

SUBJECT:	RIGHTS OF WAY IMPROVEMENT PLAN 2019 -2029
MEETING:	Individual Cabinet Member Decision
DATE:	24 April 2019
DIVISION/WARDS AFFECTED:	All of Monmouthshire

1. PURPOSE:

- 1.1 To seek approval to prepare and consult on a new Rights of Way Improvement Plan (2019 -2029).

2. RECOMMENDATIONS:

- 2.1 To decide to prepare a new Rights of Way Improvement Plan.
- 2.2 To undertake the statutory consultation on a draft plan with the results of the consultation and the final plan being reported to Select Committee and Cabinet.

3. KEY ISSUES:

- 3.1 In October 2007 Monmouthshire County Council published its Rights of Way Improvement Plan (ROWIP). This plan has been the means by which the authority planned strategically for the management, development and improvement of the rights of way network in the County. The plan sets out the priorities and objectives for countryside access since 2007 and has provided the basis of all rights of way work.
- 3.2 Legislation now requires that we review the plan and undertake assessments before we then make a formal decision on whether or not to publish another plan.
- 3.3 The legislation and guidance prescribes certain matters that must be considered in the assessments.
- An evaluation to the degree to which the previous ROWIP has been delivered (Appendix 1)
 - The extent to which local rights of way meet the present and future needs of the public (Appendix 2 & 3);
 - The opportunities provided by local rights of way for exercise and other forms of open air recreation and the enjoyment of the authority's area (Appendix 2 & 3); and
 - The accessibility of local rights of way to blind or partially sighted people and others with mobility problems (Appendix 2).
 - An evaluation of the present condition of the network and its record (Appendix 3)
 - Opportunities to contribute to Active Travel objectives (Appendix 3)
 - Opportunities to contribute to Well-Being objectives (Appendix 3)

- Opportunities to contribute to other plans and priorities. (Appendix 3)
- 3.4 The assessments were undertaken being mindful to specifically consider communities or groups of people who do not currently regularly participate in outdoor recreation and to the protected characteristics within the Equality Act. “Local rights of Way” is defined to include all rights of way shown on the Definitive Map, all footpaths, bridleways and all cycle tracks not at the side of carriageways. We are also able to extend the scope of assessments to include Access Land and other provision which is important to our area.
- 3.5 The assessments also include that area of Monmouthshire that falls within the Brecon Beacons National Park (BBNP) as required by guidance. The BBNP are producing their own RoWIP but their plan should technically be an amalgamation of the relevant parts of each of the constituent highway authority plans.
- 3.6 The assessments have been carried out from 2016 to 2019. The “Outdoor Disability and Health Assessment” was carried out by Ridgeway Associates Consulting Limited, using grant funding. It is the only assessment carried out by a consultant. The others were carried out by the Countryside Access Manager.

Issues and findings

- 3.7 The assessments overall show that previous objectives to achieve an up to date accessible definitive map, to target improvements on rights of way so greatest public benefit is obtained and to improve the accessibility of the rights of way network are still key objectives.
- 3.8 The assessment (Appendix 1) on the delivery of the previous ROWIP showed great progress in updating and making more accessible the Definitive Map. Additionally the GP referral walking scheme, development of health walks and the least restrictive access policy to remove stiles was well received. We were not so successful in being able to work with schools and health providers as we would have liked. However the ROWIP was successful in improving partnerships with others and showcasing the benefits that countryside access brings.
- 3.9 The ROWIP also helped to inform and steer the development of policies covering walking, riding and biodiversity. Other strategies that have been able to benefit from the ROWIP are development policies, green infrastructure and the Wye Valley AONB management plan.
- 3.10 Significant income has been generated by a variety of sources, which have provided the main ways in which improvements to the network has been carried out and some paths like Offa’s Dyke Path National Trail and Wales Coast Path have been maintained. In the last 5 years, this has totalled £623,095 of grant from Welsh Government, Natural Resources Wales, Heritage Lottery Fund and European Funding (£1,060,705 since 2011).
- 3.11 However the condition of the network and opportunities assessment (Appendix 3) shows a serious backlog of legal, maintenance & enforcement exists and there is inadequate resourcing to deal with these issues. There is also a lack of routes for horse riders and cyclists. It also identifies other issues now affecting countryside access such as climate change and possible agricultural changes.

