way are both a significant part of our heritage and a major recreational resource”. (DEFRA 2002).

- 1.1 West Berkshire possesses a rich network of linear routes and areas of land, away from roads, which are available for use by the public. This document refers to these collectively as the ‘access network’. This Rights of Way Improvement Plan sets out the District Council’s aims to improve the access network for the enjoyment of all its users.
- 1.2 The access network comprises ‘Definitive’ public rights of way; cycle tracks; routes permitted for use by landowners; informal routes used by the public; and land open for public access. Some remote rural roads are also similar in character to these other forms of linear access.

This Rights of Way Improvement Plan sets out the District Council’s aims to improve the access network for the enjoyment of all its users.

The value of the access network

- 1.3 An improved and promoted network of public rights of way and other access routes carries benefits to quality of life at many levels:
- Use of rights of way as alternatives to transport by car improves air quality and road safety, reduces emissions, and eases congestion.
 - The access network offers a huge opportunity for people to enhance their quality of life in other ways, for instance, by taking exercise in a pleasant and traffic-free environment, and by using the rural network to observe the natural environment and other features of interest.
 - The access network is an important local amenity, especially in rural areas, where other facilities might be limited.
 - The access network offers opportunities for learning about wildlife, conservation and the workings of the countryside. Such opportunities attract local and rural income from visitors to an area such as West Berkshire, the majority of which comprises an Area of Outstanding Natural Beauty. That same network of ‘green lanes’ has the potential to be better managed, so as to increase its value for biodiversity.
 - Travelling through communities other than by private car increases people’s appreciation of their local area, and benefits social cohesion.
 - Finally, there are the unquantifiable but fundamental benefits to mental and spiritual renewal and relaxation.

The access network in West Berkshire

- 1.4 Public rights of way are recorded in legal documents called the Definitive Map and Statement. They are all highways, for the purpose of 'passing and re-passing', only.
- 1.5 **There are 1178 km (732 miles) of public rights of way in West Berkshire, compared to a Council road network of 1272 km (790 miles). Public rights of way are made up of the following:**
- **61% public footpaths**, over which the right of way is on foot only.
 - **17% public bridleways**, for use by the public on foot, bicycle and on horseback or leading a horse.
 - **8% restricted byways**, used as for bridleways but with the addition of non mechanically-propelled vehicles, thereby giving a right of access for horse-drawn carriages.
 - **14% byways open to all traffic**, for use by all the above plus vehicular traffic, with the *main* use being by walkers and horse-riders. Vehicles must be taxed and insured, in the same way as for roads.
- 1.6 The Cycle Tracks Act 1984 allows new cycle tracks to be created, and Definitive footpaths to be converted to cycle tracks. Cycle tracks created in this way are highways but are not recorded on the Definitive Map and Statement. Cyclists may be required to share with other users.
- 1.7 Landowners sometimes allow the public to access their land, or linear access routes across their land. Such 'permissive access' may be formalized in an agreement, entitling the owner to Government Stewardship grants. Landowners have registered a total of 21km (13 miles) of linear permitted access with the District Council, and there are many more routes and areas provided for the public under the Stewardship grant schemes.
- 1.8 Part 1 of the Countryside and Rights of Way Act 2000 created 'open access land', which in West Berkshire comprises registered common land and certain areas of heathland and downland. It covers 1.7 % of West Berkshire (1207 hectares). People may walk, run or sight-see on this land, but must act responsibly and with consideration for others, and between 1 March and 31 July, or at any other time in the vicinity of livestock, dogs are only allowed if on a short lead. There may be local restrictions.
- 1.9 Finally, there is the access which has no formal recognition, and which is used habitually by the public, perhaps by local agreement with the landowner. Linear access used by the public 'as of right' may acquire the status of a public right of way.

The duty to prepare a Rights of Way Improvement Plan (ROWIP)

- 1.10 West Berkshire District Council (the 'District Council' or 'Council'), as highway authority, has a statutory duty to maintain its public rights of way in a suitable condition for the public use which is

- made of them. In 2000, the third National Rights of Way Condition Survey, undertaken by the Countryside Agency, indicated that no highway authority in England had met the target for all rights of way to be properly maintained by the year 2000.
- 1.11 Nevertheless, the Government aims to achieve an improvement in defining, maintaining and publicizing the rights of way network. A statutory duty was introduced by section 60 of the Countryside and Rights of Way Act 2000, for each highway authority to publish a Rights of Way Improvement Plan, covering all its area.
- 1.12 Rights of Way Improvement Plans are important means by which local authorities will identify the changes to be made, in respect of management and improvement, to their rights of way networks in order to meet the Government's aim of better provision for walkers, cyclists, equestrians and people with restricted mobility. In producing the Improvement Plan, the District Council is required to do the following:
- Assess the extent to which local rights of way meet the present and likely future needs of the public.
 - Assess the opportunities provided by local rights of way (and in particular by footpaths, cycle-tracks, bridleways and restricted byways), for exercise and other forms of open-air recreation, and the enjoyment of its area.
 - Assess the accessibility of local rights of way to blind or partially-sighted people, and others with mobility problems.
- 1.13 The assessment should include access in a broad sense, by considering the Definitive Map in conjunction with the wider highway network; for instance roads, cycle tracks, permitted routes, open access land and other land with permitted access and habitually-used routes.
- 1.14 The Rights of Way Improvement Plan must also include a statement of the action the District Council proposes to take to improve the network of rights of way and its management, having particular regard to the items listed above. Once the Improvement Plan has been published, the Council is required to review and, if necessary, amend and republish the plan at intervals of not more than ten years.

2. Vision

- 2.1 A 'Vision' in the context of the Rights of Way Improvement Plan is 'an inspirational and believable picture of the future'.

West Berkshire's vision for its access network:

'To enhance the opportunities for society, and its environment, to benefit at all levels from the public access network in West Berkshire'.

3. West Berkshire's approach to creating its Rights of Way Improvement Plan

3.1 The overall approach to creating the Improvement Plan has been as follows:

- A. To carry out, including via consultation, a thorough assessment of the extent that the current access network meets the present and likely future needs of the public. **Appendix 1.**
- B. A record progress to date on work to maintain and improve the access network. **Appendix 2.**
- C. To record the District Council's statutory duties and powers in relation to the provision of public access. **Appendix 3.**
- D. To set the Rights of Way Improvement Plan in a wider policy context. **Appendix 4**
- E. Based on A to D above, to identify general themes for improvements needed, and to formulate a series of targeted objectives, which will achieve improvements to the access network and working practices, whilst maintaining and improving the delivery of the Council's statutory duties.

3.2 The District Council's work on public rights of way to date has been largely governed by the strategy document the 'Milestones Statement', which sets out measures to achieve a legally-defined, properly-maintained and well-publicized rights of way network. This Improvement Plan will contain proposals to continue with and improve this work, in the context of economy, efficiency and effectiveness, and will therefore supersede the Milestones Statement.

4. The themes for improvement

- 4.1 Out of the wide consultation emerged a clearer picture of the profiles of both users and non-users of the access network, plus a very high number of separate general proposals for improvements to the provision of public access, site-specific proposals for improvements, and additional access routes. As part of their work to identify the site-specific improvements, some consultees scrutinized the Definitive Map in great detail to identify anomalies and potentially useful changes and additions.
- 4.2 By using the details of the consultation responses, the Council's own experience and statutory duties, plus best practice, and the wider policy context, a series of clear themes for improvement have emerged, which are listed below.

A well-maintained access network

- 4.3 There is a need to improve surface maintenance, signposting, and vegetation clearance along public rights of way, whilst retaining the character of the network. The number of unauthorized interferences with public rights of way needs to be reduced.

A legally recorded public rights of way network

- 4.4 Applications for path orders need to be processed more quickly.

An environmentally-sustainable access network

- 4.5 Improvements need to be made to preserve and enhance the biodiversity and historic character of public rights of way.

Providing information / promoting the use of the access network

- 4.6 An increase is needed in the availability of access information and promotional material, along with an exploration of a greater use of a wider range of formats, to compliment relevant work carried out by others.

Education / encouragement of responsible behaviour

- 4.7 There is a lack of understanding amongst certain people of their responsibilities and rights when using the access network. Such information must be disseminated much more effectively.

Development of new and improved access

- 4.8 New or improved access should be sought where there is a proven need, to include links between population centres and facilities, including schools, and improved equestrian access away from busy roads.

Physical improvements to the access network

- 4.9 There are a number of positive steps that can be taken to make physical improvements to the network, ranging from destination signposts and surface works, to improved gate latches.

Improving accessibility for all users

- 4.10 There is a need to improve the provision and promotion of access for groups which either do not presently use the access network, or who possess restricted mobility.

Working with partners

- 4.11 The Council should improve its effectiveness by efficiently aligning its activities and aspirations with relevant activities and aspirations of others.

Improving working practices and customer care

- 4.12 Various steps can be taken to improve the efficiency of the Council in terms of delivering improvements to the access network, and its communication with the public about matters of access provision.

Funding

- 4.13 The Council should investigate opportunities for external funding for access projects.

Monitoring and continued consultation

- 4.14 Circumstances are always changing, and mechanisms are needed to ensure that the Improvement Plan remains effective and relevant.

5. Objectives

5.1 Again, by using the details of the consultation responses, the Council's own experience and statutory duties, plus best practice, and the wider policy context, a series of objectives have been developed under each theme. These objectives are listed in the Action Plan below, with additional explanatory notes where needed or helpful.

5.2 The columns of the Action Plan table are explained here:

'ROWIP reference'

5.3 Each objective has been given a consecutive reference number, prefixed by 'ROWIP'.

'Rights of Way Improvement Plan themes and objectives'

5.4 The main theme appears as a heading, and below in bold are listed the objectives, with explanatory notes where needed.

'Priorities'

5.5 These are denoted by colour-coding in the table. Red and green codes apply to objectives which have not yet started in earnest. Red objectives are for attempted completion in years 1 to 2 following adoption of this Improvement Plan. Green objectives are for attempted completion in years 3 to 5. A third category of 'ongoing' applies to objectives which, by their nature, are ongoing activities, where work has already started.

'Benefits'

5.6 These are described in terms of the main policy areas that the objective would help to implement. Appendix 4 gives more details about these.

'Reduce, manage or invest'

5.7 In order to ensure that the District Council is making the best use of resources, an assessment for each objective has been made of whether the activity involves a reduction in resources, improved management of existing resources, or the investment of additional resources.

'Risk'

5.8 The assessment of risk is the likelihood of failure of each objective.

'Resources'

5.9 This lists the organizations or individuals who would be involved in implementing the objectives.

‘Funding sources and scale’

5.10 Appropriate types of funding sources are listed. These do not include possible additional external funding, because to seek such funding in the future is in itself an objective of the Improvement Plan. An indication of cost of completion of each objective is given, as such:

- £ Under £5000
- ££ Between £5000 and £50,000
- £££ Over £50,000

For ongoing objectives, the figure refers to the annual cost.

5.11 Many of the objectives are not aimed specifically at one type of access user over another. Different types of access are used by people for varied reasons and in varying ways. The following table lists some of these, and when implementing the objectives of this Improvement Plan, the columns in the table will be cross-referenced with each other, to make sure that all users have been considered and accommodated where possible.

Access examples	Journey examples	Travel modes / user examples
Public footpath	Work	Foot
Public bridleway	Education	Cycle
Restricted byway	Recreation	Horse
Byway open to all traffic	Access to services	Mobility vehicles
Cycleways	Exercise	Mechanically-propelled vehicles
Unclassified roads		Carriage
Wide road network		All abilities
Quiet Lanes		All ethnicity
Permissive access - linear		Runners
Permissive access - land		Dog walkers
Rights of way along towpaths		Buggies
Statutory open access land		Blind / partially-sighted
“De facto” routes		Restricted mobility of all kinds
		Children

ACTION PLAN

Important notes concerning implementation of objectives appear at the end of this table

KEY:

- PROW = 'public right(s) of way'; WBC = 'West Berkshire District Council'; AONB = 'Area of Outstanding Natural Beauty'
- An indication of cost of completion of each objective is given as such: £ Under £5000 ££ Between £5000 and £50,000
£££ Over £50,000
- Benefits: SSC: West Berkshire Sustainable Community Strategy; AONB: Area of Outstanding Natural Beauty Management Plan; *Cultural Strat.*: Cultural Strategy; *Protect Public*: objective protects the public; LTP: Local Transport Plan; *Efficiency*: objective will result in efficiency savings. Refer to Appendix 4 for explanations of policies quoted in the Action Plan.
- Priorities are colour-coded: **High Priority** (guide: years 1 to 2) **Medium Priority** (guide: years 2 to 5) Uncoloured: Work already started and ongoing

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
A well-maintained and safe access network						
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.	ROWIP 1	Protect public Efficiency	Manage	Low	WBC	Revenue £
Carry out a complete condition survey of all Definitive PROW at least every ten years.	ROWIP 2	Protect public Efficiency LTP	Invest	Medium	WBC Volunteers	Revenue Capital ££

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Investigate the feasibility of a limited scheme to remunerate landowners for carrying out repair, maintenance and improvement works on PROW.	ROWIP 3	Efficiency LTP AONB	Manage	Medium	WBC Landowners	Revenue Capital £
Review measures to ensure that landowners maintain all hedges adjacent to PROW so as to prevent obstruction of PROW by overgrowth.	ROWIP 4	Efficiency LTP AONB	Manage	Medium	WBC Landowners	Revenue £
Formally adopt the draft policy governing the maintenance of PROW used for access to residential properties, farms and other private land or establishments.	ROWIP 5	Efficiency LTP	Manage	Low	WBC	Revenue £
Produce a design and consultation protocol for the repair, replacement and installation of bridges on PROW.	ROWIP 6	Efficiency LTP	Manage	Low	WBC	Revenue £
Review PROW sign and waymark designs to reduce future instances of fading and unauthorized relocation or redirection.	ROWIP 7	Efficiency LTP SSC Cultural Strat.	Manage	Low	WBC	Revenue £(£)
Remedy all unresolved PROW signage defects by the end of April each year.	ROWIP 8	LTP SSC Cultural Strat.	Manage	Low	WBC Volunteers	Revenue Capital ££
Produce a prioritization scheme for physical works, vegetation clearance and enforcement on PROW.	ROWIP 9	Efficiency LTP	Manage	Low	WBC	Revenue £
A legally-recorded PROW network						
'Consolidate' and publish the Definitive Map and Statement in a clear and useable format.	ROWIP 10	Cultural Strat. SSC	Invest	Low	WBC	Revenue ££

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Each year to complete the processing of the annually-agreed list of applications for modification orders and path orders.	ROWIP 11	Efficiency LTP SSC Cultural Strat.	Manage	Low	WBC	Revenue ££
Produce a published prioritization scheme for dealing with applications for modification orders and applications for path orders.	ROWIP 12	Efficiency	Manage	Low	WBC	Revenue £
Carry out risk assessments for trees within PROW and formulate a prioritized plan of action to ensure the safety of PROW users.	ROWIP 13	Protect public Efficiency	Invest	Medium	WBC Volunteers	Revenue ££
Consider appropriate legal mechanisms to recognize acquisition of cycling rights along urban public footpaths.	ROWIP 14	Efficiency LTP	Invest	Medium	WBC Volunteers	Revenue ££
An environmentally-sustainable access network						
Investigate methods to prevent fly-tipping and littering of PROW and also improved methods for clearance of litter and fly-tipping when instances occur.	ROWIP 15	Protect public Efficiency SSC Cultural Strat.	Meduim	Low	WBC AONB National Trails Office Volunteers	Revenue ££
Investigate improved sustainable procurement practices.	ROWIP 16	SSC AONB	Manage	Low	WBC	Revenue £
Introduce improved environmentally-sustainable working practices, which also protect and enhance biodiversity and historic landscape and features.	ROWIP 17	SSC AONB	Manage	Low	WBC	Revenue £

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Providing information / promoting the use of the access network						
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.	ROWIP 18	LTP SSC Cultural Strat. AONB	Invest	Medium	WBC AONB Access user groups Parishes	Revenue Capital ££
Support parish councils, parish plan groups, and others, to increase the range and availability of promotional material for PROW / access.	ROWIP 19	LTP SSC Cultural Strat. AONB	Invest	Low	WBC Parishes AONB	Revenue Capital ££
Education / encouragement of responsible behaviour						
Produce published material to provide information about PROW / access and about the responsibilities of PROW users, landowners and other bodies.	ROWIP 20	Protect public AONB	Invest	Low	WBC AONB	Revenue ££
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.	ROWIP 21	Protect public Efficiency LTP AONB	Manage	Low	WBC AONB	Revenue £
Implement procedures to remove unsuitable PROW from published satellite navigation routes.	ROWIP 22	Protect public LTP	Manage	Medium	WBC AONB	Revenue £
Continue to contribute access information to the “Greenways” newsletter.	ROWIP 23	LTP SSC Cultural Strat. AONB	Manage	Low	WBC	Revenue £

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
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.	ROWIP 24	LTP SSC Cultural Strat. AONB	Manage	Medium	WBC Landowners AONB	Revenue ££
Development of new and improved access						
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.	ROWIP 25	LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners AONB Parishes	Revenue Capital S.106 ££(£)
Seek to promote, improve and create (where necessary) suitable routes to school and consider an increased maintenance programme for these routes.	ROWIP 26	LTP SSC Cultural Strat. AONB	Invest	Low	WBC Landowners AONB Parishes	Revenue Capital S.106 ££(£)
Seek greater partnership with businesses, landowners and partners, to secure the provision of additional permissive or Definitive access for all users.	ROWIP 27	LTP SSC Cultural Strat. AONB	Manage	Medium	WBC Landowners AONB Parishes	Revenue Capital S.106 ££
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 the need for horseboxes.	ROWIP 28	Protect public LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners AONB Parishes	Revenue Capital S.106 £££

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Develop circular interlinking equestrian and cycle routes around settlements (“community circuits”) which also link to longer rides.	ROWIP 29	LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners AONB Parishes	Revenue Capital S.106 £££
Investigate increased access for equestrians and carriages on West Berkshire-managed commons.	ROWIP 30	SSC Cultural Strat.	Invest	Medium	WBC Access user groups	Revenue Capital S.106 ££
Physical improvements to the access network						
Research and implement mechanisms to realign the road user hierarchy in favour of non-motorized transport modes, especially walking (Local Transport Plan 2, policy WI9).	ROWIP 31	Protect public LTP	Invest	Medium	WBC	Revenue Capital S.106 £££
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 (Local Transport Plan 2, policy RSI 7).	ROWIP 32	Protect public LTP	Invest	Medium	WBC AONB Landowners	Revenue Capital S.106 £££
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. Consider the installation of mounting blocks where dismounting cannot be avoided.	ROWIP 33	Protect public LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners Parishes AONB	Revenue Capital ££

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Increase the numbers of PROW signposts indicating destinations, distances and local attractions.	ROWIP 34	LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Parishes AONB	Revenue Capital ££
Improve the signage of PROW in and around West Berkshire's countryside sites.	ROWIP 35	SSC Cultural Strat. AONB	Invest	Low	WBC Volunteers AONB	Revenue Capital £
Implement measures to improve signage and promotion of all permitted access.	ROWIP 36	LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners AONB DEFRA	Revenue Capital S.106 ££
Implement measures to improve management and promotion of open access land and links to and from access land.	ROWIP 37	SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners Parishes AONB	Revenue Capital S.106 ££
Improving accessibility for all users						
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.	ROWIP 38	Protect public LTP SSC Cultural Strat. AONB	Invest	Medium	WBC Volunteers Access user groups AONB	Revenue Capital £££
Continue to provide buggies, for those with restricted mobility, at West Berkshire countryside sites.	ROWIP 39	SSC Cultural Strat.	Manage	Low	WBC	Revenue Capital ££

