

Report to Cabinet Member for Planning and Environment

Decision to be taken on or after [date]

**Decision can normally be implemented at least
3 working days after decision has been signed.**

**Cabinet Member Report No. [number]
(Democratic Services will fill this information in)**

Title: Rights of Way Improvement Plan 2

Date: 4th March 2020

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Local members affected: All

For press enquiries concerning this report, please contact the media office on 01296 382444

This report is not confidential.

Summary

The Rights of Way Improvement Plan 2 (RoWIP2) is a national statutory requirement arising from the Countryside and Rights of Way Act 2000 (CRoW 2000) to meet the present and future needs of users to Public Rights of Way (PRoW) and deliver an action plan to make improvements to the PRoW network for the next 10 years. The plan would cover the extensive network of over 3300km of public rights of way within Buckinghamshire and help enable access for all in terms of delivering inclusivity as well as encouraging new users.

The previous RoWIP expired over a year ago hence the need to put in place an up to date plan for the outgoing Buckinghamshire County Council and the new Buckinghamshire Council for the period 2020 - 2030. There has been an interim Buckinghamshire County Council Rights of Way Planning and Development policy (**a linked supplementary document see Appendix B**) in place throughout the period of producing the plan to ensure continuity.

Following the completion of a needs analysis and then two rounds of extensive consultation during 2019 the updated Rights of Way Improvement Plan is now in a position to be adopted.

Recommendation

- 1) **ADOPT the updated statutory Public Rights of Way Improvement Plan 2020 – 2030 (RoWIP2) as attached as Appendix A**
- 2) **To CONTINUE to use the Buckinghamshire Public Rights of Way – Planning & Development Policy as an addendum to the new plan, attached as Appendix B**
- 3) **That the Rights of Way Improvement Plan 2020 – 2030 is REVIEWED after 5 years in 2025.**

A. Reasons for the decision

The Rights of Way Improvement Plan 2020-2030 (RoWIP2) covers and considers a number of key themed issues. Sharon Bayne of Blackwood Bayne Ltd was commissioned to carry out the needs analysis, public consultation and to produce the draft ROWIP2 consultation document.

The following key issues were identified as part of an extensive stakeholder pre-consultation exercise, carried out during the spring of 2019. The survey received 1489 usable responses and identified the following key issues for the plan to cover:

- **Mapping the Network** – Consolidate the Definitive Map, reduce map anomalies, consider applications in timely fashion, Improve public facing online presence.
- **Looking after the Network** – Review network management priorities, Publish enforcement policy, support farmers and landowners, carry out regular condition survey.
- **Evolving Network** – ensure local plans and strategies reflect actual user needs, work with partners on strategic projects which meet Buckinghamshire's needs, develop access standards for planning and development, improve links, remove dead ends and fragmentation, have a multi user network.
- **Knowing Where to Go** – review promoted routes, provide promotional material, carry out audience development, be more inclusive, support and benefit from visitor economy.
- **Access for Everyone** – Work to ensure routes and structures are Disability Discrimination Act (DDA 1995 and 2005) and Equalities (Act EA 2010) compliant. Make reasonable adjustments to our services to enable them to be used by everyone. Support Health and Well Being initiatives such as Simply Walks, adopt BS5709:2018 standards to enable easy more inclusive access, remove redundant stiles and work with more minority groups.
- **Effective Delivery** – work with partners to secure funding and deliver improvements, enable volunteering, support Local Access Forum, work with Parish Councils on local projects and devolved services, make full use of online reporting systems.

The updated plan was then formally consulted upon during a 12 week period between October and December 2019 when a further 257 responses were received. These were a mixture of individual response as well as from Parish Councils and interest groups.

Whilst some minor adjustments have been made to the text on the basis of the feedback, most of the responses had already been captured in the document and there were no significant changes to be made as a result of the consultation.

The RoWIP2 is also linked to existing supplementary adopted policies notably – Planning & Development Policy 2018-2020. This needs to continue to be used as an addendum for the new plan and set out specifications and standards for Rights of Way delivered by new development.

B. Other options available

There is no realistic alternative option as it is a statutory duty (Countryside and Rights of Way Act 2000) for the Council to produce a Rights of Way Improvement Plan. If the plan was not to be adopted this would leave the authority without any policy positions on current and future management of the Rights of Way network or how the network evolves with respect to the development. If this version of the plan were to be rejected in its current form then a redraft of the document would be required and the statutory public consultation would need to be restarted on any new version.

C. Resource implications

It is anticipated that the Rights of Way Improvement Plan 2020 – 2030 will be delivered within existing resource constraints.

Delivery of any Improvements to the Public Rights of Way network will arise from a combination of existing available capital and revenue funding and any opportunities which might occur over the next 10 years from planning/development gains, new Government funding initiatives, partnership working, new strategic developments, Volunteering, donations, sponsorship, limited income generation and Parish Councils.

An annual Delivery Plan will be produced which reflects the current revenue and capital approved MTFP budgets.