- 3.12 Consultations about the review show that communities and volunteer groups would like to work more closely with us regarding maintenance and promotion. There are also opportunities to extend partnership working with others who have similar aims and objectives, to provide improvements and help fund them.
- 3.13 Legislation and the needs of the public have significantly changed since the first ROWIP was published. This gives opportunities to update the statements of action within the ROWIP, to ensure the next ROWIP is centred on the needs of all residents and visitors for the next 10 years. The assessments show that countryside access can contribute positively towards the aims and objectives of the Active Travel Plan and also the Well-Being Plan strengthening our policy to improve access to those with disabilities and also for the mental well-being of residents and visitors. It can also contribute positively to the Environment Act and to local policies such as the Green Infrastructure Policy.
- 3.14 Overall, the assessments show that the last ROWIP was extremely helpful to the management of the rights of way service, providing business focus, additional grant funding and developing new partnerships. Assessments show that the Service is particularly under resourced and making improvements will be difficult. However this was the case in the first ROWIP and if we had not been willing to be visionary, ambitious and make the most of opportunities and partnerships that exist the Service would by now be in serious decline.
- 3.15 The assessments show that greater benefits can be obtained by adopting the approaches within the Well-Being Plan and engaging with the Active Travel Plan. There is also the ability now to take Countryside Access in its full remit, so that it can encompass other responsibilities not just rights of way and to direct policies and actions so that it can take the Service through the next ten years, recognising the issues ahead and therefore maximising opportunities for improvements. It is therefore recommended that a new ROWIP be prepared, that statutory consultation be carried out on the draft plan and the results of that consultation and the final plan be reported to Select and Cabinet.

Consultation

- 3.16 An extensive consultation took place before undertaking the assessment process and during it. Initially an email was sent out to over 500 organisations and interested parties. This included all community and town councils, user groups, other neighbouring local authorities etc. The consultation was also shown in the press and on social media. This was followed up by consulting on the draft assessments which were emailed to 300+ organisations/individuals and publishing three on-line questionnaires (for landowners, the public and organisations) which was also advertised in the press. The questionnaires were available from September 2018 to November 2019, but following issues with the on-line questionnaire this deadline was extended to January 2019. A public workshop attended by 27 people also took place in November 2018.
- 3.17 The Monmouthshire Local Access Forum and Brecon Beacons Local Access Forum have also been consulted on several occasions.

3.18 Appendix 4 provides full details of the consultation process and all results. 14 organisations/individuals responded to the original consultation, plus there was some correspondence from interested parties. 235 members of the public, 17 organisations and 17 Landowners responded to the questionnaires. 27 people attended the workshop. These show support for the ROWIP to be redrafted and views about what should be included and priorities.

4. EQUALITY AND FUTURE GENERATIONS EVALUATION (INCLUDES SOCIAL JUSTICE, SAFEGUARDING AND CORPORATE PARENTING):

4.1 The assessments show that a new Plan will maintain long-term planning and management arrangements to ensure that outcomes are sustainable in the future. It will support continued efforts to create a walking and riding tourism product enhancing Monmouthshire as a tourism destination; deliver economic, social and environmental regeneration outcomes to Monmouthshire and to provide improved physical access, volunteering opportunities and activity.

5. OPTIONS APPRAISAL

Option	Benefits	Risks	Comments
Not proceed to drafting a new ROWIP	<ul style="list-style-type: none"> None identified 	<ul style="list-style-type: none"> No access to future grant Undermine partnerships Makes it difficult to update policies and strategies for countryside access management. WG expects all local authorities to redraft their ROWIPs to cover next ten year period and cover new issues such as active travel which does not appear in old ROWIP 	Welsh Government Guidance says that we would need to publish any reasons why we do not consider there is a need to redraft the ROWIP.
Draft a new ROWIP & consult	<ul style="list-style-type: none"> Supports appropriate management of countryside access provision within Monmouthshire Supports existing relationships and partnership work Maintains potential access to future funding 	<ul style="list-style-type: none"> None identified 	Meets Welsh Government Guidance.

6. EVALUATION CRITERIA

6.1 An updated ROWIP for Monmouthshire will ensure that the Council has measures in place to effectively protect and improve countryside access to meet the needs of present and future generations, supporting the local economy, providing transport alternatives, health

and well-being benefits to local communities. The plan will contain identified outcomes, which will form the basis for future monitoring.

7. REASONS:

- 7.1 Welsh Government Guidance requires all highway authorities to undertake assessments (as per paragraph 3.3) and make a decision as to whether or not, they should draft a new Rights of Way Improvement Plan.

8. RESOURCE IMPLICATIONS:

- 8.1 There are no direct financial implications to the Council from this proposal at this stage. The Plan when prepared will set out costed statements of action and identify partners to help deliver the actions.

9. CONSULTEES:

Cabinet, SLT, Enterprise DMT (see above and Appendix 4 for consultation on ROWIP assessments)

No further comments received.

10. BACKGROUND PAPERS:

Appendix 1: Summary assessment of delivery of ROWIP 2007 to 2017

Appendix 2: Outdoor Disability & Health Assessment

Appendix 3: Condition of the network and opportunities assessment

Appendix 4: Consultation responses report

Appendix 5: Equality and Future Generations Evaluation

11. AUTHORS & CONTACT DETAILS:

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