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Continue to improve the accessibility of structures on rights of way, and introduce and implement new incentives for landowners to do likewise.	ROWIP 40	Protect public LTP SSC Cultural Strat. AONB	Manage	Medium	WBC Landowners AONB DEFRA	Revenue Capital ££
Implement improved promotion of access to the PROW / access network for Walking the Way to Health participants.	ROWIP 41	LTP SSC Cultural Strat.	Manage	Medium	WBC	Revenue Capital ££
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 to encourage and maintain participation.	ROWIP 42	SSC Cultural Strat.	Invest	Medium	WBC AONB	Revenue ££
Support measures to provide shower, clothes-drying and cycle-parking facilities at schools, work places and other destinations, to encourage non-car transport.	ROWIP 43	LTP SSC Cultural Strat.	Invest	Medium	WBC Businesses AONB	Revenue Capital S.106 £
Audit car park barriers on the access network, and seek to ensure that access is possible for horseboxes, where appropriate.	ROWIP 44	Protect public LTP AONB	Manage	Low	WBC Volunteers	Revenue ££
Seek new car parking, cycle parking and horsebox / trailer parking on the access network, where there is a potential need.	ROWIP 45	Protect public SSC Cultural Strat. AONB	Invest	Medium	WBC Landowners Parishes AONB	Revenue Capital S.106 ££

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Working with partners						
Provide support, where needed, to other bodies whose aspirations compliment those of this ROWIP.	ROWIP 46	Efficiency SSC Cultural Strat.	Manage	Medium	WBC	Revenue Capital S.106 ££
Encourage parish councils to use their full range of powers where appropriate and support the appointment of parish council public rights of way officers.	ROWIP 47	Efficiency SSC Cultural Strat.	Manage	Medium	WBC Parishes	Revenue £
Arrange formal rights of way training for parish public rights of way officers, parish plan teams and voluntary groups.	ROWIP 48	Efficiency SSC Cultural Strat.	Invest	Manage	WBC Parishes	Revenue £
Continue to provide support and direction to voluntary groups and to encourage the participation of volunteers of all ages in access work.	ROWIP 49	Efficiency SSC Cultural Strat.	Manage	Medium	WBC Volunteers	Revenue Capital ££
Support the access work identified within parish plans and 'Area Visions'.	ROWIP 50	Efficiency SSC Cultural Strat.	Invest	Medium	WBC	Revenue Capital S.106 ££
Improving working practices and customer care						
Create a comprehensive PROW / access library incorporating controlled copies.	ROWIP 51	Efficiency	Invest	Low	WBC	Revenue £
Use all appropriate internal District Council communication channels to inform relevant parties of developments in PROW / access work.	ROWIP 52	Efficiency SSC Cultural Strat.	Manage	Low	WBC	Revenue £

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Improve the efficiency and speed of use of available legal powers in relation to PROW.	ROWIP 53	Efficiency	Manage	Medium	WBC	Revenue £
Improve awareness of land management priorities and procedures amongst District Council PROW staff.	ROWIP 54	Efficiency AONB	Manage	Low	WBC	Revenue £
Liaise more closely with West Berkshire's Planning and Transport Strategy group, and other planning consultees, so as to benefit the PROW / access network.	ROWIP 55	Efficiency LTP	Manage	Low	WBC	Revenue £
Funding						
Investigate the feasibility of a grant scheme for access work by parish councils, parish plan groups and others, taking into account funding already available.	ROWIP 56	Efficiency	Invest	Medium	WBC Parishes AONB	Revenue Capital £
Seek to involve community and special interest groups in funding and delivering small access schemes.	ROWIP 57	Efficiency	Manage	Medium	WBC Parishes Volunteers AONB	Revenue Capital S.106 £
Investigate opportunities for external and grant funding for PROW/ access projects.	ROWIP 58	Efficiency	Manage	Medium	WBC	Revenue £
Monitoring / continued consultation						
Continue to receive and consider requests for improved access, and to incorporate them into an annually-updated list of requests for specific access improvements.	ROWIP 59	Efficiency SSC Cultural Strat.	Manage	Low	WBC	Revenue £
The Mid and West Berkshire Local Access Forum to advise on implementation of the Rights of Way Improvement Plan.	ROWIP 60	Efficiency SSC Cultural Strat.	Manage	Low	WBC Local Access Forum	Revenue £

Rights of Way Improvement Plan (ROWIP) themes and objectives	ROWIP Reference Move ? Check LTP	Particular benefits of the objective	Reduce, manage or invest	Level of risk	Resources	Funding sources and scale (£)
Learn and listen to views of others, at the same time seeking and implementing best practice in relation to PROW / access work.	ROWIP 61	Efficiency SSC Cultural Strat.	Manage	Low	WBC	Revenue £
Implement an effective internal method of recording good practice and lessons learnt in PROW / access work, for the benefit of present and future staff.	ROWIP 62	Efficiency	Manage	Low	WBC	Revenue £
Produce an annual progress report on the Rights of Way Improvement Plan Action Plan.	ROWIP 63	Efficiency SSC Cultural Strat.	Manage	Low	WBC	Revenue £

Notes concerning implementation of selected objectives

ROWIP 2: additional data to be gathered will include: improvements needed to route marking; basic tree safety survey; disabled access audit; locations of signposts subject to fading or unauthorized alteration; checks on advisory notices, e.g. restricted byways.

ROWIP 7: designs should respect the sensitivity of the landscape.

ROWIP 9 : base the priorities on statutory duties, and the aspirations in this ROWIP. To include items for regular maintenance, e.g. surface-dressing and maintenance of ditches and drains.

ROWIP 10: “consolidation” of the Definitive Map and Statement refers to the process of incorporating all legal changes into a newly-produced Map and Statement. As many known errors in the documents as possible need to be rectified prior to consolidation.

ROWIP 11: the list is to be agreed in advance by Council members with the advice of officers. Applications for modification orders are requests by the public for rights of way to be included in the Definitive Map and Statement. The District Council has a statutory duty to process such applications. Applications for path orders are requests for diversion, extinguishment or creation of rights of way and the Council may accept or reject these at its own discretion.

ROWIP 12: to include a consideration of an appropriate approach to unofficial changes to routes which have been generally accepted by the public.

ROWIP 17: work within the context of the biodiversity action plan and European Habitats Regulations 2007. Relevant procedures would include: vegetation clearance; the provenance of surfacing materials and their compatibility with local aesthetics, soil type and geology; surface repair specification and the need to reduce surface water run-off entering watercourses, and to accommodate future flash-flooding events and other effects of climate change. Also, the need to ensure that works are consistent with historic landscape characterization. Measures are needed in order to comply with the European Habitat Regulations.

ROWIP 18: examples of formats for promotional material: web sites, which also link to relevant work of others; layers on electronic maps; other electronic means; on-site weather-proof leaflet holders.

Examples of active promotion: local businesses and shops; village notice boards and newsletters; user group magazines; local papers and books; churches; museums; libraries; surgeries; leisure centres; gyms; attendance at shows and other events; Tourist Information Centres; Yellow Pages; CLIVE bus; school visits to farms; farm visits to schools/landowners to talk to schools; business and school travel plans; wardens on site to give advice; supporting, where possible, programmes of themed educational guided walks; considering the use of “footfall counters” to gauge demand for and use of routes; actively seeking improved transport services for recreational users; seeking the views of PROW users via regular liaison meetings; considering the use of “drop-in” surgeries; reports to the press; contact with Neighbourhood Action Groups; improved publicity for WBC work done; considering mailing of all households.

There is also a need to use imaginative means to introduce new perspectives regarding perceptions of the countryside. One example of how this might be achieved would be through links to the arts. Such approaches may also be beneficial for people who do not at present visit the countryside.

Particular emphasis to be made to the following, in promotional material: routes leading from local attractions or centres of population to the surrounding countryside; routes suitable for equestrians, cyclists, the unconfident, pushchairs, families, runners and those with restricted mobility; opportunities for healthy exercise; routes linking centres of population and facilities; provide a clearer indication of the ease of use of each route; increase the confidence of infrequent or non-users; show all available access, e.g. permitted paths, open access land, land provided by other bodies, other highways; information to enhance understanding of the countryside and encourage responsible behaviour; locations of facilities and small car parks, including those suitable for horseboxes and trailers; sustainable transport and principles of sustainable tourism; close working with tourism providers; use of marketing techniques and consumer profiling; themes and themed days out.

When checking for other relevant material produced by others, care must be taken to include information which is provided only on web sites.

ROWIP 19: provide guidance along the lines of the District Council's own objectives for promotional material, as appropriate.

ROWIP 20: particular emphasis to be placed on: where people may or may not go and their responsibilities are as highway users, including dog walkers; information about how to report irresponsible or illegal behaviour; responsible car parking in the countryside; respect for livestock and countryside property. Consideration might also be given to informing land managers of relevant information and good practice via short e-mailed articles and newsletters.

ROWIP 21: use of PROW by vehicles has the potential to cause surface damage, which reduces amenity value for others. Such a policy might include the production of promotional material, to indicate the locations of sustainable surfaces suitable for vehicular use, to explain the rights and responsibilities of vehicular users and to indicate locations for vehicular use other than on PROW. Mechanisms for management of vehicular use should follow DEFRA's 2005 guidance "Making the Best of Byways", which in essence states that education, surface improvements and police liaison should be undertaken before the use of traffic regulation orders is considered. Some measures might include securing the help of residents along the lines of West Sussex's "Path Watch" scheme; requests for voluntary reductions in vehicular use at certain locations; attendance at Neighbourhood Action Group meetings and use of neighbourhood wardens; selective use of CCTV and on-site surveillance at locations of particular problems; more effective dissemination of information, including erection of on-site notices, and requests that landowners refrain from using PROW as accesses where possible.

ROWIP 27: consider also the potential of the 'Extended Schools' programme.

ROWIP 25 – 30: attention is drawn to the work of the Trails Trust, which obtains funding to compensate landowners and to survey and install routes. The Improvement Plan has the potential to guide access requirements in the new DEFRA Higher Level Stewardship areas. The Forestry Commission has a concordat with the British Horse Society on equestrian access to its woodlands, and all its freehold has been dedicated for open access on foot under S. 16 CROW Act 2000.

ROWIP 26: all to be carried out in the context of school travel plans and other walking / cycling to school schemes.

ROWIP 27: such access would fulfil the following criteria: would provide new routes or access where there is a clear and demonstrated general need or desire; would reduce fragmentation of the network, as a result of natural and man-made barriers; would improve road safety and increase instances of travel other than by private motor transport; where permitted access is provided, would ensure provision is made for its future ongoing maintenance.

ROWIP 28: when providing such routes, it will be important to ensure that they are also suitable for other legitimate public users.

ROWIP 32: the Thames Valley Safer Roads Partnership educates drivers, for instance when in contact with non-vehicular users. The Department of Transport has been educating motorists concerning horses on roads. The success of the first West Berkshire “Quiet Lanes” scheme should be monitored and future extensions to the scheme considered.

ROWIP 34: consider also the use of multi-user destination signs.

ROWIP 35: consideration should be given to tailoring such signage to the interests of visitors to the countryside sites.

ROWIP 36: to include both linear access and access to land.

ROWIP 38: standardized signage, consistent with that used by other local authorities, should be sought. The use of Bucklebury Common should be considered, in the light of the Council’s Scrutiny recommendations.

ROWIP 38-39: those with restricted mobility would also include those in wheelchairs, the blind, partially-sighted, people with learning disabilities, people with young children and unconfident or novice visitors. There must be appropriate facilities on the routes, and additional facilities should be sought where there is a proven need. When considering suitable routes, regard will be taken of where needs may be concentrated, for example centres of population, including villages. The work should consider the future creation of a network of long-distance paths suitable for those with restricted mobility. It should also consider providing information on the physical conditions of PROW and locations of facilities and barriers to access, so people may plan their own excursions.

ROWIP 45: to include the implementation of measures to remove all gates and stiles which are not needed for the control of agricultural stock. The standard of accessibility to be sought is to allow for wheelchairs and pushchairs. Suitability of parking sites should be a function of the quantity and quality of the surrounding access network.

ROWIP 50: West Berkshire Council to monitor contents and offer assistance where resources permit.

ROWIP 51: a controlled copy is one which is the up-to-date version, to be replaced when updated or replaced. The library would contain, for example, good practice, literature, legislation, British Standards, links to relevant web sites and standard practices and procedures within the rights of way service.

ROWIP 53: consideration also to be given to more frequent prosecutions and publicity for both these and other legal actions taken.

ROWIP 54: this measure is with a view to achieving more effective dialogue with and co-operation from land managers without recourse to legal measures.

ROWIP 55: this will include: regular rights of way training for planning officers, to be provided by the PROW team; improved input into the strategic planning process and the production of a “topic paper” to govern the allocation of S.106 developer contributions towards access. There may also be opportunities to improve the representation of PROW in published transportation material. Liaison with other major planning consultees also needs to be improved, to ensure consistency of comments where possible.

ROWIP 57: this would include, for example, providing ideas for access network improvements to other organizations, in order to “pump prime” work which could otherwise be a low priority for the District Council.

ROWIP 58: to make use of recent guidance from DEFRA and Natural England.

ROWIP 60: reports will be presented to the Local Access Forum three times per year, or at least once per year.

ROWIP 61: this will come from a variety of sources, including by attendance at regional meetings involving PROW staff; training courses; Local Access Forum advice; site meetings; team meetings and future customer surveys.

ROWIP 63: to be supplied to the Local Access Forum and posted on the web site.

6. Site-specific improvement projects

- 6.1 As a result of the public consultation, many requests for site-specific individual improvement projects were submitted. Broadly, these requests are for practical improvement projects on the ground; for altering the statuses of right of way (i.e. altering the types of users permitted along them); and for adding new routes to the access network.
- 6.2 These requests have come from the public during one short consultation exercise, and whilst they form a good basis to help to plan future work, the list is not exhaustive, and there will be additions and updates to be made as time progresses.
- 6.3 These site-specific requests have been transferred to a digitally-based map as a clearly-defined layer, to be available on the District Council's web site, and already available to all rights of way staff to refer to on a daily basis.
- 6.4 Many of the broad objectives in the Action Plan cannot be implemented without site-specific works taking place on the ground, and so, where resources permit, the District Council will aim to implement the site-specific improvement requests where they are consistent with the broad objectives of the Action Plan. For instance, the site-specific improvement list might be used as starting point for planning an improved and promoted equestrian route.
- 6.5 Reference will also continually be made to the site-specific improvement list during the day-to-day work of the Council, and opportunities to implement requests be taken wherever possible.
- 6.6 The site-specific improvement requests may be implemented through a variety of means. The most likely will be through planning agreements; permitted path agreements with landowners; or through Government Stewardship schemes.
- 6.7 The District Council acknowledges that the site-specific improvement requests are requests from the public, and therefore may have benefits for the public, but any attempts to implement new routes would go through the usual channels of consultation with owners and interested parties.

7. Funding and resources

- 7.1 Although the Rights of Way Improvement Plan is a District Council-wide function, the lead for the work will in the main come from the rights of way team in the Planning and Countryside Department at West Berkshire Council.
- 7.2 The rights of way team comprises three full-time and three part-time officers, plus technical support, and three full-time Countryside Rangers.
- 7.3 The work of the rights of way service is funded from a mixture of Capital and Revenue budgets. An additional small contribution comes from S.106 Town and Country Planning Act, 1990, planning agreements, for improvement works associated with development. The core annual Capital budget held by the Countryside and Environment Department for access schemes is approximately £ 175,000, and this budget delivers the majority of practical improvements to the network. The annual revenue budget is £ 276,000, which includes funds for salaries, equipment and works projects.
- 7.4 Advantage is, or has been, made of occasional offers of grant-aid, for instance from Natural England (for work on open access and National Trails), from the Government (for work following the floods of July 2007), and from the North Wessex Downs Area of Outstanding Natural Beauty.
- 7.5 There are many other potential sources of funding for countryside access projects, especially where the involvement of local communities can be demonstrated. The Action Plan here proposes that greater advantage is taken of these in the future.

8. Measurement and management of performance

- 8.1 Performance standards are written statements describing how well a job should be performed, and provide benchmarks against which to evaluate work performance. Whilst a staff job description describes the essential functions and the tasks to be carried out, performance standards define how well each function or task must be performed in order to meet expectations. Criteria for success need to be defined in terms of the four primary indicators of successful performance: quality, cost, quantity and time. Desired outcomes are described in specific, objective and verifiable terms, and formal monitoring of performance will take place via the Council's one-to-one coaching and appraisal processes.
- 8.2 Many of the Improvement Plan objectives will need to be implemented as specific projects, to be programmed concurrently with others. Principles of good project management practice, coupled with performance standards, will be applied to ensure that targets are met.
- 8.3 Until 2007/08, the performance of West Berkshire Council's rights of way service was measured through national Best Value Performance Indicator 178, which required an annual assessment of 'ease of use' of a random selection of 5% of the public rights of way network. Between 2006 and 2010, the result rose from 74% to 86%. The formal indicator BVPI 178 ceased in 2008, but the annual assessment will continue, because West Berkshire Council considers a commodious rights of way network to be a locally important area of delivery.

9. Monitoring and sustainability

Monitoring

- 8.4 The public consultation exercise was, of course, a survey of the public's need at one time only. Some principles behind the objectives will endure, but there is a need to be aware of changes which may affect the relevance of both the objectives in the Action Plan, and the requests from the public for site-specific access improvements.
- 8.5 Proposals for monitoring the progress of implementation of the Improvement Plan, and monitoring the relevance of its content, are contained in the Action Plan. These are:
- Continue to receive and consider requests for improved access, and to incorporate them into an annually-updated list of requests for specific access improvements.
 - The Mid and West Berkshire Local Access Forum to advise on implementation of the Rights of Way Improvement Plan.
 - Learn and listen to views of others, at the same time seeking and implementing best practice in relation to public rights of way / access work.
 - Implement an effective project-based internal method of recording current progress, good practice, and lessons learnt in public rights of way / access work, for the benefit of present and future Council staff.
 - Produce, with progress reports, an annually-updated Rights of Way Improvement Plan Action Plan.

Sustainability

- 8.6 The Action Plan advocates the implementation of improved sustainable procurement and working practices, along with an introduction of improved environmentally-sustainable working practices, which help to protect and enhance biodiversity and historic landscape and features.
- 8.7 The implication of this is that all the actions in the Improvement Plan will be monitored for environmental effects. A strategic environmental assessment (SEA) was carried out on Local Transport Plan 2 in 2006, including the Walking and Cycling Strategies, whose broad aspirations complement those of this Improvement Plan.
- 8.8 The SEA noted that, in the Walking and Cycling Strategies, an encouragement of walking and cycling could increase damage within sensitive areas, and care was therefore taken to ensure that walkers and cyclists would be encouraged to keep to dedicated paths and cycleways. Such a problem is unlikely to arise in this Improvement Plan, as it is concerned with dedicated paths, except in the case of statutory open access land and, in rare cases, permissive open access. Statutory open access land will, as a result of this Improvement Plan, be managed in conjunction with landowners, and the statute under which it was created bans any environmentally-damaging behaviour by the public.

