

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration & Sustainable Development Cabinet Board

14 September 2018

Report of the Head of Planning and Public Protection

Nicola Pearce

Matter for Decision

Wards Affected: All

Rights of Way Improvement Plan – Consideration of the need to review the Rights of Way Improvement Plan, as required by the Countryside and Rights of Way (CROW) Act 2000.

Purpose of the Report

- 1 To consider the need to review the current Rights of Way Improvement Plan (2008 – 2018), and the subsequent delivery schedule for implementation.

Executive Summary

- 2 Under Section 60 of the (CROW) Act 2000, the Council has a statutory duty to prepare a 'Rights of Way Improvement Plan' (RoWIP).
- 3 The RoWIP for Neath Port Talbot was initially produced and published for the period 2008-2018. Under section 60(3) and (4), the Council is required to undertake a new assessment to determine whether a review of the RoWIP is required.
- 4 This report therefore seeks endorsement of the recommendation to review the current Plan, along with the delivery schedule required to undertake this process and publish an updated Plan.

Background

- 5 The RoWIP (2008-2018) sets out how the Council intends to improve access to the countryside over the 10 year period – a

copy of the Plan can be found on the following link:
www.npt.gov.uk/countrysideaccess

- 6 Over the course of implementing the Plan, a wide range of physical improvements have been carried out to the Rights of Way network, including surface improvements, installation of new bridges, opening up of overgrown routes and waymarking. Notably, a policy of replacement of stiles for more accessible kissing gates has seen a steady increase of routes becoming more accessible for less able users.
- 7 Furthermore, promotion of opportunities to use the network, alongside wider access to the countryside has been undertaken through guided walks, production of leaflets, and more recently a move towards promotion through web-based maps.
- 8 To date, delivery of the RoWIP has been largely driven by the availability of Welsh Government funding, through the 'Rights of Way Improvement Programme'. Members should note however that this funding stream has now come to an end.

NPT RoWIP Consultation

- 9 A consultation exercise was undertaken at the end of 2017, to seek the views of the public on the quality and condition of the Rights of Way Network and the wider countryside, their use of Rights of Way and measures that could be taken to encourage greater use of the countryside.
- 10 A total of 106 responses were received, including responses from frequent users, and also people who only visited the countryside on an infrequent basis. The responses highlighted the wide variety of locations that were of value to the public, from mountain and moorland, to riverside and canal routes, to urban and country parks.
- 11 Approximately 60% of respondents felt that it was easy to access the countryside, leaving a relatively high number reporting that this was not the case.
- 12 Amongst measures that could be taken to encourage greater use of the countryside, a significant number of respondents indicated that suggestions on places to go were needed, along with

improved site based signage, with web-based information featuring highly as a desired source of information.

- 13 Areas that were well used, well-managed and of value to the public were highlighted, as were areas that were in need of improvement work.

Review of the Rights of Way Improvement Plan

- 14 The consultation highlighted that whilst there are people that are comfortable in accessing the countryside, there continue to be improvements that are required of the Rights of Way network. In addition, the responses outlined further measures that need to be put in place if the Council is to encourage a greater number of people to make use of the resource that the Rights of Way network and wider countryside offers to the public.
- 15 Since the publication of the first RoWIP, there have been a number of changes in Wales that would have a bearing on future management of the Rights of Way network and access to the countryside.
- 16 Of note, are the Well-being of Future Generations (Wales) Act 2015 and the Active Travel (Wales) Act 2013. The Well-being Act requires that public bodies take a more joined up approach to delivering improved well-being in Wales, whereas the Active Travel Act requires Councils to identify and take forward routes that enable the public to build walking and cycling into their daily lifestyles. Each piece of legislation present requirements and opportunities which should be considered when delivering the RoWIP.
- 17 Following any decision to review a RoWIP, the CROW Act requires that the new Plan is published within a 12 month period, having undergone a further public consultation exercise.

Consultation

- 18 An assessment on the use of the Rights of Way network and wider countryside, has been the subject of a public consultation, the findings of which will be used to inform a review of the Plan.

Financial Implications

- 19 The RoWIP review will be carried out within existing staff resources and within the existing budget of the Countryside and Wildlife Team.
- 20 Given that there is no additional funding being made available for delivery of the plan, the plan will need to reflect the current budget of the Countryside and Wildlife Team, whilst making best use of external funding to deliver additional improvement works.

Equality Impact Assessment

- 21 In order to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010, an Equality Impact Assessment (EIA) Screening Exercise has been carried out. The Screening Exercise concluded that there is no requirement to carry out an additional separate exercise.

Workforce Impacts

- 22 There are no workforce impacts associated with this report apart from the need to deliver this plan with a small team of staff who are already at capacity.

Legal Impacts

- 23 The review will be carried out in accordance with statutory requirements as set out under Section 60 of the (CROW) Act 2000, and further reinforced by the Wellbeing of Future Generations Act.

Risk Management

- 24 The Council has a statutory duty in the maintenance of its Public Rights of Way network. It is intended that the Plan will provide a framework within which to best manage this public resource, making best use of the resources that are available.

Recommendation

- 25 That having considered the report, it is resolved to make the following recommendation for approval:

1. That a review be undertaken of the Rights of Way Improvement Plan (2008-2018).
2. That the RoWIP Review Delivery Schedule as set out in Appendix 1 be implemented.

Reasons for Proposed Decision

- 26 The recommendations are made to ensure compliance with the CROW Act 2000, and to put a framework in place for the management and improvement of our Rights of Way network for the next 10 years.

Implementation of Decision

- 27 The decision is proposed for implementation after the three day call in period.

Appendices

- 28 RoWIP Review – Indicative Delivery Schedule

List of Background Papers

- 29 Countryside and Rights of Way Act 2000.
30 Neath Port Talbot Rights of Way Improvement Plan (2008-2018).

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Appendix 1 - Neath Port Talbot RoWIP Review – Indicative Delivery Schedule

<i>Evaluation of assessment and decision on whether to review RoWIP</i>	<i>September, 2018</i>
Consultation Draft Plan Written and reported to Cabinet Board	April, 2019
Start Consultation on Draft Plan	May, 2019
End Consultation on Draft Plan	June, 2019
Final Plan reported to Cabinet Board	August, 2019
Publication	September, 2019