

Title of Report:	Rights of Way Improvement Plan
Report to be considered by:	Greener Select Committee
Date of Meeting:	14 December 2010
Forward Plan Ref:	N/A

Purpose of Report: To present the Rights of Way Improvement Plan (ROWIP) and its Action Plan to the committee for consideration

Recommended Action: To consider the content and implementation of the Rights of Way Improvement Plan and make any appropriate recommendations

Reason for decision to be taken: The ROWIP has so far not been subject to scrutiny

Other options considered: None appropriate because the ROWIP is a statutory document

Key background documentation: West Berkshire Council's Rights of Way Improvement Plan 2010 - 2020
'The Economic and Social Value of Walking in England'. An independent report produced for the Ramblers' Association by Dr Mike Christie and Jon Matthews, 2003.

The proposals contained in this report will help to achieve the following Council Plan Priority(ies):

- CPP1 – Support our communities through the economic downturn** – to alleviate the impact on different communities and individuals who find themselves out of work and/or disadvantaged
- CPP2 – Raise levels of educational achievement** – improving school performance levels
- CPP3 – Reduce crime and the fear of crime**

The proposals will also help achieve the following Council Plan Theme(s):

- CPT1 - Better Roads and Transport**
- CPT2 - Thriving Town Centres**
- CPT3 - Affordable Housing**
- CPT4 - High Quality Planning**
- CPT5 - Cleaner and Greener**
- CPT6 - Vibrant Villages**
- CPT7 - Safer and Stronger Communities**
- CPT8 - A Healthier Life**
- CPT9 - Successful Schools and Learning**
- CPT10 - Promoting Independence**
- CPT11 - Protecting Vulnerable People**
- CPT12 - Including Everyone**

- CPT13 - Value for Money**
- CPT14 - Effective People**
- CPT15 - Putting Customers First**
- CPT16 - Excellent Performance Management**

The proposals contained in this report will help to achieve the above Council Plan Priorities and Themes by:

encouraging non-car transport use; increasing physical exercise; improving road safety; boosting the rural economy; facilitating appreciation of the countryside; improving physical and mental wellbeing. All achieved through a strategic monitored plan for improvements to the access network.

Portfolio Member Details	
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Date Portfolio Member agreed report:	2/12/10

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Implications

- Policy:** The policy proposals contribute directly to a number of corporate policies, especially those relating to quality of life, health, equalities and transportation. The ROWIP contains full references to these linkages.
- Financial:** The implications of all the ROWIP objectives are intended to be accommodated within existing budgets, plus external funding where applications for such funding are successful.
- Personnel:** The ROWIP affects 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.
- 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
- Equalities Impact Assessment:** EIA Stage 1 appended. EIA Stage 2 not required.

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.

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 Overview and Scrutiny Commission or associated	<input type="checkbox"/>	
Task Groups within preceding six months	<input type="checkbox"/>	
Item is Urgent Key Decision	<input type="checkbox"/>	

Executive Summary

1. Introduction

- 1.1 Public rights of way comprise 48% of the District Council's highway network. These footpaths, bridleways, restricted byways and byways open to all traffic each possess different rights of access, but between them provide for pedestrians, cyclists, equestrians and vehicles.
- 1.2 The 700 mile network provides links between villages; access to the countryside from towns; car-free transportation links between facilities; safe non-road routes; and a rich means for locals and tourists to appreciate the AONB and other local countryside from a perspective other than roads.
- 1.3 All these uses contribute to reducing carbon emissions; improving people's physical and mental health through fresh air and exercise; and improving road safety through removing non-motorized users from roads. They contribute significantly to the health of the rural economy.
- 1.4 Rights of Way Improvement Plans (ROWIPs) 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.
- 1.5 The assessment should include access in a broad sense, by considering the rights of way legal 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.

2. Proposals

- 2.1 Following a wide consultation, several main themes emerged where improvements were needed, including a need for better maintenance and promotional publicity; encouragement of responsible behaviour; more links on the ground; and improved accessibility for all users.
- 2.2 The Action Plan forms the heart of the ROWIP, and includes statutory elements, so that it forms one single strategy for the future. It includes objectives for improvement work under the main themes.

3. Conclusion

- 3.1 Proposals for implementing the Action Plan using existing staff and funding resources are summarized

Executive Report

1. Introduction

- 1.1 Public rights of way comprise 48% of the District Council's highway network. These footpaths, bridleways, restricted byways and byways open to all traffic each possess different rights of access, but between them provide for pedestrians, cyclists, equestrians and vehicles.
- 1.2 Public rights of way are bound by the same laws which govern roads, but the ROW network serves many and varied functions.

2. The use and value of rights of way

- 2.1 The 700 mile network provides links between villages; access to the countryside from towns; car-free transportation links between facilities; safe non-road routes; and a rich means for locals and tourists to appreciate the Area of Outstanding Natural Beauty, and other local countryside, from a perspective other than roads.
- 2.2 All these uses contribute to reducing carbon emissions; improving people's physical and mental health through fresh air and exercise; and improving road safety through removing non-motorized users from roads.
- 2.3 Use of rights of way is hugely beneficial to the rural economy, e.g. through use of B&B, local shops, pubs/cafes etc. In 2003, the Ramblers' Association study 'The Economic and Social Value of Walking in England' found that the 527 million estimated annual walking trips to the English countryside generated in the region of £2 billion and supported 210,000 full-time jobs. It also found that the total benefits from walking are in excess of the costs of restoration and maintenance of rights of way. The British Equestrian Trade Association 2005/6 national equestrian survey found that there are 1.3 million horses in Britain, owned and cared for by 1.2% of the population. The average annual expenditure per privately-owned horse is £2166.