APPENDIX 1

An assessment of the extent that the current network meets the present and likely future needs of the public.

- 1.1 A significant public consultation exercise has taken place, with the details listed below:
- A public consultation between summer 2005 and early 2006, involving a press release and targeted letters, including to all parish councils and neighbouring highway authorities. The consultation was replicated also on the West Berkshire Council web site.
 - District Council countryside staff manned 'consultation' stands at the Thatcham Rural Craft Day and Royal County of Berkshire Show, both in 2005.
 - A separate request for responses was sent to each parish council, to coincide with their parish plan processes.
 - The Mid and West Berkshire Local Countryside Access Forum (covering Reading and Wokingham Boroughs and West Berkshire District) has worked on recommendations for improvements to access for those with restricted mobility; antisocial behaviour; and education of users/ the services provided by the three district councils. The Local Access Forum has also hosted a series of workshops involving main rights of way interest groups, addressing the interests of walkers, cyclists, equestrians, carriage drivers, recreational vehicle users, users with restricted mobility, and landowners.
 - Parish councils and major landowners have been asked for their suggestions for suitable locations for the replacement of stiles with gaps or gates. Parish councils have been asked to suggest suitable locations for rights of way signposts showing destinations and distances.
 - West Berkshire Council's Environment and Public Protection Select Committee undertook, in 2005/06, a scrutiny exercise of rights of way, and the Council's Executive approved the recommendations in January 2006.
 - In 2005, Tourism South-East was commissioned to undertake a site survey of users of the District Council's countryside sites. It was also asked to undertake a random telephone survey of 802 households in West Berkshire and Reading, to request information on usage and reasons for non-usage of countryside sites and the wider rights of way network. A literature review of existing surveys accompanied this exercise, to complete a picture of usage and perceptions as at 2005.
 - Consultees on the first draft of the Improvement Plan were as follows: relevant internal West Berkshire Council departments; the Safer, Stronger and Sustainable Communities Committee; Natural England; all parish councils; neighbouring local authorities; the Mid and West Berkshire Local Countryside Access Forum; The Pang, Kennet and Lambourn Countryside Project; the West Berkshire Liaison Group on Disability; the Environment Agency; British Waterways; the Open Spaces Society; major landowners; access network user groups and a number of other interested individuals and parties.

- The consultation was advertised on West Berkshire Council's web site and in the local newspaper.

Consultation results

Targeted consultation and workshops

- 1.2 The press release and targeted consultation letters produced over 100 separate responses. The tables below summarize the points made in these responses, and also include the recommendations made by the Local Countryside Access Forum workshops.

**WEST BERKSHIRE ROWIP
CONSULTATION RESPONSES
(ALL EXCEPT TOURISM SOUTH EAST RESEARCH)**

N. B. Respondents included focus groups and access user groups, denoted in the table as FG and UG respectively.

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Routine maintenance & enforcement issues:						
Better/more frequent clearance of obstructing vegetation, repair of surfaces & defective barriers	2	4	FG / UG	3	FG	3 / FG
Better surface construction for PROW used by horseriders			UG			
Removal of logs placed across access to PROW			FG			
Removal of litter	2	5	FG	1		2
Removal of ruts			FG		1	
Landowners encouraged to repair ruts caused by farm/forestry vehicles		1				
Better drainage of paths prone to flooding/use of board walks		2 / UG				1
Field gates to be properly maintained and easy to open & close		UG				
Signposts to be situated where easily visible from public roads, & more frequent clearance of vegetation obscuring signs (particularly on roads)		1		1		
Reduce slippery nature of some country lanes			FG			
Secure removal of as much barbed wire as possible		UG				
Stop ploughing of cross-field paths, or at least ensure that they are re-instated quickly		3 / UG				FG

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Improvements to working practices/management of the work load:						
Easier reporting of problems, e.g. "one-stop" helpline, ID path no. on signposts; stickers on posts stating where problems can be reported; web-based report form to which a photo could be attached		1 / FG				1
Quicker resolution of problems once reported to Council		2				
More feedback on problems reported to Council		1 / FG		1		
Quicker & better use of available legal powers		3 / FG				
Establish criteria for prioritisation of maintenance work		1				
General condition survey every 4 years, followed by prioritisation of work according to published criteria		1				
More regular inspection & maintenance of promoted routes & these routes given priority for replacement of stiles with gates		1				
More co-operation with planning colleagues to secure S.106 contributions for improvements; new PROW links to countryside condition of all planning approvals for major development; no PROW cut off by new roads	1	1 / FG				FG
Closer liaison with horseriders by staff who manage the road network			UG			
Sponsorship by local businesses; explore other sources of funding		1 / FG				
More partnerships with businesses and landowners to develop eco-tourism & farm diversification		1				
Users should pay for access	1					
Carry out economic impact assessments of PROW work to show value for money	FG					
Pay landowners to do work on PROW	FG					
More pro-active measures to prevent illegal use			FG			
Ban four-wheel-drive vehicles on vulnerable routes, particularly in winter (users extended this to banning heavy agricultural equipment as well)	FG	3 / FG x 2 / U	FG		1 / FG	1 / FG

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Improvements to working practices/management of the work load (continued):						
Stop-up paths which cause anti-social behaviour if not needed for public use						1
Re-instate PROW lost when trunk roads were built			UG			
Determine why some bridleways are under-used, and implement measures to increase their use			UG			
Expand work with individuals through "adopt a path", & groups such as parish councils, user groups and volunteers, particularly to clear seasonal vegetation growth, pick up litter, report problems		4 / FG				
Work more closely with environmental organisations e.g. Environment Agency		1				
Work more closely with BBOWT		1				
When working with voluntary groups, including parish councils, try to establish procedures which reduce "red tape"		2				
Secure a higher profile for West Berkshire's PROW section		1	1			
Publicity for successful prosecutions e.g. for dog fouling		FG				
Greater protection for The Ridgeway		2				
Physical improvements:						
Create well-signed, wheelchair-usable routes about 2 km long from every town & village, with better surfaces (not loose gravel, not tarmac) & widening of narrow paths, with use of board walks, and diversions away from permanently muddy & rutted areas; to benefit all users, including the less mobile	1	10 / FG / UG	FG			1
Replace stiles with swing gates for those with restricted mobility, particularly on utilitarian routes between settlements; establish prioritisation criteria for this work		13 / UG				2
Replacing stiles with gates, and laying hard surfaces, is often not appropriate for country footpaths; can consume a large part of a small budget; gates are not always livestock proof; gates need more regular maintenance	FG	6 / FG				1

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Physical improvements (continued):						
Maintain individuality of paths to fit the location & circumstances		UG				
Artificial surfaces to be local natural material		UG				
Remove all gates and stiles which are not needed for the control of stock		UG				
No new stiles unless a proven current need which gates would definitely not fulfil		1 / FG				
Dog gates on stiles						1
Mounting blocks where dismounting is necessary			FG / UG			
All gates on equestrian PROW to be openable from horseback			FG			
No steps on paths unless essential		FG				
All promoted recreational routes should be made suitable for the less-mobile, & should be information in all promotional leaflets about suitability for those with restricted mobility		1 / FG				
Better signage & waymarking of paths to reduce trespass & facilitate use (but do not over-waymark)	1	6 / UG		2	FG	1
Use paint markings for waymarking, as this fades less & is more easily renewed		1				
Remove proliferation of ugly signs					1	
Better signage of paths on National Trust land/all NT paths marked on Ordnance Survey maps		UG				1
Discourage landowners from erecting fences alongside PROW, creating alleys. Remove existing unnecessary fences		UG				1
Widen all fenced rural paths to at least 2 metres		UG				
Widen all fenced urban paths to at least 3 metres		UG				
Better litter clearance & prosecution of offenders; organizers of sponsored walks to clear litter & their signs after walks		4	FG	1		
Diversion of cross-field paths on to headlands to avoid need for disruptive & expensive re-instatement		1				
Introduce measures to reduce the amount of traffic on roads used to link paths, or to lower speeds; install horse warning signs on roads where necessary	1	1	UG			

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Physical improvements (continued):						
Better kept verges along roads, including removal of open drainage channels & obstructing signs and litter, so can be used by walkers & cyclists		1	FG / UG	1		
Eliminate dog-legs in urban fenced paths		UG				
Raise parapets on bridges used by horseriders, to current safe height of 1.8 metres			UG			
Creation of new paths/new access (not site specific):						
Work towards creation of a network of long-distance paths suitable for the less-mobile		1				
Better off-road links between settlements (e.g. minimum of two routes connecting neighbouring villages)	1	3 / FG / UG		1		
Better off-road links from urban areas into countryside		1 / FG / UG				
More safe off-road links from rural path networks to rural shops & pubs, bus stops and railway stations	1	1 / FG / UG				
More footpaths to link doctors' surgeries to green space & countryside for 'healthy walks'	1					
Provide public path access (walking, cycling & horseriding) to & between all areas of public open space, conservation, historical or landscape interest	1	1 / UG				
Create direct crossings of motorways, railways & rivers so maximum of 2km between crossings		1 / UG				
Create links between paths which end on busy roads		1 / UG	UG			
More access to banks of small rivers & streams, including River Lambourn in Newbury	1	2 / FG / UG				
Improved access to the southern bank of the River Thames		4 / UG				
More use of agricultural support payments & Forestry Commission schemes for more access, particularly field margins & woods near roads	1	2	UG			
More permitted paths, including for horseriders	FG	1	FG			
Avoid permitted bridleways on footpaths, unless no other available route and the surfaces & widths are suitable, or are made so		UG				

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Creation of new paths/new access (not site specific) (continued):						
More nature trails		1				
More paths alongside roads (safe footways)	1	1				
More footpaths for children to walk to school	1	1				
Improved access to woodland		1				
Fill all gaps in network by creation of new paths, especially links between bridleways		1 / UG	UG			
Use old railway tracks for public access		1				
More routes for cyclists, including better surfaces on cycle routes in the countryside, & upgrading footpaths for use by cyclists	1			2		
Only create shared cyclepaths if they meet national standards for width, and users can be segregated		UG				
More routes for horseriders due to loss of open land and growing numbers of riders; particularly better riding access to routes so do not need to use trailers			FG / UG			
Create more equestrian routes in areas where there are many livery yards, but a poor off-road riding network			UG			
Discover and legally define lost bridleways; support the Discovering Lost Ways project & seek to recruit horse riders to help		1	UG			
Upgrade footpaths and bridleways to provide more links between equestrian routes			UG			
All new routes should be bridleways or restricted byways, to cater for all non-motorised users			UG			
Encourage landowners to provide access which improves the local PROW network for equestrians			UG			
Develop circular interlinking horseriding routes around settlements (community circuits) which can be linked to form longer rides			UG			
Develop linear north-south routes to improve access for horseriders to the urban areas of Newbury & Thatcham			UG			
Upgrade suitable cycle tracks & bridleways for use by carriage drivers			FG			
More routes for motorcyclists to satisfy demand & reduce pressure on sensitive sites & routes	1					
Create or recognise rights over more routes which can be used by vehicles					FG	
Quicker resolution of PROW modification order applications		1			FG	
Greater ability to move paths	FG					

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Promotion of use of access:						
Grading of paths e.g. by means of different coloured signs, to show which are suitable for those with restricted mobility; information to be in leaflets & on site		1 / 2 x FG				
Establish series of graded walks throughout West Berkshire, to help walking for health		1				1
Advance warning of barriers for those with restricted mobility		FG				
More promoted off-road circular walks & rides, with leaflets		3 / FG	FG		FG	2
Promote circular routes for vehicle users on routes with sustainable surfaces					FG	
Show destinations & distances on signs where appropriate		UG				
More maps & signs with destinations & distances showing local walks & rides, & walks around attractions & hotspots (country parks/Thames), including routes for those with restricted mobility; all towns & parishes to have leaflets, sponsored by adverts for local businesses, inc. B&Bs, pubs etc; to show safe car parks; maps sent to all householders in parish	1	10 / FG				4
More information about routes & parking places in village newsletters & on village notice boards, in newspapers, local shops, libraries, doctors' surgeries, hairdressers, leisure centres, local shows, tourist information centres, K&A canal centres, etc.		2 / 2 x FG				1 / FG
Maps near path signs to show people where the paths lead						1
Maps to show permitted paths e.g. on parish maps		1				
Maps to show locations of car parks		1				
Brail interpretation boards at main tourist attractions		1				
Inclusion of pram-friendly walks in National Childbirth Trust's guides		1				
Better marketing of tourism potential of access to countryside, e.g. details of organizations which run guided walks and B&Bs. Availability of leaflets on the West Berkshire web site		6				1

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Education/liason/raising awareness of access issues:						
More education about the responsibilities & needs of the Council, landowners and users (e.g. warning of approach of cyclists, problems of loose dogs), by means of. school visits to farms / farmers' visits to schools / publicising good practice / paths near to towns to display the Country Code / clear signage	2 / FG	3 / 2 x FG	1 / FG / UG		FG	
Appoint wardens to give advice to users & landowners						1
Promote use of PROW in schools		FG				
Introduce orienteering to schools e.g. on Greenham & Padworth Commons		1				
Consult/talk to farmers more, particularly before work on PROW takes place	1 / FG	1		1		
More reports to press on progress/events		1				
Stop discouraging motorcyclists, as they contribute to the local economy & are legitimate users; only illegal use causes problems					2	
Re-introduce liaison meetings for all users; more consistent liaison with users; let users know about rules & regulations		1	FG		FG	
Raise awareness by horseriders of the opportunities to help themselves						
Council to keep a list of horseriding contacts who are involved with PROW			FG			
Communicate more with parish councils						FG
More information on web site about routes in poor condition, so that these can be avoided by vehicle users					FG	
Determine why horseriders use unauthorized routes & educate them about where they can go			FG			
Produce an annual report						FG

Improvements sought (general)	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Provision of ancillary facilities:						
More car parks e.g. small-scale car parks in every village; sufficiently large for room to unload wheelchairs, & horse trailers where near bridleways (& not restricted by low height barriers); level & well-surfaced for those with restricted mobility; car parks possibly on industrial sites & at pubs		6	1 / FG / UG			1
Make car parks safer		1				
More accessible toilets in rural areas		2 / FG		1		
Need areas for quad biking, & four wheel drive circuits		75			1	
Need areas for children to skateboard and use BMXs						1
Better public transport to encourage use of PROW		1 / FG				
Climbing frames & other activities along routes, to keep children's interest		1				
Facilities for drying clothes at schools	1					
Showers in work places		FG				
Buggies for less-mobile for hire at popular sites		FG				

What do not like about use of access/problems caused by public access	Number of respondents categorised by type					
	Land-owners	Walkers	Horse-riders/ carriage drivers	Cyclists	Vehicle users (MPV)	Parish councils
Illegal or antisocial behaviour:						
Rubbish left by users & fly tippers	2	5 / FG x 2	1	1		2 / FG
Unauthorised use of field margins, particularly in vehicles	2					
Damage caused to surfaces, & conflicts with walkers by use of footpaths by horseriders & trail bikes	1 / FG	2 / FG	1	1		3
Conflict caused by illegal motor bike use			FG			FG
Misuse of green lanes and towpaths by vehicle users	2	1		1		
Users breaking fences & other acts of vandalism	1					FG
Spoiling of grass crops by users who trespass	1					
Dog fouling & uncontrolled dogs	1 / FG	2 / FG	FG			
Walkers' cars parked in private lanes & blocking gateways & PRoW	2		FG			
Vandalising of gates to allow access for motorcycles, particularly in Sulham Woods						1
Cutting of fences so dogs can get through						1
Erection of tall fences to obscure views						2
Vandalism & damage to remote buildings	1					
PROW provide access for hare coursers	1					
Since introduction of open access land, some people think that they can walk anywhere		FG				
Conflicts between lawful users:						
Damage & conflict caused to byways by four wheel drive vehicles		1 / FG	FG / UG			1
Conflict between walkers, horseriders and cyclists on narrow paths	1	FG	FG			
Conflict between horseriders & fast motorcyclists on byways			1			
Use of landowners' heavy vehicles on byways, destroying surfaces			1			
Very muddy & rutted bridleways due to horses, farm machinery & bad drainage				1		

Anger of some motorists towards horseriders who use linking roads			UG			
Speed & volume of traffic on linking country roads			1 / FG / UG			
Conflicts between horses kept on stud farms and users of PROW	1					
Conflict with ramblers on byways					FG	
Condition of network:						
Overgrowing hedges & surface vegetation	1	3 / FG	FG	1		1
Poor state of surfaces of routes	1	3 / FG	1 / UG		1	FG
Cross-field paths not reinstated after ploughing (or poor re-instatement)		FG				FG
Council does not clear headland paths	2					
Time & trouble needed to keep paths on land clear	1					
Inadequate signage	FG	1 / FG	FG		FG	
Broken, high & slippery stiles; barbed wire near stiles		1 / FG				1
Logs placed across access points			FG			
Sharp stones used to surface PROW used by horseriders			UG			
Deficiencies in access provision:						
Gaps in PROW network so use of roads is necessary; lack of circular routes (disjointed network)		1 / FG x 2	FG / UG		FG	
Lack of PROW in housing estates		FG				
Natural & man-made barriers which fragment the equestrian network e.g. Kennet and Avon canal, River Kennet, River Thames, M4, A34, railway lines, towns & built up areas			UG			
Lack of PROW where horses are kept, leading to need for horse trailers			UG			
Urbanization of public paths with concrete bridges, removal of native hedges etc		FG				
Noisy routes e.g. by motorways		FG				
Loss of circular routes when trunk roads were constructed: rights of way not re-instated, bridges inadequate			UG			
Lack of parking for horse boxes & trailers			UG			
Deficiencies in the provision of information/education of users:						
Do not know where can go		FG			FG	
Lack of knowledge of people from towns	FG		FG			
Many paths not shown on maps e.g. in parks, National Trust areas		FG				
Deficiencies in management of use:						
Traffic regulation orders & threats of closure					1	

Legislation which restricts legitimate interests to satisfy selfish anxieties					1	
Lack of awareness by West Berkshire highways engineers of the needs of horseriders when using roads			UG			
Reasons why do not use public paths:						
Too much effort to walk on PROW		FG				
Safety/security problems, or fear of such problems		FG	FG			
Lack of a culture for walking		FG				

What like about use of access	Number of respondents categorised by type				
	Walkers	Horse-riders/ carriage Drivers	Cyclists	Vehicle Users (MPV)	Parish councils
Segregation from vehicles (safe & pleasant because no vehicles)	7	FG	1		
Opportunities to be close to nature	2/ FG	FG			
Opportunities to enjoy the countryside	6 / FG	FG		1	
Ability to slow down and relax; peaceful	4 / FG	FG		FG	
Exercise in a pleasant environment	FG	FG			
Challenge of countryside horse rides		FG			
Variety which improves welfare of horses		UG			
Use of forgotten paths	1		1		
Paths are within easy reach of home	1				
Good range of paths & lanes	2	1	1	1	
Well signed/waymarked paths	2 / FG		1	1	
Easily walkable paths	FG				
Easy car parking	2				
PROW are generally well maintained	1				1
Improvements to The Ridgeway for walkers	1				

- 1.3 The following summaries are taken both from the Tourism South-East report. Where figures are given, unless stated, they are derived from the Tourism South-East random telephone survey.

Visit characteristics

- 1.4 It emerged that 70% of households had visited the access network during the previous twelve months, with around 20% of these visiting daily, 16% visiting several times a week and 21% visiting at least once a week. 24% visit at least once a month.
- 1.5 Approximately one third of visiting parties included children under the age of sixteen, illustrating the popularity of the access network with families. Overall, the three main group compositions are lone adults, two adults, and two adults with children.
- 1.6 The majority of visitors are from the B/C1/C2 socio-economic profile.