Whilst the plan does include a number of “aspirational” actions which are included because they reflect current and future user needs identified through the consultation process these will only be delivered where funding opportunities arise i.e. S106. The authority will strive to deliver these over the lifetime of the plan.

D. Value for Money (VfM) Self-Assessment

The RoWIP2 has been carefully considered and will demonstrate Value for Money (VfM). The Plan will be delivered through existing revenue and capital resources or from other funding opportunities i.e. S106 contributions, which will require risk assessment and clearly demonstrable VfM. Working with other partners and volunteers will help to maintain getting best VfM from any project at all times

RoWIP2 project delivery planning will always have risk assessment, informed decision making and sustainability built in. Project work will be reviewed and monitored to ensure there is best VfM, knowledge base maintained and expanded plus skills are grown.

E. Legal implications

The Rights of Way Improvement Plan 2 (RoWIP2) is a national statutory requirement for Highway Authorities arising from the Countryside and Rights of Way Act 2000 (CRoW 2000) to meet the present and future needs of users to Public Rights of Way and deliver an action plan to make improvements to the PRow network.

The Council is required to produce a statement of action (action plan) or delivery plan to show how improvements will be realised over the next 10 years.

F. Property implications

There are no Property Implications

G. Unitary Council

Rights of Way duties and powers have always been solely vested with the County Council as the Highway Authority. Buckinghamshire Council will be responsible for all Rights of Way matters moving forwards.

There could be opportunities to have a more local focus to Public Rights of Way (PRow) where people live through links to the Community Boards as they develop.

There could be possible increases in devolution of PRow maintenance arising from localism and this was picked up in a number of the responses.

There will be more opportunities across the new Buckinghamshire Council for joined up working and planning which will be important to deliver our proposed PRow improvements.

H. Other implications/issues

An equalities impact assessment is required to inform delivery but not the document itself. This production of this plan used extensive public consultation to identify present and future needs of users however not all “hard to reach” groups engaged with the process so there needs to be some additional outreach work to engage with these groups and further refine our delivery plans over the next 10 years.

The spirit of the RoWIP is to be inclusive and enable all people to enjoy the Buckinghamshire countryside by using the 3300 kilometres of public rights of way network. This is a potentially free to use for all people and an opportunity to exercise full rights of public access.

There is no data privacy impact assessment required as the Rights of Way Improvement Plan 2020 -2030 is a statutory document which informs how the Council intends to deliver improvements to the Rights of Way network and meet present and future user needs.

I. Feedback from consultation, Local Area Forums and Local Member views

An initial user needs consultation of local people was carried out in spring 2019 with over 1200 responses. The ROWIP Network needs analysis is attached as **Appendix C**

These were reviewed and used to inform the production of the consultation draft RoWIP 2. A report detailing the findings of this initial consultation is attached as **Appendix D**

A 12-week consultation on Buckinghamshire's draft Rights of Way Improvement Plan (ROWIP) took place between 1st October and 24th December 2019. Responses were gathered through an online survey. 257 responses were received. These were a mixture of individual responses as well as from Parish Council and interest groups. A report detailing the findings of this consultation together with the authorities response is attached as **Appendix E**

The Buckinghamshire Local Access Forum has a statutory role in the development of the Rights of Way Improvement Plan 2020 – 2030 and has made significant inputs and comments throughout the process of producing this plan.

Local members were able to share their views on the RoWIP 2 as part of the consultation process.

The decision will affect all divisions in Buckinghamshire and is a corporate decision only.

J. Communication issues

Once the RoWIP2 has been supported by this Council there will be opportunities to promote this plan to improve public access in Buckinghamshire. Advice will be sought from the Communications Team on the launch campaign in the spring.

The Buckinghamshire Local Access Forum will be a key partner in launching and promoting the Rights of Way Improvement Plan and reconnecting with consultees.

K. Progress Monitoring

Actions and their intended outcomes arising from this decision will be included in the annual service /business plans for Rights of Way Operations (Communities - Highways & Technical Services) and Definitive Map (Planning, Growth and Sustainability – Planning & Environment) and monitored by appropriate members and senior officers.

L. Review

The policy forming part of this decision will be reviewed after 5 Years. There will be a mid-point review of the entire RoWIP in 2025 to consider if it is meeting user needs and the delivery plans remain realistic and achievable.

There will be a delivery plan which is reviewed annually by the relevant management teams and shared with the Local Access Forum for their comment and advice.

Background Papers

Appendix A - Public Rights of Way Improvement Plan 2020 – 2030 (RoWIP2)

Appendix B - Buckinghamshire Public Rights of Way – Planning & Development Policy

Appendix C - RoWIP Network and Needs Analysis

Appendix D - Supporting Document 1 - RoWIP Public and Stakeholders consultation detailed feedback (Final)

Appendix E - Supporting Document 3 - Detailed RoWIP consultation feedback and changes made to plan

Your questions and views

If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.

If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Democratic Services Team by 5.00pm on [Date]. This can be done by telephone (to 01296 382343), or e-mail to democracy@buckscc.gov.uk