3. The Rights of Way Improvement Plan (ROWIP) (Appendix B)

- 3.1 West Berkshire District 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.
- 3.2 Nevertheless, the Government aimed 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.
- 3.3 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.
- 3.4 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.
- 3.5 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.
- 3.6 The Government has now stipulated that the ROWIP must form part of the new LTP.

4. Consultations for the ROWIP

- 4.1 Until the year 2000, local authorities had generally concentrated on their statutory duties to maintain rights of way, and also promoted them through publicized material. The ROWIP was an opportunity to take stock and to ask people what they wanted from the access network.
- 4.2 The consultations which were made are detailed at Appendix A. The Mid and West Berkshire Local Countryside Access Forum formed working groups to comment on various aspects of the document, and commented formally on the consultation draft. The comments were largely incorporated, and the ROWIP has been generally well received by them.
- 4.3 The random telephone survey of 800 households revealed that 70 per cent of West Berkshire households visit the access network each year, and 20 per cent visit daily. Around one third of visits included children, illustrating the popularity of the network with families. 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.

4.4 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.

5. The ROWIP Action Plan

5.1 The Action Plan forms the heart of the ROWIP, and includes statutory elements, so that it forms one single strategy for the future. The main themes for improvement work which emerged from the whole consultation formed the general headings for a list of Action Plan objectives. These themes are:

- A well-maintained access network
- A legally recorded public rights of way network
- An environmentally-sustainable access network
- Providing information / promoting the use of the access network
- Education / encouragement of responsible behaviour
- Development of new and improved access
- Physical improvements to the access network
- Improving accessibility for all users
- Working with partners
- Monitoring and continued consultation
- Funding
- Improving working practices and customer care

5.2 A summary of how the ROWIP Action Plan would contribute to Corporate objectives is at Appendix 4 of the ROWIP document itself.

5.3 The Action Plan is a strategic document, as the statute requires. As part of the consultation, however, people also made many site-specific requests for new or improved access.

6. Implementing the Action Plan

6.1 The present rights of way staff resource is largely engaged in meeting statutory duties, but the ROWIP is a whole council document, and there are big opportunities for departments and teams to work together more effectively to deliver improvements.

6.2 For instance, improving rights of way for cycle use is already being discussed with the transport planners via the Cycle Forum. Regular vegetation cutting and litter clearance is undertaken by clients from the Phoenix Centre under the banner of

ROAR. Involvement with the LTP, LDF, and planning applications delivers improvements to the network via the planning process. The Mid and West Berkshire Local Countryside Access Forum is a statutory body which advises the District Council on access matters. Its recent consultation response to LTP3 is at Appendix C.

- 6.3 The lead in progressing the Action Plan will inevitably stay with the Rights of Way team, the authors of the ROWIP, but there are insufficient staff resources for the rights of way officers to make significant progress on delivery of the requests for site-specific new and improved access.
- 6.4 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.
- 6.5 Many of the broad objectives in the Action Plan cannot be implemented without such 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. 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. 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 agri-environment schemes.
- 6.6 An important opportunity to assist in delivery is via parish plans. Such plans are drawn up with a mandate from the local community, and several relevant themes have 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.
- 6.7 There is a great opportunity to encourage parish councils to use a greater range of their powers, e.g. they may create and maintain rights of way, and take action against illegal interferences.
- 6.8 Work has begun in assisting Chieveley to implement the access improvement elements of its parish plan, facilitated and aided by the New Access and Maintenance Working Group of the Local countryside Access Forum. A member of this working group is intending to attend the committee meeting. One important theme of this work is to try to create safe links where non-motorized users are at present compelled to use roads to link between off-road highway networks.
- 6.9 At present, the Rights of Way Team comprises 3.7 revenue staff, technical support, one Capital Projects Officer and a team of three site-based Rangers. The revenue

works budget of £36k, and this must be reserved for statutory work such as surface maintenance, tree clearances, etc. Any improvement work is presently dependent on the Capital budget of £183k.

- 6.10 A priority is presently being given to seeking external funding. There are several promising areas which could yield capital funds for improvements, including S.106 contributions, aggregates and landfill schemes, LEADER funds and AONB grants.
- 6.11 Appendix D is a copy of the Action Plan objectives which has been annotated to show recent progress.

Appendices

Appendix A - Consultations

Appendix B – West Berkshire Rights of Way Improvement Plan 2010 – 2020 (with its own appendices 1 to 4)

Appendix C - LTP response by Mid and West Berkshire Local Countryside Access Forum

Appendix D – Progress on Action Plan objectives

Consultees

Local Stakeholders: Janice Bridger and Tony Vickers, Mid and West Berkshire Local Countryside Access Forum

Officers Consulted: Paul Hendry; Jon Thomas; Sallie Jennings; Stuart Higgins

Trade Union: Rosemary Culmer