Reasons for visiting the access network

- 1.7 The survey revealed that people use the network for many and varied reasons. To go for walks is the most popular reason, particularly short walks of up to two hours. Other popular reasons include to observe wildlife, enjoy views, take picnics, walk the dog, ride and exercise horses, cycle, occupy the children, visit a pub or tea room, or access facilities by avoiding roads. Mention was made of the opportunity to pursue other hobbies and interests, e.g. history, natural history, photography, etc.
- 1.8 People particularly value the opportunity for exercise, fresh air and relaxation, and the scenery and peace and quiet offered by an interesting and varied access network. People enjoy the opportunity to be close to nature. Many also commented that they liked the fact that the routes were signposted and maintained, easy to get to, and close to home.

Ethnicity of users

- 1.9 The overwhelming majority of users of the access network are 'white'. Only 2% of participating households in the random telephone survey described themselves as 'non-white'. Only 3% of the population of West Berkshire, however, belongs to an ethnic minority other than 'white'.

Disability

- 1.10 Of the 802 households participating in the random telephone survey, 10% have one or more residents registered as disabled. Of these, around half had visited the access network during the last twelve months.

Mode of transport to reach the access network

- 1.11 The car and on foot proved equally important as modes to reach the starting point for an outing to the access network. The choice of modes is governed by convenience. Over half of households usually travel less than two miles to visit the countryside. A quarter travel between two and five miles, but only 3% travel more than twenty miles.

Visitor knowledge

- 1.12 Given the high number of local visitors, and visitors from neighbouring districts and counties, it is not surprising to find that most visitors are well- acquainted with the area, relying on their local knowledge. 73% of on-site country park visitors said they used local knowledge to find out about country parks in West Berkshire, and 85% said they used local knowledge to find out about public rights of way in West Berkshire.
- 1.13 Visiting households asked where they would like to find information about West Berkshire’s countryside. 37% replied that they would like to be able to find information from their local paper, 31% in their local library, 28% on the internet and 20% would like to be able find information at supermarkets. Other popular information sources include; Tourist Information Centres (17%), through mailing (16%) and in local shops (11%). Remaining sources of information include Ordnance Survey Maps, books on the local area, public notice boards, walking magazines, council offices, local museums, and through the church.

Awareness of rights of way (household survey only)

- 1.14 The overwhelming majority of households (94%) are aware of rights of way in West Berkshire.

Visitor satisfaction among visitors with restricted mobility

- 1.15 Visitors with restricted mobility, interviewed as part of the household survey, are split in their opinions regarding suitable provision for them on rights of way. Around a quarter of households (25%) rated the provision as ‘poor’ or ‘very poor’, whilst nearly 30% rated provision as ‘good’ or ‘very good’. Over a quarter felt information provision for the less mobile was ‘fair’. The remaining 18% felt they could not give an opinion.

Views on future improvements

- 1.16 Households visiting public rights of way were invited to select, from a list, the improvements they would like to see. Results are presented in Table 1.

Table 1: Improvements to rights of way, household survey results		
	Base	%
Improve maintenance of paths i.e. cutting back brambles, nettles, removing litter	214	38
Improve signposting for footpaths, cycle paths, bridleways etc	171	30
More information on walks, rides, rights of way	123	22
More signs at beginning of a path showing the destination	96	17
Improve path conditions i.e. smoother, even surfaces	94	17
Replace stiles with kissing gates	84	15
More information along the route	83	15
More paths suitable for pushchairs, wheelchairs or people who have difficulty walking	78	14
More paths suitable for walkers	78	14
More parking near access points/suitable places to unload from car	67	12
More bridleways suitable for horse riders	47	8
More suitable places to unload from horse box	28	5

More dedicated routes for use by motorised vehicles e.g. motorbikes & four wheel drives	25	4
Other improvements	274	48

N.B. Multiple responses permitted

- 1.17 1.16 48% of households made alternative suggestions ('other improvements' in the table). These include more cycle paths, easier access, clear cycle routes, banning of vehicles), more information on routes, more car parking, more seating, banning of dogs, banning of horses, introduction of more cafés, more rubbish bins, free maps, banning of dumping of waste, and wider improvements for disabled visitors.

Non/lapsed visitor characteristics

- 1.18 The households which had not visited a public right of way in West Berkshire in the last 12 months were asked if anyone in their household had ever visited a public right of way in West Berkshire. 70% of these households (162) had used a public right of way at some point in the past. These households have been termed 'lapsed users'. The remaining 72 households (30%) had never visited public rights of way in West Berkshire and are classified as 'non users'. Lapsed users were asked how long ago their last visit was to public right of way in West Berkshire. Over a quarter of lapsed users (28%) last visited between 1 and 2 years ago. A further 18% last visited between 2 and 3 years ago. Nearly half of lapsed users, however, last visited a public right of way more than 4 years ago.

Reasons for not visiting

- 1.19 Over a third of non or lapsed visitors said they had mobility or sight problems which prevented them from visiting the countryside. 18% (42 households) cited a lack of time, whilst 14% cited no particular reason. 3% of households felt unsafe using public rights of way; reasons given included fear of falling on uneven surfaces, coming into contact with unsavoury characters, and anti-social behaviour. 50 non and lapsed user-households (21%) mentioned alternative reasons why they have never or not recently visited a public right of way in West Berkshire. 8 households mentioned the distance they would have to travel. Other comments included a lack of information on what public rights of way are or where they are located. Non-visitors cited a lack of information as a major reason for not visiting.
- 1.20 Non and lapsed user households were asked to comment on what factors may encourage them to visit public rights of way in West Berkshire. In total 156 comments were made, however of these 112 (72%) were not interested in visiting or were no longer able to visit. The remaining comments were that 22 households would be encouraged to visit if they were more aware of what was on offer, for example more advertising and more information, and 10 households would be encouraged to visit if public rights of way were better maintained. In addition, 3 households felt access for the elderly and the disabled needed improving. Other suggestions included improving public transport, providing more facilities, improving public safety, and reducing incidents of vandalism and littering.
- 1.21 Households including members with restricted mobility, which had not visited a public right of way in the previous 12 months, were asked what would encourage use of countryside rights of way. Most said that physical improvements were needed on the ground, such as smoothing

paths, providing more disabled parking spaces, widening gates, introducing signs for visually-impaired visitors, improving public transport for the disabled and improving disabled access at facilities e.g. toilets and shops.

National figures relating to the use of the access network

- 1.22 There are a number of sources for national figures relating to the use of the access network.
- 1.23 It has been noted that, nationally, 60% of men and 70% of women are insufficiently physically active to benefit their health. Around 25% of all journeys nationally, and 80% of journeys of less than one mile, are made on foot.
- 1.24 Research for the Countryside Agency on rights of way use and demand in 2000 revealed that, in just over 50% of households, at least one member had used public rights of way in the previous year. The most popular activities were walking and cycling. 30% of households felt that there were not enough paths, whilst 40% considered provision to be adequate. 70% of households (including a third of those where nobody had undertaken any activities in the countryside in the previous year), said that they would increase activity, particularly walking and cycling, if more paths and tracks were available. Of the 44% of households where no use was made of rights of way, 16% cited health, and 13% their age, as barriers to participation. Other reasons for making no use of rights of way included having no time. The research also revealed that many people believe that public rights of way are frequently obstructed, or so poorly maintained as to be difficult to use.
- 1.25 The Department for Transport Cycling Personal Travel Factsheet, 2007, summarized findings on levels of cycling, as at 2005. One in six adults said that cycling was an important form of transport for them personally. Those who cycle more frequently are more likely to consider this an important form of transport. The majority of adults agree that everyone should be encouraged to cycle to benefit their health, the environment and to ease congestion. Many adults are, however, concerned about the safety of cycling. More than half were frightened by the idea of cycling on busy roads.
- 1.26 44% of people aged 5 and over have access to a bicycle. Bicycle ownership is much higher amongst children than adults. 58% of all car trips are under 5 miles, equivalent to a half-hour cycle ride. Around 3 in 10 car users say they would reduce their car use if there were more cycle tracks away from roads, more cycle lanes on roads or better parking facilities for cycles. 68% agree that cycles should be given more priority on roads.

National picture concerning equestrianism

- 1.27 Leisure riding remains the main national equestrian activity, but research shows that a shortage of places to go riding, and lack of opportunity, were often-cited deterrents. As with cyclists, many riders are frightened by the idea of using roads because of vehicular traffic.
- 1.28 The British Equestrian Trade Association (BETA) 2005/6 national equestrian survey states that:

- 43% of British households (11 million) have a household member with some form of interest in equestrianism (including racing);
- 4.3 million people have ridden in the previous 12 months (the 1999 estimate was 2.4 million, indicating a substantial growth);
- 65% of equestrian participants are from socio-economic groups C, D and E;
- 75% of horse riders are female; 31% of horse riders are aged under 16; 18% are aged 16 to 24;
- the urban/rural split amongst frequent riders is 50:50;
- horse owners, carers and riders in Britain spend over £4 billion per year in gross output terms;
- there are 1.3 million horses in Britain, owned or cared for by 720,000 people (1.2% of the UK population);
- the average annual expenditure per privately-owned horse is £2166;
- leisure riding is the main equestrian activity, showing an increase of 5% in just over 5 years;
- riding has become far less seasonal: 95% of riders now ride all year round, compared with 61% in 1995.

Use by mechanically-propelled vehicles

- 1.29 The network is also used very regularly by many off-road drivers of mechanically-propelled vehicles, who have a legal right to traverse byways open to all traffic.

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APPENDIX 2

Work to date to maintain and improve the access network.

Legal definition of the public rights of way network

- 1.1 West Berkshire Council is legally responsible for producing the Definitive Map of public rights of way. This document is, in law, conclusive, and therefore a very high degree of care is required in its preparation.
- 1.2 The former Berkshire County Council produced 'consolidated' Definitive Maps and Statements in 1991 and 1994. Consolidation means inclusion of all the known changes made to the network since 1954 and 1956, which were dates at which the information contained in the first Definitive Maps, for the areas which now comprise West Berkshire, was correct. Legal changes are translated to the Definitive Map via 'modification orders'. The County Council's successor, West Berkshire District Council, published the first West Berkshire Consolidated Definitive Map and Statement in March 2000, which shows all the legal changes to the network since 1994. This map was supplied to all local councils, user groups and landowners' organizations, and is available for free public inspection.
- 1.3 The 2000 Consolidated Definitive Map is far from complete. Claims that rights of way exist which are not recorded on the map may be made by anyone, and these need time-consuming and thorough investigation. There are also errors and anomalies in the Definitive Map and Statement, which need to be corrected.
- 1.4 Since 2000, further legal changes have taken place, and legislation in 2006 converted all former 'Roads Used as Public Paths' (RUPPs) to Restricted Byways. The District Council wishes to consolidate these changes within a new published map in the near future. The Definitive Map is held as both a hard copy and in digitized form.
- 1.5 Applications from landowners for the diversion, extinguishment, or creation of rights of way are regularly received. Most applications are made on the grounds that they are in the interests of the owner or occupier, and the administration costs for the preparation of the necessary orders are charged to the applicants. Such public path orders are also made by the District Council in association with new developments.

Maintenance of the public rights of way network, etc.

- 1.6 The physical condition of the rights of way network is identified from many sources. The County Council and subsequent District Council have in the past undertaken surveys of the condition of all their rights of way, with 'General Condition Surveys' having taken place in 2002 and 2009. Reports of problems are received from the public, rights of way staff and volunteers. All reported problems are entered on the rights of way database system, which is continually updated. Reported problems are addressed using letters and negotiation, legal powers, the District Council's Rangers, volunteers, and other bodies or contractors where appropriate. A simple prioritization procedure addresses each in terms of danger level, usage level, degree of obstruction, benefit to the public once resolved, cost/time effectiveness in resolving, the level of complaint, and potential for deterioration.

- 1.7 The District Council's duty to ensure that public rights of way are maintained in a condition suitable for their public use means that substantial amounts of resurfacing and drainage are often required each year. Reported cases requiring attention are prioritized (using the above criteria), resulting in the compilation of an annual programme of works to be carried out by contractors. Due to difficulties that can occur in accessing sites, much of the work is concentrated into the summer months.

Landowners / other bodies

- 1.8 Landowners may possess their own duties of maintenance, e.g. they must clear rights of way of vegetation from their land or boundaries, and have some responsibilities for maintenance of routes which are used by virtue of private easement. British Waterways helps to maintain the sections of the Kennet and Avon Canal towpath (a public footpath) for which it is the owner. The District Council works very closely with the National Trails Office to maintain The Ridgeway and Thames Path National Trails.
- 1.9 A number of parish councils have been keen to use their powers with regard to the provision of public access, and the District Council responds to requests for advice and assistance. In return, parish councils assist by providing local knowledge and advice on many access matters. The relationship with parish councils was enhanced by the 'Parish Paths Initiative', during which a District Council officer helped parishes to undertake local maintenance and promotional projects. This scheme has now officially ended, but the legacy of closer working with certain parish councils remains.
- 1.10 Maintenance and improvement works are also carried out by other bodies, such as the Pang, Kennet and Lambourn Countryside Project, Sustrans, and voluntary groups. All must consult the District Council prior to working on rights of way.

Ploughing and Cropping

- 1.11 For the past few years the District Council has written to landowners twice a year to remind them of their statutory duties to reinstate ploughed rights of way and to keep them free of obstruction by crops. Improved recording of information has aided the targeting of potential problem areas in advance.

Bridges

- 1.12 All bridge structures are recorded by the District Council's Highways and Transport department, and are inspected regularly for structural soundness. The results of the inspections reveal relative priorities for repair or replacement, which are implemented by the department's bridge engineering team. Requests from the public for alterations to bridge designs, to facilitate easier use, are introduced into this system and carried out as soon as practicable.

Volunteers

- 1.13 In recent years, the help of volunteers has greatly increased the rate of resolution of path problems, and data from surveys by volunteers have improved the maintenance of accurate path records. The volunteers concentrate on vegetation clearance, waymarking, gate-installation and litter clearance. Volunteer groups from the Ramblers' Association, adults with learning disabilities

from the Phoenix Centre ('ROAR'), the Pang, Kennet and Lambourn Countryside Project, and many other groups and individuals, are to be thanked for their continued excellent work.

Signposting

- 1.14 Over the last few years, the repair and replacement of defective signposts and waymarks has taken place during the winter months, when there is a reduced need for vegetation clearance. During the winter of 2007/08, all outstanding reported signposting and waymarking defects were resolved, and the Council aims to resolve all subsequent reported problems each winter. Destination/distance information has been added to some suitable roadside signposts, following consultation with landowners and parish councils. The District Council's promoted routes are all distinguished by recreational route signage.

Private and illegal use

- 1.15 The surface conditions of certain rights of way are adversely affected by their use, the effect being a function of the level and type of use and the local physical conditions. The District Council has a duty to maintain all rights of way to a standard suitable for the use which is made of them, but there are exceptions, e.g:
- Where use is by virtue of a private easement (formal or informal). In these cases the Council may come to an arrangement with the landowner, and/or users, regarding maintenance.
 - Where the status of the right of way does not permit the use which is being made of it, and/or the use of a right of way is rendering the surface inconvenient for others. Signage, plus dialogue with user groups, have to date been used to address this problem when it occurs, but the efficacy of this approach has been limited. A written procedure has recently been produced, to guide the Council towards appropriate remedies.
- 1.16 In the past, liaison with vehicular users and other user groups has taken place through the 'RUPPs and Byways Users' Group', at which attempts were made to reach a consensus on priorities for repair, and mechanisms to restrict or manage vehicular use of vulnerable rights of way. Inappropriate vehicular use is a matter for police enforcement, and recently the police have undertaken patrols of The Ridgeway National Trail as part of an action plan designed to protect and improve the condition of this important route.

Routine maintenance – vegetation

- 1.17 Vegetation clearance is undertaken on a pro-active basis throughout the summer and winter. Clearance of certain well-used paths takes place several times during the summer, and the winter is reserved for clearance of woody growth, both on these paths and on other routes, where such work during the summer would not be appropriate due to the possible presence of nesting birds. The District Council's promoted routes are checked annually, and works are carried out to maintain safety and usability.
- 1.18 A proportion of the annual maintenance budget was diverted in 2002 towards the employment of a third Public Rights of Way Maintenance Ranger, and this minor reorganization has resulted in a greater flexibility of the Ranger team and much more efficient working routines.

Trees

- 1.19 The rights of way network embraces many ancient highways, and these in particular may accommodate established trees within their boundaries. The District Council has a duty of care to rights of way users and manages the trees where a safety problem or potential problem comes to light. Boundary trees and trees within neighbouring properties might also potentially affect public rights of way users, and owners are contacted when their action is required.

Publicity for the rights of way network

- 1.20 West Berkshire Council has aimed to develop a promoted range of recreational routes which are readily-accessible, easy to use and offer a wide choice in terms of their length, character and appeal to all types of user. The enjoyment of West Berkshire's countryside by the use of its public rights of way network has been encouraged through publications from many sources produced by the former County Council, the former Newbury District Council and its successor West Berkshire Council, along with user groups, commercial organizations and others. The volume of this literature has increased in recent years. The completion of the signing and waymarking of all public paths in West Berkshire in 1997, and the subsequent ongoing work to maintain this standard, has allowed people to use guidebooks and leaflets with increasing confidence.
- 1.21 Currently available from West Berkshire Council is a series of walks and cycle/equestrian rides; promotional material relating to access across West Berkshire's managed commons; publications from the Tourism section of the Council, designed to guide and welcome visitors to West Berkshire; and recently-published maps for walking and cycling in Newbury and Thatcham, plus a guide along some recommended rural cycle routes.
- 1.22 Amongst user groups and others, the Ramblers' Association is particularly active in producing high-quality publications describing circular walks and rides respectively. A number of parishes publish guides to their access networks, in partnership with the District Council. The National Trails Office produces a range of publicity material for The Ridgeway and Thames Path National Trails. Sustrans actively promotes long-distance cycle routes through the district.
- 1.23 The District Council's bi-annual magazine 'Greenways' contains up-to-date information on the work of the rights of way and countryside teams, plus events information for the Thatcham Nature Discovery Centre.
- 1.24 There are methods of promotion other than by the distribution of publications, and West Berkshire's Countryside Rangers regularly lead guided walks through the District Council's managed countryside sites. Council staff also lead guided walks as part of a contribution to the 'Walking the Way to Health' scheme. Guided walks are also organized by others, including the Ramblers' Association, the National Trails Office, the Kennet and Avon Canal Trust and the Pang, Kennet and Lambourn Countryside Project.

Disabled access to the countryside

- 1.25 Following the Disability Discrimination Acts of 1995 and 2005, the District Council included a simple assessment of the suitability of paths for those with restricted mobility in the 2002 and 2009 General Condition Surveys. A further survey of all reported stile and gate problems has been carried out by volunteers, and reports are also received from the public. The information

from these sources has been used to guide a steady programme of installation of easily - accessible structures (where structures are required), largely with the help of volunteers from the Ramblers' Association.

Permissive access

- 1.26 Access permitted by landowners contributes hugely to the general access network. The District Council is not aware of many of the informal local arrangements, but advises landowners, on request, of the legal considerations when allowing the public across their land, and may provide its own 'permitted path' waymarks for certain suitable routes. Permissive access is also provided by landowners under the DEFRA Stewardship schemes, details of which are held on DEFRA's website and posted on site notices.

