

## Bath & North East Somerset Council

MEETING:	<b>Cabinet</b>	
MEETING DATE:	<b>10 July 2013</b>	EXECUTIVE FORWARD PLAN REFERENCE:
		<b>E2542</b>
TITLE:	<b>Joint Rights of Way Improvement Plan 2012-2016</b>	
WARD:	All	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b>		
<b>Appendix 1: Joint Rights of Way Improvement Plan 2012-2016</b>		

### 1 THE ISSUE

1.1 Bath and North East Somerset Council (“the Authority”) is required by virtue of section 60 of the Countryside and Rights of Way Act 2000 to publish a Rights of Way Improvement Plan which assesses how well the public rights of way network meets the current and future needs of the public. A Joint Rights of Way Improvement Plan covering the period between 2012 and 2016 inclusive has been prepared in partnership with Bristol City Council and South Gloucestershire Council. This plan is hereafter referred to as “the ROWIP 2012-2016” and a copy is attached for approval.

### 2 RECOMMENDATION

2.1 The Cabinet agrees that the ROWIP 2012-2016 is adopted by the Authority.

### 3 FINANCIAL IMPLICATIONS

3.1 Publication of a Rights of Way Improvement Plan is a statutory requirement. However, there is no duty to implement the Statement of Action which is, in essence, the conclusion of the Rights of Way Improvement Plan. The Authority has allocated a ‘ROWIP’ budget (HK1 LLF10 PR06) for implementing a number of the proposed actions and there will be no expenditure by the Authority over the pre-agreed budget limit. Any additional actions must be fully funded from external sources, which may include the partner authorities, external agencies and grant-awarding bodies such as Natural England and the various National Lottery funds.

## 4 CORPORATE OBJECTIVES

4.1 The ROWIP 2012-2016 would *'Make Bath & North East Somerset an even better place to live, work and visit'* by providing a framework within which the public rights of way network can be improved. Greater use of the public rights of way network will reduce congestion on, and pollution from, the ordinary road network and provide a wide range of health benefits to members of the public who use the public rights of way network and will help to achieve the Authority's objectives of:

- Promoting independence and positive lives for everyone
- Creating neighbourhoods where people are proud to live
- Building a stronger economy

## 5 THE REPORT

5.1 The Authority is required to produce a Rights of Way Improvement Plan (ROWIP) by virtue of sections 60 to 62 of the Countryside and Rights of Way Act 2000 and associated statutory guidance has been issued by the Department for the Environment, Food and Rural Affairs. In 2007 the Authority adopted a ROWIP covering the period between 2007 and 2011 and this ROWIP was prepared in partnership with, and adopted by, Bristol City Council and South Gloucestershire Council. A ROWIP covering the period between 2012 and 2016 was scheduled to be adopted in 2012; however, due to resourcing issues it was not possible to present a ROWIP for consideration by the Authority's Cabinet at that time.

5.2 The ROWIP 2012-2016, attached to this report at Appendix 1, has also been prepared in partnership with Bristol City Council and South Gloucestershire Council. Although the title includes reference to a short period before the ROWIP is adopted, it has been produced in such a way as to ensure it reflects the situation regarding public rights of way during this time and a reference to 2012 in the title was considered necessary to avoid confusion in the future regarding which ROWIP related to that particular year.

5.3 The ROWIP must contain:

- (1) an assessment of the extent to which local public rights of way meet the present and future needs of the public;
- (2) an assessment of the opportunities provided by local public rights of way for exercise and other forms of outdoor recreation and the enjoyment of the Authority's area;
- (3) an assessment of the accessibility of local public rights of way to the blind or partially sighted people and people with mobility problems; and
- (4) a statement of the action the authorities' propose to take for the management of local rights of way, and for securing an improved network of local rights of way, with particular regard to the matters dealt with in the assessments in (1), (2) and (3) above.

5.4 The ROWIP 2012-2016 is intended to increase the use of public rights of way by developing a network of safe and attractive routes. Prior to the adoption of the ROWIP 2007-2011, an assessment was carried out of the current provision of public rights of way. User group focus meetings were held, a residents/citizens questionnaire was distributed and four Local Area Assessments were carried out in Sodbury, Oldbury-on-Severn, Brislington East & West Wards and Timsbury. The areas were selected as being typical of the wider area and enabled stakeholders and consultees, including parish councils and the general public, to identify barriers to use and possible improvements to a local network. The findings of these assessments are considered to still be relevant and have therefore been applied to the ROWIP 2012-2016 (see chapters 3, 5 and 6). Chapter 4 examines the policy framework within which the ROWIP 2012-2016 has been developed and will be implemented.

5.5 The key issues that emerged from the assessments and consultations are:

- continuity of routes is important, including use of roads where necessary and safe;
- maintenance of the network is essential;
- safety and personal security are concerns on some routes;
- deficiency of routes for off road cyclists and horse riders;
- easier access needed to some routes; health benefits should be promoted; and
- information and signage often inadequate; tourism and recreational opportunities should be promoted.

5.6 Based on these findings a Statement of Action has been developed which is focused on four themes as identified below.

- Improving Maintenance and Safety
- Signing routes
- Providing Information
- Improving Access for Local Travel

5.7 The Statement of Action sets out a series of 21 actions grouped under each of these four themes to address the key issues. They range from projects requiring capital investment to a restructuring of existing processes to deliver greater efficiency and customer responsiveness. Some will be delivered jointly and others by the individual authorities. As noted in paragraph 3.1 above, progress in implementing many of these will be dependent on securing additional resources from various sources. The intention is to produce an Annual Business Plan with specific projects which will be drawn up in the knowledge of the actual resources available.

## **6 RISK MANAGEMENT**

6.1 The report author and Lead Cabinet member have fully reviewed the risk assessment related to the issue and recommendations, in compliance with the Authority's decision making risk management guidance.

## **7 EQUALITIES**

7.1 An EqIA has been completed. No adverse or other significant issues were found.

## 8 RATIONALE

8.1 The conclusions and proposals set out in the ROWIP 2012-2016 are based on extensive research and consultation. Whilst not all the actions may be achieved with available resources, the approach adopted accords with Government advice. It includes an objective assessment of the current network, of how that matches existing and future users' needs and a series of actions designed to address identified weaknesses and potential growth areas.

## 9 OTHER OPTIONS CONSIDERED

9.1 None. Publication of a ROWIP is a statutory requirement.

## 10 CONSULTATION

10.1 *Cabinet members; Staff; Other B&NES Services; Service Users; Community Interest Groups; Stakeholders/Partners; Other Public Sector Bodies.*

10.2 Extensive consultations took place to guide the development of the ROWIP 2007-2011 and much of this work remains relevant to the ROWIP 2012-2016. Key stakeholders, including the Joint Local Access Forum, have been given the opportunity to comment on, and input into, the ROWIP 2012-2016.

## 11 ISSUES TO CONSIDER IN REACHING THE DECISION

11.1 Social Inclusion; Customer Focus; Sustainability; Young People; Human Rights; Health & Safety; Other Legal Considerations.

## 12 ADVICE SOUGHT

12.1 The Authority's Monitoring Officer (Divisional Director – Legal and Democratic Services) and Section 151 Officer (Divisional Director - Finance) have had the opportunity to input to this report and have cleared it for publication.

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<b>Sponsoring Cabinet Member</b>	<i>Councillor Caroline Roberts</i>
<b>Background papers</b>	<i>Joint Rights of Way Improvement Plan 2007-2011</i>
<b>Please contact the report author if you need to access this report in an alternative format</b>	