Database Development

- 1.27 Central to the District Council's aim of developing efficient methods of working is the rights of way database. This has been in existence since the early 1990s (when it was one of the first of its kind), and has in 2009 been upgraded to an improved access map-to-database electronic link system, which stores information and improves the effectiveness of general working methods, feedback and on-site surveys.

Systems analysis and improvements

- 1.28 Over the past few years, several measures have been introduced to increase working efficiency. In particular, the database has been further developed and used to streamline some work processes and to group similar work items into discreet planned projects.

Communication with the public

- 1.29 The Council aims to acknowledge all requests for service from the public, and aims to provide progress reports and/or feedback once the service has been delivered.

Planning application consultations

- 1.30 The rights of way team comments on all planning applications which lie close to a public right of way, and applies planning policy, plus its statutory duties, to help to protect and improve the network through the planning system.

Open access land

- 1.31 The District Council is in the process of surveying all the open access land in the district, and has helped some landowners to introduce management measures through the installation of gates and provision of information for the public.

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APPENDIX 3

The District Council's statutory duties and powers in relation to the provision of public access

Statutory duties of West Berkshire Council

- 1.1 The District Council's fundamental statutory duties as both highway and surveying authority are:
- To assert and protect the rights of the public to the use and enjoyment of any highway, including a duty to prevent, as far as possible, the stopping up or obstruction of highways. This will include a duty to maintain rights of way in a suitable condition and safe for the public use which is made of them.
 - To keep the Definitive Map and Statement under continuous review and up-to-date, as evidence for alterations or additional routes comes to light.
 - Establish a Local Access Forum.
 - Prepare and publish a Rights of Way Improvement Plan.
- 1.2 Related to these two main themes are other duties, for instance to provide adequate grass or other margins by a carriageway, where necessary or desirable for the safety or accommodation of ridden horses; to have regards for the needs of people with restricted mobility when authorizing structures on rights of way; to signpost rights of way where they leave roads and to sign rights of way to help people follow the routes. The Council must also arrange to keep copies of the Definitive Map and Statement available for public inspection.
- 1.3 Under the Disability Discrimination Acts 1995 and 2005, the Council must not discriminate against people with restricted mobility in the standard of provision of services.
- 1.4 Two National Trails traverse West Berkshire: The Ridgeway and the Thames Path. The principle of National Trails was established under statute in 1949. Natural England and West Berkshire Council work together to secure their management and implementation.
- 1.5 There is a duty across the whole Council to conserve biodiversity, set out by statute in 2006, which states: "every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity". The duty applies to all local authorities; community, parish and town councils; police, fire and health authorities; and utility companies.

Powers of West Berkshire Council

- 1.6 Various statutes confer powers on the District Council, and the most frequently-used and potentially useful of these are as follows:
- To make legal orders to create, divert or extinguish rights of way and, acting as the traffic authority, to make permanent and temporary traffic regulation orders to regulate the use of rights of way.

- To authorise new stiles or gates; to maintain stiles or gates and to require the removal or widening of gates. To enter into agreements with landowners to carry out such work in the interests of those with restricted mobility.
 - To require the abatement of nuisance caused by adjacent barbed wire and the cutting or felling of trees or hedges that are overhanging or a danger.
 - To fence dangerous land adjoining a right of way.
 - To prosecute if expedient for the promotion and protection of the interests of the inhabitants of the area.
 - To 'consolidate' the Definitive Map and Statement, by incorporating all legal changes into one document and republishing.
 - To appoint wardens.
- 1.7 Part 1 of the Countryside and Rights of Way Act 2000 set out new areas of land for public access. Such open access land in West Berkshire comprises registered common land and certain areas of heathland and downland. As the access authority, the District Council possesses powers of management, which include the making of byelaws; the appointment of wardens; the installation of notices; and agreements with owners relating to the construction of access to land.

Powers and duties of other bodies

- 1.8 For footpaths and bridleways, a **parish council** may carry out maintenance and erect lighting or erect notices warning of local dangers. It may prosecute those who crop or plough without restoration, or obstruct any right of way. It may signpost and waymark rights of way (with the consent of the District Council) and create new footpaths or bridleways with the consent of the landowner.
- 1.9 Any stile or gate across a right of way must be maintained by **the landowner** in a safe and convenient condition. Where vegetation in the ownership of land adjacent to a right of way grows to cause obstruction to the public, the District Council has powers to require removal of the obstructing vegetation by the owner or occupier. An owner or occupier must also ensure that no obstruction or other inconvenience to the public is caused by ploughing and cropping of a right of way. Under certain circumstances, a landowner may exclude the public from statutory open access land, following a serving of Notice on Natural England.

- 1.10 'Towpaths' in West Berkshire lie along the banks of the River Thames and the Kennet and Avon Canal, and may or may not also be public rights of way (public rights of way are separate and distinct from any rights of towage). **British Waterways** has a duty to maintain its commercial and cruising waterways in a suitable condition for vessels driven by mechanical power. British Waterways takes the view that this duty does not oblige it to maintain towpaths, but in practice it sometimes does so, for instance sections of the Kennet and Avon Canal footpath for which, as owner, it permits access for cycling. British Waterways is under a general duty to have regard to the desirability of preserving for the public any freedom of access to towing paths and open land.
- 1.11 **The Environment Agency** is under a general duty to promote the use of its land for recreational purposes, but has no specific duty to maintain towpaths.
- 1.12 Where towpaths coincide with public rights of way, the statutory responsibility to maintain the right of way rests with the District Council.
- 1.13 Powers have been conferred by statute on statutory undertakers (e.g. water or gas companies) to excavate any highway for the purpose of installing or repairing pipes or cables.

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APPENDIX 4

Setting future work in a policy context

- 1.1 The Improvement Plan has the potential to aid the delivery of a number of aspirations of the District Council, and there is also a wealth of work being carried out by other bodies, organizations and even individuals which complements this work. Cross references are made to the work of others in the Action Plan section of this document, and care has been taken to ensure that the objectives of this Improvement Plan serve to augment relevant work by others where possible. The necessity to work with partners in order to achieve certain objectives is essential.

Policies of West Berkshire Council

- 1.2 The **West Berkshire Partnership** brings together representatives from the District Council, the police, health services, voluntary and community services and the private sector, to work more closely and effectively to improve the quality of life of West Berkshire residents. Its **Sustainable Community Strategy, 'A Breath of Fresh Air'** sets a clear vision and direction for West Berkshire to 2026, focusing on improving the social, economic and environmental wellbeing of the district, in partnership with key local stakeholders.
- 1.3 Under the key theme of 'Accessible', relevant priority outcomes are to seek to limit future traffic growth; improve accessibility in rural areas and ensure local services remain accessible to the population they serve. Under the 'Stronger' theme, a relevant priority is to reduce inequality in the health of local people, and under the 'Greener' theme, to protect the countryside; increase the diversity of local wildlife and encourage sustainable travel.
- 1.4 The **Council Plan** sets the Council's priorities for 2007 – 2011. Some relevant aims are to:
- Improve the condition of the district's extensive highway network.
 - Protect and enhance the natural environment of West Berkshire.
 - Promote well-being through the adoption of healthy lifestyles.
 - Engage communities and individuals through the encouragement of volunteering and community participation.
 - Support people with special educational needs or disabilities.
 - Increase access to services and opportunities for all.
- 1.5 The Rights of Way team at West Berkshire Council is part of the Planning and Countryside department. **Service Plans** provide information on how corporate plans are implemented. Service Plan objectives are agreed following consideration of the Council's corporate priorities, legislative demands and pressures on the service.
- 1.6 'The Time of Our Lives' is a **Cultural Strategy** for West Berkshire. It describes the contribution that cultural activities make to quality of life, and the actions that are needed to ensure that cultural activity continues to play a full role. It acknowledges the vital part that enjoyment of the rural environment via the district's rich access network plays in the leisure time activities of residents. Some relevant specific priority outcomes in the document are to:

- Increase the number of volunteering opportunities in cultural activities and projects that offer access to training in vocational skills and qualifications.
 - Ensure that local services remain accessible to the population they serve.
 - Ensure that access for those with restricted mobility is improved, and adapted equipment and technology is provided, to overcome the barriers to participation faced by those with sensory and mobility impairments.
 - Protect the countryside and increase the diversity of local wildlife.
 - Use historic characterization results to understand and protect the nature and value of the historic environment.
 - Protect vulnerable scheduled monuments.
 - Increase the range of opportunities for residents and visitors to enjoy the natural environment.
 - Increase the numbers of volunteers actively involved in conservation and management programmes.
 - Encourage sustainable travel.
 - Increase the number of voluntary clubs and societies organizing high-quality cultural activities across the district.
 - Target the most disadvantaged communities by cultural practitioners.
 - Improve links between secondary schools and community-based cultural organizations.
 - Reduce inequality in the health of local people.
 - Increase levels of physical activity.
 - Increase the numbers of people referred to cultural activity programmes, in order to benefit their physical or mental health.
- 1.7 The Government is encouraging Rights of Way Improvement Plans to be integrated into, or aligned with, authorities' **Local Transport Plans (LTPs)**, and a statement of the progress of the Improvement Plan has already appeared in West Berkshire's LTP2.
- 1.8 LTP2 sets out the Council's transport planning policy framework, covering a period of 5 years (2006/07 - 2010/11). West Berkshire's vision for transport is "to develop effective sustainable transport solutions for all". This means delivering a transport system which supports the economic vitality of West Berkshire, as well as providing opportunities for people to get to the services they need, in a way that does not harm the environment of the district and beyond. It also means that this has to be done in a way that makes the best use of the resources available. The effectiveness of the Council's and partners' actions is therefore critical in all areas of delivery.
- 1.9 Seven specific strategies have been identified as key to delivering LTP2: accessibility; road safety; passenger transport; walking; cycling; freight and travel planning. The approach to the District as set out in LTP2 recognizes the diverse characteristics across West Berkshire. As a result, three broad geographical areas have been identified: the urban areas of Newbury and Thatcham; the eastern urban area and rural West Berkshire. The strategies most important for the Improvement Plan are:
- The Walking Strategy – seeks to ensure that the pedestrian route network facilitates easy access to major destinations and addresses 'severance' on routes e.g. major roads and unclear routes between transport interchanges.
 - The Cycling Strategy – replicates the general aspirations of the Walking Strategy, to ensure permeability for cyclists across the urban environment. In addition the Cycling strategy aims to direct all new cycling infrastructure towards assisting the

network of strategic cycle routes, including the provision of good linkages to and from significant trip generators such as places of employment, residence, retail, education and leisure.

- The Accessibility Strategy – this has many links to the Walking and Cycling strategies, but in particular aspires to support all sustainable modes of transport (walking, cycling and public transport) and optimize the uptake and use of these modes.
- 1.10 The next LTP is currently being developed and will be in place by April 2011. It will link with the authority's Rights of Way Improvement Plan. The new LTP will provide a longer-term vision for transport across the district, in line with the Local Development Framework, to 2026. The long-term vision will be supported by 3-year implementation plans.
- 1.11 The new LTP needs to take account of the priorities coming from Central Government through 'Delivering a Sustainable Transport System' (DaSTS), 2008. These new priorities will help to direct the development of the new LTP and update the current LTP objectives. The main DaSTS priorities are:
- To **support** national **economic** competitiveness and **growth**, by delivering reliable and efficient transport networks.
 - To reduce transport's emissions of carbon dioxide and other greenhouse gases, with the desired outcome of **tackling climate change**.
 - To **contribute to better safety, security and health**, and longer life-expectancy, by reducing the risk of death, injury or illness arising from transport and by promoting travel modes that are beneficial to health.
 - To **promote** greater **equality of opportunity** for all citizens, with the desired outcome of achieving a fairer society.
 - To **improve quality of life** for transport-users and non-transport-users, and to promote a **healthy natural environment**.
- 1.12 The **Berkshire Structure Plan 2001 to 2016** is a document that provides a broad strategy for Berkshire. The present plan advocates the use of Council powers to promote alternative modes of travel than by car, including in relation to major developments.
- 1.13 The **West Berkshire District Local Plan** precedes the future Local Development Framework. One relevant aim is that the transportation needs of new development should be met through the promotion of a range of facilities associated with new transport modes, including walking and cycling. Its recreational aims include safeguarding public rights of way, and also to seek improved access to the countryside, in a manner which conserves its landscape and wildlife value, is sustainable in the long-term, and which minimizes the conflict between users, landowners and local residents.
- 1.14 The **Highway Maintenance Plan** provides guidance on delivery of best value highway maintenance, consistent with the aims of the Council Plan. It seeks to attain this by providing a safer highway network, improving travelling conditions for all highway users, and ensuring greater care of the local environment. A 'sister' document, the draft **Network Management Plan**, has also been developed to define the strategy for managing use of the road network. These both form part of the Council's draft **Transport Asset Management Plan (TAMP)**. Public rights of way have been incorporated into these two plans.

Other relevant policies and work

- 1.15 The **Mid and West Berkshire Local Countryside Access Forum** was set up in 2003. It is run jointly by West Berkshire District Council, Reading Borough Council and Wokingham Borough Council. It is a statutory body which must advise the three Councils on improvement to public access to land and linear access for the purposes of open-air recreation and enjoyment of the area. It must comprise representatives of access users, land managers and others with relevant interests. It meets three times per year and to date has advised on many matters, including via working groups addressing encouragement of responsible behaviour and improved access for those with restricted mobility.
- 1.16 The Local Countryside Access Forum has proved invaluable, not only through guiding the work of West Berkshire Council but also through imparting a wide perspective and combined experience to the advice that is given.
- 1.17 As well as formal policies, there is much relevant work being carried out within various departments of the Council with which the Improvement Plan must be incorporated.

Parish plans

- 1.18 A Parish Plan gives local people the opportunity to engage with their fellow residents, community groups, service-providers and others in setting out a vision for how they want their village or town to develop over the next 5-10 years. It examines all aspects of local life and uses consultation with the community to provide the foundations for an action plan, which prioritises local issues, identifies key partners for delivery and sets target dates for the completion of projects. Several relevant themes have repeatedly emerged from Parish Plans to date:
- Improve cycleways and footpaths.
 - Protect and preserve the countryside.
 - Promote areas of historic and local interest to improve the economy.
 - Increase and improve information for the community through web sites, newsletters, booklets etc.

National Trails Management Strategies

- 1.19 Two National Trails pass through West Berkshire, The Ridgeway and the Thames Path, both of which utilize public rights of way. National Trails provide a nationally and internationally-recognized series of walks and rides. In West Berkshire, the Thames Path is promoted for use by walkers and The Ridgeway for use by walkers, equestrians, cyclists and carriages.
- 1.20 The delivery of high-quality National Trails depends on a partnership between many organizations, including Natural England, local authorities, voluntary bodies, landowners and occupiers, private sector companies and local individuals and communities. Proposals for specific projects and long-term ongoing management are contained in the Ridgeway and Thames Path Management Strategies, endorsed by the National Trails Management Group, of which West Berkshire Council is a member.
- 1.21 West Berkshire Council contributes to the upkeep and management of its two National Trails. The work is based on three main principles:

- To enable as many people as possible to enjoy access to the National Trails.
- To protect the ecological, cultural, and landscape features of the areas through which each Trail passes.
- To provide sufficient information about the facilities and services that people need in order to enjoy the routes, however long they wish to stay.

North Wessex Downs Area of Outstanding Natural Beauty (AONB) Management Plan 2009-2014

1.22 The vision for the North Wessex Downs AONB is of ' vast, dramatic, undeveloped and locally-distinct chalk downlands, with extensive areas of semi-natural chalk grassland, contrasting with well-wooded plateaux, arable lands and intimate and secluded valleys, all rich in biodiversity and cultural heritage; a landscape that stands apart from the increasing urban pressures that surround it; where people live, work and relax; and where visitors are welcomed and contribute to a vibrant rural economy'.

1.23 The Delivery Plan includes several objectives relevant to the access network:

- To encourage diverse and viable agriculture, forestry, horseracing and other land-based enterprises that support the delivery of a wide range of public benefits, including the conservation and enhancement of the area's special qualities and features; the provision of access opportunities, and support for local markets.
- To provide transport that is more sustainable and meets the needs of residents of, and visitors to, the North Wessex Downs.
- To ensure that everyone has the opportunity to access and enjoy the special qualities of the North Wessex Downs, whilst minimising the impacts of visitors.
- To promote a recreation and tourism sector that is well-managed, sustainable, and adds value to the local economy, whilst respecting the special qualities of the North Wessex Downs.

Forestry Commission

1.24 The Government, through the Forestry Commission, is by far the largest owner of woodlands nationally. Its policy is to allow access to all its woods on a permissive basis, provided there are no legal or management constraints.

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Individual Executive Member Decision

Title of Report:	Representation on Outside Bodies – Royal Berkshire Fire Authority and Thames Valley Police Authority
Report to be considered by:	Graham Jones as an Individual Executive Member Decision
Date on which Decision is to be taken:	27 May 2010
Forward Plan Ref:	ID2093

Purpose of Report: To consider West Berkshire Council nominations to the Royal Berkshire Fire Authority and Thames Valley Police Authority.

Recommended Action: To agree the Council’s representation on the Royal Berkshire Fire Authority and Thames Valley Police Authority

Reason for decision to be taken: The Council is required to make appointments to certain Outside Bodies on an annual basis

Other options considered: None

Key background documentation: None.

Portfolio Member Details	
Name & Telephone No.:	Councillor Graham Jones
E-mail Address:	gjones@westberks.gov.uk

Contact Officer Details	
Name:	Moira Fraser
Job Title:	Democratic Services Manager
Tel. No.:	01635 519045
E-mail Address:	mfraser@westberks.gov.uk

Implications

Policy:	None
Financial:	Councillors are entitled to claim travel and subsistence allowances for attendance at these meetings. This can be met from within existing budgets.
Personnel:	None
Legal/Procurement:	None
Environmental:	None
Partnering:	None
Property:	None
Risk Management:	None
Community Safety:	None
Equalities:	Not required

Consultation Responses

Members:

Leader of Council:	Graham Jones – no comment
Overview & Scrutiny Management Commission Chairman:	Brian Bedwell – no comment
Select Committee Chairman:	Safer Select Committee – no comment
Ward Members:	N/a
Opposition Spokesperson:	Jeff Brooks – no comment
Local Stakeholders:	Royal Berkshire Fire Authority and Thames Valley Police
Officers Consulted:	Andy Day, David Holling, Corporate Board, Robin Steel, Katharine Sheehan
Trade Union:	Not consulted

Is this item subject to call-in.	Yes: <input checked="" type="checkbox"/>	No: <input type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by OSC or associated Task Groups within preceding 6 months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>

Supporting Information

1. Background

1.1 Background – Royal Berkshire Fire Authority

- 1.2 Five Members of the Council are required to serve as Members of the Royal Berkshire Fire Authority. Members are responsible for setting the Fire and Rescue Service operating budget and determining how the service is run. The Authority comprises 25 local councillors appointed by the six unitary authorities in the county: Bracknell Forest Borough Council (3 seats); Reading Borough Council (4 seats); Royal Borough of Windsor and Maidenhead (4 seats); Slough Borough Council (3 seats); West Berkshire Council (5 seats) and Wokingham District Council (5 seats).
- 1.3 Appointments to the Royal Berkshire Fire Authority are made on a proportionality basis based on the electoral roll. Meetings of the Royal Berkshire Fire Authority take place in the evenings, on a quarterly basis, at various venues in the County
- 1.4 At the Executive meeting held on 17 May 2007, it was agreed that the decision regarding Member representation would be delegated to Councillor Graham Jones, Leader of Council in consultation with Councillor Jeff Brooks, Leader of the Opposition.
- 1.5 The Leader of Council and Leader of the Opposition, working through their Group Executives, agreed that representation would be split 4-1 for the first two years of Council (2007-09) and 3-2 for the subsequent two years (2009-11).
- 1.6 On the 27 April 2009 West Berkshire Council's Monitoring Officer received a request from the Royal Berkshire Fire Authority 'to have greater certainty in its membership' and they therefore requested that the Council 'consider making those appointments for a period of 4 years or, if this is unacceptable, for such period as your authority determines'. Officers have considered this request and suggest that the Council align the appointment to the Council's election cycle. It is therefore proposed that the Councillors be appointed until May 2011 and that subsequent appointments be made for four year periods in line with local elections.
- 1.7 The current representatives are Councillors Jeff Brooks, Paul Bryant, Adrian Edwards, Owen Jeffery and Emma Webster.
- 1.8 It was agreed that these longer term appointments will be at the discretion of the Leader of the Council and will be reviewed if required. The Leader is therefore asked to confirm and if necessary amend the appointments for the 2010/11 Municipal Year.
- 1.9 It has been agreed that there will be no changes to the appointment in the 2010/11 Municipal Year.

2. Background - Thames Valley Police Authority

- 2.1 The Thames Valley Police Authority (TVPA) consists of 19 members, of whom 10 are elected Members (one each from the six Berkshire unitaries, Milton Keynes and

Buckinghamshire County Council and two from Oxfordshire County Council). The membership of the TVPA is appointed by the TVPA Joint Committee, who must have regard to the political balance across the Thames Valley area (based upon the total number of council seats held by each party). Should the Joint Committee decide that a change in membership of the TVPA is required the normal practice is for the Joint Committee to invite local authorities to nominate a representative who meets with the requirement for political balance.

- 2.2 The Chief Executive received a letter from the Thames Valley Police Authority (TVPA) dated the 20 April 2010 explaining that new legislation (The Police Authority (Community Engagement and Membership) Regulations 2010) were laid before Parliament in February and came into effect on 017 March 2010. The regulations have resulted in some changes to existing Membership Regulations.
- 2.3 The TVPA has therefore asked the Council to consider the following points when making recommendations to the Joint Committee for appointments to the TVPA:
- (1) the role of the Police Authority (set out in Appendix B);
 - (2) the police authority Member roles and responsibilities (set out in Appendix B);
 - (3) that the police authority is there to ensure an effective police service for the whole Thames Valley, not just the nominating area;
 - (4) that they should represent the interests of a wide range of people within communities in the area of a police authority;
 - (5) that they should have skills, knowledge or expertise which are under represented amongst the existing Members of the police authority;
 - (6) they should promote diversity within the Force and the Police Authority in question'
 - (7) that they commit sufficient time to take an effective role on the Police Authority.
- 2.4 The letter states that the TVPA would like to ensure that its membership represents the wider make-up of the communities of Thames \valley and is particularly keen to have female members and members from minority ethnic groups. The authority will also be facing other challenges in the forthcoming years particularly in terms of strategic leadership and value for money and the authority is therefore seeking Members that have experience in these areas.
- 2.5 It should be noted that all Police Authority Members will be required to have basic Criminal Records Bureau checks and increasingly they are likely to be required to undertake more detailed and onerous vetting for security purposes.
- 2.6 Police Authority Members will also be required to complete an Annual Performance Development Review and participate in a skills audit and analysis.

- 2.7 Councillor Anthony Stansfeld is the Council's current representative.
- 2.8 The following Members have expressed an interest in being nominated to this Outside Body: Councillor Anthony Stansfeld

3. Conclusion

- 3.1 That the Council appoints representatives to the Royal Berkshire Fire Authority and Thames Valley Police in accordance with the criteria set out above.

Appendices

Appendix A - Letter from Thames Valley Police Authority dated 20 April 2010-04-28

Appendix B – Draft New Police Authority Regulations

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Thames Valley Police Authority

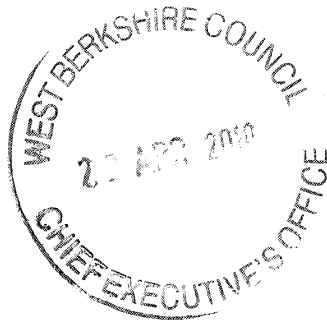
the authority behind the force

The Farmhouse, Force Headquarters, Kidlington OX5 2NX

t 01865 846780 f 01865 846783 www.tvpa.police.uk

Jim Booth
Chief Executive

Jim.booth@thamesvalley.pnn.police.uk



Our Ref: JB/LMR
Your Ref:
Date: 20th April 2010

Dear Chief Executive

Appointments to the Police Authority.

Over the next few weeks, your Council will no doubt be considering appointments to outside organisations, including representatives to the Police Authority.

You may not be aware that the Home Office laid a number of new Regulations before Parliament in February and these came in effect on 17th March. The Police Authority (Community Engagement and Membership) Regulations 2010 make some changes to existing Membership Regulations.

The main thrust of these new Regulations is to help Joint Committees and Councils in appointing members to Police Authorities. They cover new rules on appointing elected Mayors, and cover diversity, time commitment, competencies and ability to represent a wider range of people which are to be considered in appointing elected members to Police Authorities. They also bring new provisions on disqualification and clarify tenure of office.

Home Office guidance, jointly produced with the LGA and Association of Police Authorities and the Welsh Local Government Association, is expected to be issued before the local elections next month. However, I thought it might be helpful if you had sight of the current draft to help in discussions on appointments with Council Leaders and I have attached a copy accordingly.

The Regulations also expect Police Authorities to set out the requirements and expectations of elected members coming onto the Authority.

contd/...

/...

In this last respect, I would ask your Council to consider the following points when making recommendations to the Joint Committee for appointments to the Thames Valley Police Authority:

- (1) The role of the Police Authority (set out in the attached guidance)
- (2) The Police Authority Member roles and responsibilities (set out in the attached guidance)
- (3) That the Police Authority Member is there to ensure an effective police service for the whole of Thames Valley, not just the nominating body area.
- (4) That they should represent the interests of a wide range of people within communities in the area of the Police Authority
- (5) They should have skills, knowledge or experience which are under-represented amongst the existing Members of the Police Authority
- (6) They should promote diversity within the Force and the Police Authority in question
- (7) That they can commit sufficient time to take an effective role on the Police Authority.

The Authority is keen to ensure that its membership represents the wider make-up of the communities of Thames Valley and is particularly keen to have female members and members from minority ethnic groups.

The Authority, as with other public bodies, will be facing critical challenges in the years ahead, particularly in terms of strategic leadership and direction, value for money and the most efficient use of resources. Accordingly, the Authority is keen to welcome Members who have experience in these areas, are able to work strategically and are able to contribute to the Authority's development in these critical areas.

All Police Authority Members will be required to have basic Criminal Records Bureau checks and increasingly Members are likely to be required to undertake more detailed and onerous vetting for security purposes. This is an essential prerequisite for Authority Members who may become involved in issues relating to Counter-Terrorism, Serious and Organised Crime and even key national events such as policing the 2010 Olympics. In some respects, you will already be familiar with this in relation to the Counter-Terrorism local profiles and the briefings which you may receive on these.

Police Authority Members will also be expected to complete an annual Performance Development Review and also participate in a skills audit and analysis. Both of these are to ensure the continued development and improvement of the Authority.

Covering an area as large and diverse as Thames Valley, partnership is a key issue both now and for the future and it would be helpful if elected members on the Police Authority were able to work in a partnership framework and, in particular, be able to represent the Authority within partnerships they may be allocated to and also to reflect partnership considerations on policing and community safety matters back to the Authority.

I'm sure you will not need any reminding that any appointment, in addition to requiring compliance with the specific legislation, also needs to comply with the appropriate equalities, human rights and diversity legislation.

contd/...

DRAFT

NEW POLICE AUTHORITY REGULATIONS

JOINT GUIDANCE ON APPOINTING COUNCILLOR MEMBERS (ENDORSED BY APA, LGA, WLGA, HO)

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1. Introduction

The purpose of this guidance, jointly produced by [the Home Office], the Association of Police Authorities (APA) and the Local Government Association (LGA), is to help councils and joint committees of councils in appointing elected members to police authorities, in light of the new "Police Authority (Community Engagement and Membership) Regulations 2010", which came into force on 17 March 2010. It is also intended to guide police authorities on the process of formalising the appointment of new councillor members.

This guidance is meant to supplement, not supplant, the statutory requirements. It is intended to help councils deliver a successful appointment process. It outlines the new rules on appointing elected mayors, and also provides advice on implementing the new requirements to consider diversity, time commitments, competencies, and ability to represent a wide range of people in appointing elected members. A checklist of these requirements is also provided.

The process of appointing elected members is vital to shaping the future of the police authority and sustaining its viability as the main mechanism for police accountability locally. To maintain public confidence the appointment process needs to be as fair and transparent and transparent as possible, and seen to be appointing members of high calibre. It is hoped that the new arrangements will assist councils and police authorities in achieving this more effectively.

It is expected the local authorities and police authorities will use this guidance for the first time, in appointing elected members following the local elections in May 2010.

1.1 The key functions of police authorities

Police authorities are single purpose local authorities and have a large number of different statutory functions and powers, some of which are derived from local government legislation, and some from policing legislation.

Their two overarching functions are:-

- To secure an efficient and effective police service for their area
- To hold the chief officer of police to account for delivery of his functions and those of people under his direction and control

Some other important functions include:

- Setting the policing element of council tax (the police precept)
- Holding the police budget for their area
- Appointing (and if necessary disciplining or dismissing) the chief officer of police
- Setting the local policing priorities, and local policing plan
- Obtaining the views of local people about policing and crime in their area
- Promoting and monitoring diversity and human rights within both the force and police authority
- Ensuring their police force continuously improves
- Driving the strategic direction of the force and ensuring value for money

More information about police authority functions can be found at Annex XXX.

1.2 The importance of effective links to local authorities

All police authorities are made up of a mixture of elected members and independent members (at least one of whom must be a magistrate). The number of each varies according to the size of the authority, but elected members are always in a majority of one to ensure democratic legitimacy. Outside of London a police authority will have either 17 or 19 members in total, meaning that either 9 or 10 members respectively are appointed by local councils.

It has always been important for police authorities and local authorities to work together well, to ensure the effective delivery of community safety in their areas. But additional focus has been placed on this recently through developments such as Local Area Agreements, Comprehensive Area Assessments, Overview & Scrutiny Committees for Crime and Disorder issues, and the 'One Place' agenda. In addition, the economic climate is imposing a step change in the need for all public bodies to collaborate effectively to drive efficiencies.

Committed and engaged elected members are vital to making the relationship between local authorities and police authorities work effectively. Not only do they provide an essential democratic link for police accountability, they have a key role to play in representing the views of all their communities in a policing context. They also bridge the link between effective policing and wider community safety issues, particularly at neighbourhood level.

Elected members that sit on police authorities have a duty under S20 Police Act 1996 to report back to their local authority on policing matters, and therefore an important role in ensuring that the relationship between police authority and local authority is working effectively.

All members of police authorities are entitled to claim allowances and expenses for their work on police authorities. Details of the exact rates payable can be obtained from your local police authority, but the general scales which are currently applicable are set out in the Report of the Independent Panel on Police Authority Allowances 2008, accessible at www.xxx

1.3 The context and background to the proposed changes

There has been a consistent push in recent years for greater strength and clarity in police accountability. Various approaches have been proposed, including, for instance, police commissioners, but the current Government is committed to improving accountability through existing structures. It recognises these as achieving a balanced accountability, which avoids politicising policing whilst maintaining democratic accountability. Councils play a vital part in this, but the Government recognises that this model needs to be strengthened to deal more effectively with community concerns.

A number of changes are taking place to enable this, including for instance, a new role for police authorities in dealing with quality of service complaints. Another strand of this approach is to strengthen the contribution that councils can make by ensuring high calibre

individuals are put forward to police authorities, based on a number of attributes which are thought to be essential in elected members, as well as a greater focus on providing skills which are under-represented amongst other police authority members.

1.4 The culture of police authorities and importance of the principle of political balance

The overriding principle in appointing elected members to police authorities has always been that of political balance in the past. It is intended that this should continue (Regulation 8(b)), such that the overall political balance of all top tier authorities within the area of a police authority is reflected in the elected members appointed to the police authority.

However, the way in which this will happen will need to be changed slightly to take account of the new proposals about elected mayors and this is dealt with in more detail at paragraph 2.2 below.

As noted above, one of the great strengths of police authorities is the structure which, in balancing the roles of elected and independent members, achieves a structure which is democratically accountable, but avoids politicising policing. Councillors will find the culture of police authorities very different to that of their local authorities. Generally, it is not a party political atmosphere, but focused on a more corporate approach aimed at balancing as best they can the interests of all their communities, to ensure that all receive a fair policing service.

As a result, when elected members have a police authority hat on, they will find this is not a political party role, but one which is focused on representing the interests of all their communities. Generally, they will find that the most 'political' decision that a police authority makes is the setting of the policing precept each year, and this must be tempered by consideration of ensuring that this will deliver a fair service to all.

2. The New Regulations

2.1 The Legal Requirements

The primary legislation governing the appointment of elected members is the Police Act 1996, as amended by the Police and Justice Act 2006. The key provisions are contained in Schedule 2 of the 2006 Act.

The detailed legal requirements are set out in the *Police Authority Regulations 2008* (SI 630 2008) as amended by the *Police Authority (Community Engagement and Membership) Regulations 2010*. [The scope of this guidance excludes the Metropolitan Police Authority, which is covered by similar, but slightly different regulations, but includes appointments to all other police authorities in England and Wales.]

The selection and appointment of elected members must comply with the relevant statutory requirements.

2.2 The new role for elected mayors and political balance

As was previously the case, a top tier council is a 'relevant council' which appoints elected members to the police authority. In areas where there is more than one top tier council in the area of the police authority, the appointments must be made by a joint committee of all the relevant councils in the area.

The new position proposed for elected mayors is set out at Regulation 8(a). This allows them to be automatically appointed to the police authority if they **and** their council so desire. In most areas to which this potentially applies, a joint committee will be responsible for appointing an elected mayor, but the decision about whether or not to be on the police authority will be by mutual agreement between the elected mayor and his council, not the joint committee. Effectively joint committees will be under a duty to appoint the mayor, where both (s)he and their council have indicated they wish this to be the case.

Regulation 8 specifies that a mayor will form a part of the wider political balance calculations. However, as the mayor is effectively entitled to an automatic seat, the political balance calculation will need to be performed after the mayor has been allowed for, but taking into account of the political allegiance of that individual. The balance of the remaining elected members to the police authority will need to be tailored accordingly. Political balance remains the over-arching consideration in appointing elected members to police authorities.

2.3 Key factors in appointing elected members.

Regulation 8A specifies that, in exercising its power to appoint elected members to a police authority (including elected mayors), the relevant council or joint committee is now obliged to consider four other key factors in relation to the members they appoint:-

- i. They should represent the interests of a wide range of people within communities in the area of the police authority

- ii. They should have skills knowledge or experience which are under-represented amongst the existing members of the police authority
- iii. They should promote diversity within the force and the police authority in question
- iv. They can commit sufficient time to take an effective role on the police authority

It is expected that local authorities and joint committees will meet all four of these factors as far as reasonably practicable.

Paragraph 8A of the regulations also states that a relevant council or joint committee must explain to the police authority, if so requested, how it met the requirements set out at 8A of the regulations. It also obliges relevant councils and joint committees to have regard to guidance issued or approved by the Secretary of State as to the qualities required by persons who serve as police authority members – and this guidance has that status.

2.4 Disqualification and Tenure of Office

The Police Authority Regulations 2008 sets out a number of grounds on which elected members are disqualified from being police authority members. The relevant provisions are in paragraph 14, and broadly debar elected members for the following reasons:-

- a. Bankruptcy
- b. 'Unspent' criminal convictions
- c. Employee of a police authority

The maximum term that a police authority member can be appointed for is four years. However, a member can be appointed for a lesser term at the discretion of the appointing body. Practice varies across the country on this point. Many councils appoint elected members to the police authority annually, particularly where the appointment is made by a joint committee, and local elections may occur in most years amongst the various councils in a police authority area. This requires that political balance be recalculated after each local election. Other councils, particularly if there is just one top tier council which appoints to the police authority, may appoint for longer terms.

There is no limit to the number of terms that an elected member can serve on a police authority, but councils are required to consider all the factors set out in paragraph 8 and 8A each time they make police authority appointments.

The Regulations also contain provisions at paragraph 24 about terminating the tenure of both elected and independent police authority members. Originally this allowed termination where a member, failed to attend police authority meetings for more than three months, was convicted of an offence, was incapacitated, or was unable or unfit to be a police authority member.

The new 2010 Regulations now include two additional grounds on which the tenure of a police authority member might be terminated:

- a. That the police authority is satisfied that the member has not committed sufficient time to take a proactive role in the work of the authority;

- b. That the member has failed to meet any requirement of the post that was set out by the police authority on his appointment – these are broadly the requirements set out in paragraph 8A of the regulations, but may include certain other requirements which are “qualities required by persons who serve as members of a police authority” set out in guidance approved by the Secretary of State.

Councils will also wish to ensure that elected members nominated to police authorities do not have a conflict of interest within the terms of the Code of Conduct (**DN: Ref to relevant SI xxxxxx**), which applies to both local and police authorities. It might also include factors such as whether a personal or prejudicial interest would be created if an elected member has a close associate or family member who is a serving police officer.

2.5 What this means in practice for police authorities

A police authority will wish to take some preparatory steps, such as conducting a skills audit, considering relevant competencies, or establishing other desirable qualities for elected members.

In good time before the appropriate meeting of the relevant council or joint committee, the police authority should write to the local authority(ies) in its area, setting out those key qualities and competencies which are under-represented on the police authority.

In considering the competencies and qualities which are most desirable for elected members locally, police authorities will want to consider the key competencies for police authority members, which are set out at Annex XXXX. These have been agreed by the APA, LGA, WLGA and the Home Office. In addition to general competencies, a police authority might also want to request specific skills or experience, for example, financial management or engagement with young people, where it has a need for these.

In addition to requesting skills, knowledge or experience which is under-represented on the police authority, information about the time commitment expected of members should also be included. It might also be helpful to include information about the diversity of police authority membership, as well as information about the communities within its area, and which of these are under-represented on the police authority.

The police authority might also want to include information about any requirements arising from its local policy on security vetting members.

2.6 What this means in practice for local authorities

Once the relevant council(s) or joint committee has received a letter from the police authority setting out the desired competencies and other qualities for elected members, the relevant council(s) or joint committee will need to determine how best to achieve this. This will require assessing whether the qualities can be met amongst the individual elected members who are interested in being appointed to the authority and balancing this against the requirements of political balance, which remains the overarching consideration in appointing elected members.

The regulations and guidance are not intended to change or interfere with the usual structures which relevant council(s) and joint committees use in nominating elected

members to police authorities. They do, however, place a duty on those councils and joint committees to ensure that the key requirements notified by the police authority are met as far as reasonably practicable within existing structures.

Relevant councils and joint committees will therefore want to ensure they keep an audit trail of decisions that have been made and the reasons for making them, at the relevant meeting responsible for making appointments. Councils and joint committees will also find it helpful to keep a record about how they arrived at decisions where it was not reasonably practicable for them to comply with all the requests of the police authority concerned. Regulation 8A(b) specifically enables a police authority to request information from relevant councils and joint committees about how it met their requirements.

It should also be noted that the requirements of Regulation 8A also apply to elected mayors and will form part of the discussions that elected mayors will want to have with their council about whether they should be appointed to the police authority.

Relevant councils and joint committees will also wish to note that in appointing elected members to police authorities, in common with all other public bodies, they have a duty to have regard to:

The Race Relations (Amendment) Act 2000
The Disability Discrimination Act 2005
The Equality Act 2006

3. Attracting the Right Candidates

3.1 Information on the role of PA members

The role of a police authority member is a busy and important role, which involves real engagement on setting the direction of the police force, setting multi-million pound budgets, determining which priorities these should be directed to, and finding out what communities want from the police. It requires committed and effective individuals to fulfil this role.

It is not expected that every individual police authority member should be able to demonstrate all the competencies and skills required to enable the authority to operate effectively. But each member will have an important role to play in ensuring that the sum of the police authority's skills provides a wide range of competencies and experience on which to draw. All members are treated equally and expected to contribute equally according to their particular strengths, skills, and responsibilities on the police authority.

More information about the role of police authority members is set out at Annex XXX, and individuals that are interested in becoming elected police authority members should be encouraged to read this document to help decide if the role is right for them. This Annex also includes information about more senior roles on the police authority, such as lead members, committee chairs, and police authority vice chairs and chairs.

Police authorities are strongly committed to promoting diversity and encouraging members from the full range of local diverse communities to become police authority members. This is particularly important for elected members, who have a special role to play in representing the interests of local communities. It would therefore be helpful to encourage interest in the police authority amongst councillors from diverse backgrounds, but it is essential that elected members are able to promote diversity in this representational role.

Not every area will contain large ethnic minority populations, but all areas will be diverse in other ways, including age, sexual orientation, or faith. Councils should be alive to the benefits of encouraging applications from a wide range of councillors - both men and women, from different social groups, disabled groups, and from a range of ages across all sections of the community.

It is worth mentioning at this point that the Government White Paper xxx title xxx has charged the Association of Police Authorities with forming a task force to improve the diversity of police authority members. This is an agenda that will be explored and developed jointly with the LGA and WLGA over the coming months, but one where it would be helpful if initial steps could be implemented following local elections in May 2010.

Police authorities have a good track record of recruiting independent members from a diverse range of backgrounds relative to many other public sector organisations. But there is always room for further improvement, and statistically speaking, the diversity record for police authority members from elected backgrounds is not as strong as that from independent backgrounds. Clearly this is linked to the requirement above that elected members should promote diversity, and also be able to represent a wide range of people

within the community. But, in addition, it would be helpful if councils could look at improving the diversity of the members they nominate to police authorities.

The minimum time requirement for a police authority member, whether elected or independent, is seven to ten hours per week, but in practice, many members spend longer each week on police authority business, particularly if they have more senior roles. Elected members who are interested in becoming police authority members should be encouraged to make a realistic assessment of whether they can devote at least this amount of time to the role.

It is always helpful for police authorities to have senior elected members, such as a Community Safety Cabinet member, who is able to commit the local authority to effective partnership working. However, it is understood that they are busy people who may not be able to make the time commitment required. Where appropriate, this should be a matter for negotiation with the police authority in advance of appointment, about whether a lesser time commitment is acceptable, in light of the other benefits that such a member might bring. Otherwise, a member might risk falling foul of the requirement to "commit sufficient time to take an effective role in the work of the police authority".

3.2 Information about member competencies and skills

All police authorities are subject to Nolan principles in terms of the standards expected of members, which is supplemented by the xxx Code of Conduct Regs xxx, which also applies to local authorities.

In addition the APA, LGA, WLGA and Home Office have agreed some key competencies for police authority members. These have been developed from previous key competencies that applied to independent members of police authorities, but have been reviewed to reflect the requirements of the Home Office White Paper xxx title xxx, and the special position of councillor members in partnership working and representing local communities. These competencies are set out in Annex XXXX.

Councils will wish to encourage individuals that are interested in becoming elected police authority members to read this document to help decide if they have the right abilities and experience to contribute effectively to the work of the police authority.

After conducting a skills audit of the authority, police authorities may also request councils to appoint members with particular skills, where there is a shortage of an essential skill amongst the existing members of the authority. As an example, this might include (but is not limited to) financial management, experience of youth/ childrens' issues, knowledge of procurement, or of performance management. Further information about the specific skills that might be requested can be found in the model skills audit, which is attached to the APA Induction Framework for Police Authorities at: www.xxxxxxx

3.3 More information about vetting/security checks

Most police authorities have a policy about member vetting and security checks. This might include Criminal Records Bureau checks, consistent with factors that would disqualify an individual from being a police authority member. Increasingly this also likely to include

requirements for security vetting. This is in response to the greater emphasis being place by Government on strategies to counteract terrorism and serious and organised crime, and the consequent need for police authorities to scrutinise these aspects of policing effectively.

Some police authorities only require those members directly engaged in scrutinising serious and organised crime or counter-terrorism activities to be security cleared. Others require all members to be vetted to at least a basic level. This is entirely a matter for the local police authority, and it is expected that all members will comply with the local policy, and that police authorities will supply information to their local councils about this to help inform the appointment of elected members.

4. Process When Appointed

4.1 Setting out requirements and expectations on appointment

Regulation 24 anticipates that police authorities will set out a description of the requirements expected of both elected and independent members on their appointment. It is suggested that this should be done, following an initial discussion with the new member, at the same time as the Police Authority Code of Conduct and the local Standing Orders would normally be signed.

A model form which sets out a Statement of Individual Responsibilities is included at Annex XXX. This can be adapted as required, to summarise the key factors relevant to an individual member's appointment. This might, for instance, include a note of the specific skills or competencies it is intended that member should bring to the authority, as well as a note of the general duties or particular committees or partnerships the member will sit on. It will also include information on the agreed minimum time commitment of the member and, where appropriate, agreement about any security checks or vetting requirements.

However, it is vital for all elected members to understand the importance of this document in setting out what is expected of them as a police authority member. In the hopefully rare and unfortunate event that a member cannot demonstrate he or she is meeting these expectations, this document will form the basis of any action taken by the police authority under Regulation 24 to terminate their appointment as a police authority member.

4.2 Process of development reviews

This Statement of Individual Responsibilities will also be an important document, because it will form the basis of a personal development process for all police authority members. [In the case of councillor members the LGA and APA have agreed that this should be reported to the council by exception].

4.3 Induction of new members

As a matter of good practice, all authorities usually arrange induction training for new appointees – including, for example, familiarisation visits to the authority and force, attending authority meetings, and training on specific issues. Authorities may also ask an appropriate more experienced member to mentor a new member.

The APA has developed an induction training framework, which can be accessed through the APA website at www.apa.police.uk. In addition, the APA or National Policing Improvement Agency (NPIA) also organise specific training for authority members on a number of key areas of police authority business. Further information can be obtained from the APA Secretariat.

4.4. Handling failure to meet requirements

As noted in paragraph 4.1 above, a failure to meet the requirements set out in the Statement of Individual Responsibilities might result in the police authority terminating the appointment of the member.

This is a draconian step to take, and it is suggested that this should be a last resort at the end of a process. This process should include an initial discussion with the Chair or other appropriate senior member of the authority, setting out what aspects need to be improved, and sufficient time to enable the member to comply and demonstrate improvement.

If this does not result in the problems being resolved, it is suggested that, as a next step, the Chair or other appropriate senior member of the police authority should write to both the relevant council and the member concerned, and see if the council is able to assist and help the member to improve.

Finally, if this does not result in improvement, it is suggested that the matter is referred to the Standards Committee of the Police Authority to make a recommendation on whether the appointment of the member should be terminated.

If it is recommended that the member's appointment is terminated, the police authority, or one of its relevant committees, will need to make the decision whether or not to accept this recommendation. The police authority will then need to write to the member informing them of the outcome, and also write to the council with similar information. Where it has decided to terminate the appointment of the member concerned, the police authority will also need to invite the council or the relevant joint committee, to nominate an alternative elected member to the police authority.

ROLE OF THE POLICE AUTHORITY

The **key responsibilities** of any Police Authority can be summarised under the following headings:

- *Strategic* – setting the Force’s strategic direction, determining strategic objectives and providing clear definitions of responsibility
- *Resourcing* – ensuring that the necessary human and financial resources to enable the Force and the Authority to meet their key objectives are in place
- *Performance* – setting and monitoring the standards of performance of the Force and of the management of the Force
- *Communication* – ensuring that the Authority’s strategic objectives for the Force are informed by the wishes of the public and are widely known and understood by partners and local people
- *Values and standards* – setting clear standards for the Authority and the Force, including standards of behaviour and standards of service delivery

The **role**¹ of the Authority should therefore be to:

Strategic

- identify local and national expectations with regards to policing, now and in the future, where necessary managing those expectations, and having regard to local people’s views throughout
- set a clear, unambiguous and achievable direction for the force to deliver those expectations over at least a three year period

Resourcing

- to ensure, as far as possible, that the force has sufficient resources to deliver agreed expectations
- to make sure that the force has the right leadership to deliver those expectations and that the Chief Officer is effectively appraised in the performance of his/her role

Performance

- to ensure that there are adequate, business wide, governance (community engagement, risk management, internal control, performance management) frameworks in place to
 - ensure that resources are used efficiently and effectively, based on a thorough analysis of good quality data
 - ensure that things going wrong, or requiring improvement, are identified and remedied early

¹ From the APA’s Roles and Functions of a Strategic Police Authority

- ensure that such matters are made known to the Authority, and that dialogue takes place between the Authority and Force on issues requiring a strategic response or which impacts on the statutory plans
- as part of the governance framework, to ensure that there is an extant and effective performance management framework throughout the service, which includes a role for the Authority in monitoring top level performance indicators for key strategic objectives and for holding the Chief Officer to account for overall service delivery within the context of wider partnership strategies
- quality assure the governance frameworks, by means of external or internal inspection or scrutiny, using analyses of crime and related data
- intervene in certain areas where the Authority considers the Force's response is inadequate, especially complaints and meeting the requirements of the Policing Pledge

Communication

- be visible and accountable to local people. To ensure this takes place, the White Paper, *Protecting the Public*, proposes that individual members of the Authority be assigned to each BCU (or equivalent) as a Lead Member, and to be contactable by local people
- ensure that it is constantly aware of communities' views, including their confidence in the police, their satisfaction with the service they receive and how they wish to see it improved.
- build effective working relationships between the Force Management Team and the Authority, both challenging and supportive
- build effective relationships with partner agencies, where those agencies either add value to the governance framework, or contribute to delivering operational objectives
- represent the interests of the area's communities, and the service, at national level and to contribute towards national development of the service at political level

Values and standards

- set and maintain appropriate standards for both the Authority and the Force, including consideration of human rights, diversity and race issues
- understand the culture of policing.

MEMBER COMPETENCIES

The role and responsibilities of a Police Authority are diverse and new Members face a steep learning curve to acquire the necessary knowledge to be effective in their role. Members may also not possess all the skills needed from the outset. There are, however, some essential requirements for a Police Authority Member:

- A commitment to policing and to the delivery of a fair and non-discriminatory police service to all members of local communities
- Willingness to commit the time necessary to discharge their responsibilities
- Willingness to learn
- Ability to take a balanced approach, taking a strategic focus across the whole of the business but at the same time being mindful of the public's views across the whole Authority area on policing.

The **key competencies**, linked to the Member's role, required by Members of Police Authorities to discharge their roles are:

Contributes effectively to the development of the Authority's strategic plan and budget for the delivery of policing in the local area

- Strategic thinking and planning – *able to think and make decisions strategically, informed by rigorous analysis; able to rise above detail and see issues from a wider and forward-looking perspective*
- Working in collaboration and partnership working – *able to build productive relationships with others and work collaboratively to achieve strategic goals*

Exercises effective oversight of Force performance

- Analytical skills – *able to interpret and question complex material including financial, statistical and performance information; able to apply clear and consistent methodologies to complex social issues*
- Scrutiny and challenge – *able to use data and resources appropriately in scrutinising Force performance; able to act as a critical friend, challenging accepted views in a constructive way; present arguments in a concise and meaningful way*

Represents the views of local people and acts as an ambassador for the Authority

- Leadership – *confidence to lead by example, building support and commitment for the Authority and Force*
- Communication – *able to explain situations clearly, willing to listen to and represent the views of all sections of the community on policing issues, mediating fairly and constructively with the public when needed; and able to influence people or situations through effective communication*
- Community focus – *able to understand the importance of community views in shaping local policing style and strategic priorities; committed to providing a high level of service to local communities*

Demonstrates commitment to the Authority's values and high ethical standards

- Team working – *willing to play an effective role in Authority business; listens, persuades and respects the views of others in Authority meetings*

- Respect for others – *willing to treat all people fairly and with respect and valuing diversity*

Makes an effective contribution to the Authority

- Personal responsibility for improvement – *willing to take personal responsibility for own development and the contribution they make to the Police Authority, displaying motivation, commitment and perseverance; willing to embrace high standards of ethics and integrity*

Competency	What it means	Evidence of effective performance
Strategic thinking & planning	Able to think and make decisions strategically informed by rigorous analysis; Able to rise above detail and see issues from a wide and forward-looking perspective	<ul style="list-style-type: none"> • Has a breadth of vision and the ability to rise above detail to see the bigger picture • Shows a clear way forward so others understand what they must do to align with police authority goals • Focuses on the longer-term view but examines both short and long term considerations, even when having to respond quickly • Contributes constructively to the development of strategy; concentrates on achieving results through careful planning, setting priorities and ensuring the effective use of resources; plans alternatives and contingencies • Ensures corporate decisions are implemented effectively • Checks plans, monitors progress and adjusts them in response to change • Costs activities and finds ways of achieving results within the budget, considering Value for Money • Is aware of the social, economic and political environment and how this may impact on the Authority and Force • Understands policing within the context of reducing crime and disorder and the responsibilities of the voluntary and public sector agencies involved • Understands the need for a citizen focussed agenda in improving service delivery, including improving public confidence and satisfaction
Working in collaboration and partnership	Able to build positive and productive relationships with others and work collaboratively to achieve strategic goals	<ul style="list-style-type: none"> • Values the contribution of others and recognises the added value of co-operating with partners and agencies • Builds good relationships with colleagues and the wider community
Analytical skills	Able to interpret and question complex material including financial, statistical and performance information; able to apply clear and consistent	<ul style="list-style-type: none"> • Analyses complex performance data and draws strategic conclusions relating to strategic plans • Identifies the salient points from data and prioritises information according to the Authority's needs • Checks the relevance and accuracy of information provided

Competency	What it means	Evidence of effective performance
	methodologies to complex social issues	<ul style="list-style-type: none"> • Uses management information to inform Authority discussions and decisions • Monitors the quality of information provided and take appropriate steps to improve it if necessary, to ensure decisions are robust and based on facts • Understands the police performance framework • Understands statistical terminology eg confidence intervals and uses that knowledge to challenge performance and targets • Is familiar with the local government financial regime and how that impacts on policing
Scrutiny and challenge	<p>Able to use data and resources appropriately in scrutinising Force performance;</p> <p>Able to act as a critical friend; challenge accepted views in a constructive way;</p> <p>And to present arguments in a concise and meaningful way</p>	<ul style="list-style-type: none"> • Identifies areas of concern that are suitable for more in depth scrutiny and asks for explanations • Asks challenging questions in a constructive and impartial way • Provides robust challenge and/or constructive feedback as appropriate • Is objective and rigorous when challenging processes, decisions and people • Probes confidently to ensure receives accurate information
Leadership	<p>Confidence to lead by example and build support and commitment with the Authority and Force</p>	<ul style="list-style-type: none"> • Negotiates with and influences people at all levels • Generates personal trust and confidence, showing resilience even in challenging circumstances • Sets an example to others • Understands the Authority's responsibilities and those of other major stakeholders and partner agencies • Understands the various leadership styles and can adapt to suit the needs of the Authority and Force
Communication	<p>Able to explain situations clearly, willing to listen to and represent the views of all sections of the community on policing issues, mediating fairly and constructively with the public when needed. Able to influence people or situations through effective communication</p>	<ul style="list-style-type: none"> • Engages in constructive dialogue with local communities, the police and other key partners • Considers how different audiences will receive and interpret information • Creates opportunities to communicate with different sectors, including vulnerable and "hard to reach" groups • Deals effectively with the media, if required • Listens carefully, checks for understanding and adapts their own style when necessary • Provides regular feedback to other Members and the public, keeping them informed and managing expectations

A Appendix ii

Competency	What it means	Evidence of effective performance
Community Focus	Able to understand of the importance of community views in shaping local policing style and strategic priorities; committed to providing a high level of service to local communities	<ul style="list-style-type: none"> • Puts citizens and communities at the heart of modern policing, thereby improving trust and confidence in all aspects of policing services • Actively participates in the Authority's community engagement activities, in order to learn, understand and be able to act upon issues of local concern • Has an in-depth understanding of the needs and expectations of individuals, local communities and diverse communities drawing where appropriate on their own understanding and knowledge of those communities • Willing to represent the views of local communities in an impartial way • Keeps up to date with local concerns and opinions, shares information appropriately and sensibly with partnership agencies • Is accessible to the local community, encouraging trust, openness and respect • Mindful, while a Member of the Police Authority, of the need to act with integrity and impartiality as a "guardian of the citizens' interest" and make themselves accountable to local communities for policing • Ensures colleagues/members and officers on the secretariat are kept informed of activities, as appropriate
Team working	Willing to play an effective role in Authority business, listens, persuades and respects the views of others in Authority meetings	<ul style="list-style-type: none"> • Actively contributes to the work of the police authority and helps others where necessary; is approachable • Listens to other views before drawing conclusions and shows respect for the opinions, circumstances and feelings of other Members, officers and members of the public • Breaks down barriers between people and groups and involves others in discussions and decisions, building good relationships with other Authority members and key Force staff • Reads Authority papers before meetings and is briefed on all issues before making decisions • Is a good attendee at Authority events/meetings and makes effective use of meetings • Manages personal time well, is able to prioritise, achieve results and meet deadlines • Respects the demands of other people's time • Taking forward decisions reached by the Authority, regardless of own personal opinion • Work as part of a team, rather than an

Competency	What it means	Evidence of effective performance
Showing respect for others	Willing to treat all people fairly and with respect, and valuing diversity	<p>individual</p> <ul style="list-style-type: none"> • Acknowledges and respects the broad range of social or cultural customs and beliefs and has understanding of the needs of different sections of the community • Does not allow personal prejudices or biases to influence decisions • Listens and understands the needs and interests of others • Makes people from all backgrounds feel valued, trusted and included • Uses appropriate language and behaviour and is sensitive to how these may affect people; challenges inappropriate behaviour and attitudes
Personal responsibility for improvement	Willing to take personal responsibility for own development and the contribution they make to the Police Authority, displaying motivation, commitment and perseverance; Willing to embrace high standards of conduct and ethics	<ul style="list-style-type: none"> • Strives for excellence, continually looking for ways to improve performance of the Authority and of self • Has a positive attitude towards change • Takes personal responsibility for own learning and development • Is committed to maintaining and developing their skills and experience to improve the performance of the Authority • Is willing to take on new or different responsibilities or change roles • Understands and uses new technology to improve performance • Maintains high personal and professional standards, acting in a consistent way in regard to moral, professional & ethical values • Considers the moral and ethical consequences of actions • Respects confidentiality, when appropriate • Takes decisions based only upon the principles of transparency, accountability and responsibility • Takes personal responsibility for ensuring that all information is stored or destroyed in accordance with legal and ethical requirements for data protection • Ensures that the Authority is directed and managed with probity and integrity

The additional competencies required by an Authority Chair are:

Competency	What it means	Evidence of effective performance
Provides visible and confident leadership for the Authority	Has the confidence to lead by example, builds support and commitment; raises the profile of the Authority and builds a positive relationship with the Chief Constable	<ul style="list-style-type: none"> • Builds and constantly nurtures a cohesive, collective and united team capable of driving improvements in policing services. • Is approachable and accessible to all members, inspiring confidence that they will deal appropriately with sensitive or personal issues • Acts as a role model and champion

Competency	What it means	Evidence of effective performance
		<p>for others, inspiring trust and respect through personal behaviour and ethical practice.</p> <ul style="list-style-type: none"> • Builds strong relationships with senior police officers and local authority leaders based on open communication, co-operative working and trust. • Provides direction and motivation to others with the aim of building an effective team capable of exercising good governance. • Acts as the public face of the Authority and champions the Authority's cause in regional and national debates.
Chairing skills	Chairs effective meetings	<ul style="list-style-type: none"> • Inspires respect • Ensures that discussions are held based on an agreed agenda and adhering to established ground-rules, standing orders or protocols • Seeks out and listens to the views of all members; does not show bias towards any member/groups of members • Allows all members to input views whilst making effective use of time gives clear direction • Ensures that debates are focused and balanced, ensuring that where conflicting viewpoints are being expressed, a clear and realistic resolution is drawn together at the end of the discussion • Enables decisions to be reached, allowing participants to agree on the way forward and any further action that needs to be taken, e.g. for the allocation of resources to meet agreed priorities
Demonstrates vision	Is instrumental in creating and shaping a shared vision by establishing strategic priorities and prioritising actions; able to troubleshoot and balance conflicting responsibilities and works to shape a culture of excellence.	<ul style="list-style-type: none"> • Drives the future priorities of the Committee and / or Authority through specialist knowledge of subject matter. • Drives strategic policy direction and actions based on local needs as well as regional and national considerations. • Actively encourages the participation of other Members and stakeholders in policy formulation and decision making. • Works constructively with officers to collate and analyse information and inform budget priorities and performance objectives. • Is receptive to new ideas and adapts innovatively to a rapidly changing

Competency	What it means	Evidence of effective performance
		political, social, economic and technological environment. <ul style="list-style-type: none"> • Constantly acts to broaden perspective and enhance effectiveness by learning from others and sharing best practice

PERSONAL ATTRIBUTES

Police Authority Members are expected to maintain the highest standards of conduct and ethics. Members are required to sign up to a Code of Conduct which commits them to complying with the Ten Principles of Public Life:

- *Selflessness*

Members of the Authority will take decisions solely in terms of the public interest. They will not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

- *Honesty and Integrity*

Members of the Authority will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly, and will avoid the appearance of such behaviour.

- *Objectivity*

Members will make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

- *Accountability*

Members will be accountable to the public for their actions and the manner in which they carry out their responsibilities and will co-operate fully and honestly with any scrutiny appropriate to their particular office.

- *Openness*

Members of the Authority will be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.

- *Personal Judgement*

Members of the Authority must take account of the views of others, but will reach their own conclusions on the issues before them and act in accordance with those conclusions.

- *Respect for others*

Members will promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.

- *Duty to uphold the law*

Members will uphold the law and, on all occasions, act in accordance with the trust that the public has placed with them.

- *Stewardship*

Members will do whatever they are able to make sure that resources are used prudently and in accordance with the law.

- *Leadership*

Members of the Authority will promote and support these principles by leadership and example, and will act in way that gains public confidence.

DRAFT

POLICE AUTHORITY MEMBER ROLES AND RESPONSIBILITIES

A **role description**¹ for individual Members is:

Role

Collectively all the Members of the Police Authority are accountable to the local communities in their policing area for:

- Ensuring that there is an effective and efficient police force for the area, securing continuous improvement in the way that police functions are carried out
- Holding the Chief Constable to account for the delivery of policing services in the area, ensuring that policing services are provided fairly and in a way which does not discriminate against any group or individual;
- Paying due regard to local people's views in discharging all aspects of their role and securing local people's co-operation in preventing crime
- Participating constructively in the good governance of both the police authority and the force

Responsibilities

1. To participate in the formulation of policy, decision-making and other activities of the full Authority, including determining local policing priorities, the budget and precept, and agreeing the annual policing and other associated strategies.
2. To ensure all financial matters are conducted with probity, that risk is appropriately managed and that internal controls operate effectively
3. To rigorously scrutinise, challenge and monitor all aspects of Force performance, complying with inspections and audits of the Force and Authority and ensuring there is continuous improvement in services
4. To secure collaboration arrangements where collaboration is in the best interests of efficiency and effectiveness
5. To participate fully in local consultative arrangements and actively engage in communication and dialogue with local people about local policing services, including as a BCU Lead Member; to represent the views of the police authority (not personal views) to local communities and representing the views of local communities back to the Authority
6. To participate fully in partnership arrangements if required by the Authority and represent the views of the police authority

¹ Updated from the APA's role description, Members' Allowances Report October 2008

7. To promote equality of opportunity and work to eliminate unlawful discrimination both internally within the police authority and force and in the provision of policing services;
8. To discharge the responsibilities unique to the Authority, including
 - the appointment, discipline or dismissal of senior officers, as appropriate; and
 - ensuring that an effective independent custody visiting scheme is maintained
9. To participate effectively as a member of any committee, panel, or other police authority forum to which the Member is appointed and to carry out the individual responsibilities assigned to the Member
10. To answer questions at council meetings, if nominated to do so by the police authority
11. To comply with all relevant codes of conduct and maintain the highest standards of conduct and ethics
12. In carrying out their responsibilities, all Members are expected:
 - To maintain an up-to-date knowledge and awareness of national and local policing issues, attending local, regional and national conferences/seminars/briefings, if nominated by the police authority and reporting back;
 - To maintain a good working knowledge of force policies and practices and establish good working relationships with officers of both the police authority and the force;
 - To participate actively in any outside body or forum on which the member is appointed to represent the police authority
 - To participate in all workshops and training, as required, in relation to Police Authority business.

Members undertake roles which carry additional responsibilities, especially that of Lead Member and Committee Chairman. Role descriptions for both positions are below:

Lead Member

Role

- Taking responsibility for a particular policy portfolio as designated by the Authority and to act as the Authority's "champion" for that area
- Leading on the development of new policy and practice in the particular policy area, encouraging Member involvement as appropriate

- Supporting effective performance monitoring and scrutiny in the policy area, ensuring issues of concern are reported to the relevant Committee Chairman.

Additional Responsibilities

1. Gain an in-depth knowledge of the key issues relating to the designated role, and keep up-to-date with developments at local, regional and national level where appropriate.
2. Establish an effective relationship with the appropriate personnel in the Force, bearing in mind that on occasions the Lead Member will require the freedom to act in a scrutiny or challenging/questioning capacity.
3. Be the initial point of contact for those in the Force or others wishing to discuss issues informally with an Authority Member or to sound out views.
4. Advise the Authority on the particular portfolio and, in the event that the Chairman is unable to speak to any media, act as a spokesperson on that issue.
5. Contribute to the Authority's response to national consultation documents on the subject and represent the Authority on outside bodies as appropriate.
6. Keep the Authority informed of activity, progress and developments by way of regular written or verbal updates, highlighting any issues of concern or any cross-cutting issues, noting that Lead Members do not have the authority to commit the Authority to a course of action or to make decisions on its behalf.
7. Lead Members can request briefings or information on their subject area from the Authority or Force Officers.

Chairman of a Committee or Panel²

Role:

- To chair a Committee or Panel of the Authority.

Additional Responsibilities:

In addition to the standard job profile for a Police Authority Member a Chair of a Committee would be expected to undertake the following responsibilities:

1. Leading the work of a Committee or Panel of the Authority, ensuring that the Panel's work plan addresses key strategic priorities and that challenge and scrutiny is constructive, robust and purposeful.
2. Monitoring key risks and leading, where appropriate, specific scrutiny exercises relevant to the area of responsibility.
3. Harnessing all the skills, knowledge and energies of all Committee/Panel Members by fostering a constructive and participative culture, through inclusive chairing, ensuring all play an active role, if necessary by designating

² Based on APA's version with amends from Lancs and Humberside

specific tasks to individual Members in accordance with their specialist areas of responsibility.

4. Ensuring a report of the Committee/Panel's work is submitted annually to the Authority.
5. Acting as the Authority's lead Member and spokesperson on the areas within the Committee or Panel's remit.
6. Offering guidance and support to other Committee/Panel Members and Chairs in their own specialist responsibility areas and encourage Member progress updates at Committee/Panel meetings.
7. Developing and maintaining up-to-date knowledge and specialist expertise on the areas for which the Committee or Panel is responsible.
8. Liaising closely with the Authority Secretariat in developing and managing the work of the Committee or Panel and in particular ensuring that matters or actions arising from minutes are completed.
9. Contributing to national policy development, national events or APA networks/initiatives on areas for which the Committee or Panel is responsible.

Member of a CDRP³

Role

- To represent the Authority at the designated CDRP
- To work in partnership with the responsible authorities and other local partners to tackle crime and disorder in the local area

Responsibilities

1. Helping ensure a clear understanding of the roles, responsibilities and priorities of the Police Authority, where these are relevant to the Partnership's work
2. Contributing to the audit of crime and disorder, antisocial behaviour and substance misuse for the CDRP area
3. Contributing to the development of the strategic audit and community safety strategies and related Plans that deal effectively with the issues which are identified
4. Helping ensure coherency and consistency between the targets in the Authority's Policing Plan and the targets set in the CDRP's community safety strategy

³ based on Lancashire and Surrey PA

5. Assisting in the regular review of local policing performance against targets in the Authority's annual policing plan and the local community safety strategy and report back findings to the Police Authority
6. Being involved in community engagement and consultation activity on community safety in the local area organised by the Authority and/or CDRP partners, seeking to reduce duplication of activity wherever possible
7. Keeping up to date with the feedback from the Authority's engagement and consultation activities relevant to the CDRP area
8. Providing public support for local crime prevention work and initiatives including approving the allocation of grant support
9. Reporting all key issues arising at the CDRP back to the Police Authority and vice versa.

MEMBER COMPETENCIES

Competencies are:

- Skills and knowledge that are essential for a Member to perform their functions and to be effective
- A set of behaviours that encompasses abilities and personal attributes that, taken together, are critical to being successful as a Police Authority Member

Competencies can be attributed to the Authority as a whole; and also to individuals.

Organisationally:

An effective Authority is one which

- Can make decisions that are in the best interests of local people, ensuring the Authority discharges its responsibilities in a fair and non-discriminatory way
- Concentrates on those activities that are key to the strategic direction of the Authority
- Is committed to securing the best outcomes for local people
- Demonstrates a commitment to high standards and is continuously seeking improvements

Contextual Dimension

The board understands and takes into account the values and beliefs of the organisation it governs. The board:

- Adapts to the distinctive characteristics and culture of the institution's environment.
- Relies on the institution's mission, values, and tradition as a guide for decisions.
- Acts so as to exemplify and reinforce the organisation's values.

Educational Dimension

The board ensures that board members are well informed about the organisation, the profession and the board's role, responsibilities, and performance. The board:

- Consciously creates opportunities for trustee education and development.
- Regularly seeks information and feedback on its own performance.
- Pauses periodically for self-reflection, to diagnose its strengths and limitations, and to examine its mistakes.

Interpersonal Dimension

The board nurtures the development of members as a group and fosters a sense of cohesiveness. The board:

- Creates a sense of inclusiveness among trustees.
- Develops groups goals and recognises group achievements.
- Identifies and cultivates leadership with the board.

Analytical Dimension

The board recognises complexities and subtleties of issues and accepts ambiguity and uncertainty as healthy preconditions for critical discussion. The board:

- Approaches matters from a broad institutional outlook.
- Dissects and examines all aspects of multifaceted issues.
- Raises doubts, explores tradeoffs, and encourages the expression of differences of opinion.

Political Dimension

The board accepts as a primary responsibility the need to develop and maintain healthy relationships among major constituencies. The board:

- Respects the integrity of the governance process and the legitimate roles and responsibilities of other stakeholders.
- Consults often and communicates directly with key constituencies.
- Attempts to minimise conflict and win/lose situations.

Strategic Dimension

The board helps the institution envision a direction and shape a strategy. The board:

- Cultivates and concentrates on processes that sharpen institutional priorities.
- Organises itself and conducts its business in light of the institution's strategic priorities.
- Anticipates potential problems, and acts before issues become crises.

Individually:

Given the diversity and complexity of a Police Authority's functions, Members may not possess all the necessary skills and knowledge needed by the Authority to be effective in its functioning from the outset. There are, however, some essential requirements for a Police Authority Member⁴:

- A commitment to policing and to the delivery of a fair and non-discriminatory police service to all members of local communities
- Willingness to be available and proactive in discharging the Police Authority's responsibilities
- Ability to think and make decisions strategically on the basis of good data about crime and disorder
- Ability to take a balanced approach: the need to retain a strategic focus across the whole of the business but at the same time being sighted across the whole area on the way the public sees policing, and being capable of responding quickly to perceived improvement needs
- Ability to be discriminating about getting involved in matters of operational detail for which responsibility is delegated to the executive

The **key competencies**⁵ required by Members of Police Authorities to discharge their roles are:

Strategic Thinking & Planning

able to think and make decisions strategically, informed by rigorous analysis; rising above detail and seeing issues from a wider and forward-looking perspective,

Analytical Ability

able to monitor performance effectively by interpreting and questioning complex material including financial, statistical and performance information, able to apply clear and consistent methodologies to complex social issues

Ability to Scrutinise and Challenge

exercising effective oversight of all aspects of force performance through ability to scrutinise, using appropriate data and resources; acting as a critical friend, challenging accepted views in a constructive way; presenting arguments in a concise and meaningful way

⁴ Amended from the APA's Competency Framework Section C

⁵ Updated from the Model Standard Induction Training 2008 and the APA competency framework 2005, in light of David Blunkett's comments on *A People's Police Force* p. 32, plus Humberside review 2009 and South Yorks.

Leadership	<i>confidence to lead by example, building support and commitment for the Authority and Force</i>
Ability to Communicate	<i>explaining situations clearly, together with willingness to listen to and represent the views of all sections of the community on policing issues, mediating fairly and constructively with the public when needed; and ability to communicate with and influence a range of stakeholders</i>
Community focus	<i>understanding the importance of community views in shaping local policing style and strategic priorities; committed to providing a high level of service to local communities</i>
Partnership working & showing Respect for others	<i>building productive relationships with others and working collaboratively to achieve strategic goals; treating all people fairly and with respect and valuing diversity</i>
Team Working	<i>playing an effective role in Authority meetings through listening, persuading and respecting the views of others identifying priorities and making the most productive use of your own and others' time</i>
Taking Personal Responsibility for improvement	<i>Taking personal responsibility for own development and the contribution they make to the Police Authority, displaying motivation, commitment and perseverance; embraces high standards of ethics and integrity</i>

PERSONAL ATTRIBUTES

Police Authority Members are expected to comply with the Ten Principles of Public Life:

- *Selflessness*

Members and Officers of the Authority will take decisions solely in terms of the public interest. They will not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

- *Honesty and Integrity*

Members and Officers of the Authority will not place themselves in situations where their honesty and integrity may be questioned, will not behave improperly, and will avoid the appearance of such behaviour.

- *Objectivity*

Members and Officers will make decisions on merit, including when making appointments, awarding contracts, or recommending individuals for rewards or benefits.

- *Accountability*

Members and Officers will be accountable to the public for their actions and the manner in which they carry out their responsibilities and will co-operate fully and honestly with any scrutiny appropriate to their particular office.

- *Openness*

Members and Officers of the Authority will be as open as possible about their actions and those of their authority and should be prepared to give reasons for those actions.

- *Personal Judgement*

Members and Officers of the Authority must take account of the views of others, but will reach their own conclusions on the issues before them and act in accordance with those conclusions.

- *Respect for others*

Members and Officers will promote equality by not discriminating unlawfully against any person, and by treating people with respect, regardless of their race, age, religion, gender, sexual orientation or disability.

- *Duty to uphold the law*

Members and Officers will uphold the law and, on all occasions, act in accordance with the trust that the public has placed with them.

- *Stewardship*

Members and Officers will do whatever they are able to make sure that resources are used prudently and in accordance with the law.

- *Leadership*

Members and Officers of the Authority will promote and support these principles by leadership and example, and will act in way that gains public confidence.

Members should be clear about what is expected of them. A draft Statement of Individual Member Responsibilities is attached. This would be agreed by the Chair and each Member shortly after the completion of the Authority's business plan. It can be reviewed 6-monthly.

Statement of Member Responsibilities

<p>Member's Name:</p>
<p>General duties:</p> <ul style="list-style-type: none"> • To represent the public of and uphold the Authority's vision for policing of the local area • To comply with the Members' Code of Conduct, the Authority's Standing Orders and other statutory duties including upholding the Authority's single equality scheme • To fulfil those duties set out in the Member's role description • To develop and improve personal knowledge and understanding as appropriate to responsibilities • To spend an average of at least [xx] hours per month on police authority business, and attend [75%] of Police Authority meetings and allocated panels / committees and other agreed activities in order to fulfil responsibilities • To report back significant issues from meetings/events if a designated representative of the Authority
<p>Chairing duties:</p>
<p>Panel / Committee membership: Member of Member of</p> <p>Read papers in advance, attend committee/panel meetings (should not miss more than 2 consecutively) or give apologies</p>
<p>Divisional/ department link: Linked to Y Division/BCU – meet regularly (at least 4 times a year) with divisional commander. Discuss performance and other issues of concern to the Authority and division in accordance with the divisional meeting agenda. Discuss CDRP issues and any issues raised by members of the public. Ensure Secretariat is aware of any major issues. If the reporting member for the division, provide written reports after each divisional meeting to the Secretariat.</p>
<p>CDRP membership: Authority representative at.... Attend CDRP. Convey Authority priorities to CDRP and feed back to the Authority. Oversee police work on CDRP ensuring that issues from Neighbourhood Panels are considered regularly. Be the voice of the public on CDRPs. Monitor performance against LAA targets and ensure budget is allocated in accordance with agreed priorities.</p>

Regional role:
APA groups / other bodies:
Lead Member role(s): Lead Member for Keep up to date with national developments. Report key issues back to relevant Committee/Panel as part of Lead Member updates. Provide member update reports following attendance at out-of-Authority / Force events. Deliver any work agreed for the Lead Member, in support of the Authority's priorities.
Other responsibilities:
Personal Development Priorities for the Year (x3):
Specific Training Needed?
Security Check/Vetting Requirements
Agreed Member
Chief Executive
Authority Chairman
Review date:

For more information please refer to:
 Members' handbook
 Code of Corporate Governance
 Members' Code of Conduct
 Authority's Standing Orders
 National CDRP guidance
 Authority's Business Plan
 Divisional meeting agendas
 (All available from the Authority Secretariat)