

**Open Report on behalf of Richard Wills - Executive Director - Communities**

Report to:	<b>South Lincolnshire and Rutland Local Access Forums</b>
Date:	<b>16 April 2014</b>
Subject:	<b>The Draft Lincolnshire Rights of Way Improvement Plan 2014 - 2019</b>

**Summary:**

A report providing details of the Draft Lincolnshire Rights of Way Improvement Plan 2014 – 2019.

**Recommendation(s):**

- i) That the forum provides comments on the Draft Lincolnshire Rights of Way Improvement Plan 2014 – 2019.

## **1. Background**

The purpose of the report is to provide forum members with details of the Draft Rights of Way Improvement Plan 2014 -2019 (RoWIP).

Under Section 60 of the Countryside and Rights of Way Act 2000, the County Council is required to produce a Rights of Way Improvement Plan. The production of the ROWIP follows a prescribed process set out in statutory guidance issued by the Department for the Environment, Food and Rural Affairs (DEFRA) in November 2002. Local Access Forums are required to provide input into the production of Rights of Way Improvement Plans.

The first Lincolnshire RoWIP, published in April 2007, established a strategic framework for the management of the public rights of way network from 2007 to 2012. A great deal has changed since the publication of the first RoWIP and the second RoWIP will have to take account of significant changes in national policy, the current economic climate and the resultant reduction in the level of funding available for public rights of way management.

This report introduces the second Lincolnshire Rights of Way Improvement Plan and comments are invited from forum members – the full document attached as Appendix A.

## **2. Summary**

### **The Statutory Duty**

Every highway authority in England has a statutory duty under the Countryside and Rights of Way (CRoW) Act 2000 to prepare a Rights of Way Improvement Plan (RoWIP). The plan is required to contain an assessment of the extent to which local public rights of way (PRoW) meet the present and likely future needs of the public, the opportunities provided by local rights of way for exercise and other forms of outdoor recreation and enjoyment of the area, and the accessibility of local rights of way to blind or partially sighted persons and those with mobility problems.

### **The First Lincolnshire RoWIP**

The first Lincolnshire RoWIP, published in April 2007, established a strategic framework for the management of the PRoW network from 2007 to 2012. Since the publication of the first RoWIP the County Council has implemented a diverse range of improvements by utilising both existing budgets and, where possible, partnership funding to translate the RoWIP into actions on the ground.

Stakeholder groups were asked to comment on the success of the first Lincolnshire RoWIP. The majority of respondents considered that the plan has been generally well delivered and that improvements in maintenance, enforcement and promotion have brought about significant improvements to the PRoW network.

However, it is widely accepted that the final year of RoWIP implementation was set against a backdrop of limited resources and this has ultimately affected the delivery of the plan. The reduction of funding in 2010/11 has had a significant impact on the PRoW service and in particular the County Council's ability to implement some of the aspirations within the first improvement plan.

### **The Second Lincolnshire RoWIP**

A great deal has changed since the publication of the first RoWIP and the second RoWIP will have to take account of significant changes in national policy, the current economic climate and the resultant reduction in the level of funding available for PRoW management.

Unfortunately, limited resources required the County Council to consider the benefits of undertaking a full round of public consultation or a detailed network assessment. However, the principles regarding public need which underpinned the first RoWIP and the network assessment made at that time, are all still considered to be relevant.

The process of developing the plan has been influenced by a number of factors including national policy, County Council priorities and the potential for a further reduction in funding in the coming years. Three broad themes have emerged for the future development of the Lincolnshire PRoW network.

- Theme 1** – Network Improvements
- Theme 2** – Improved Customer Service
- Theme 3** – Social Inclusion

The Assessment largely draws on the information gathered during the preparation of the first RoWIP and considers the current strengths and weaknesses of the access resource for walking, horse riding, cycling, horse drawn carriage driving and vehicular use, the accessibility of the network to people with visibility and mobility impairment, and the opportunities to develop and improve the access network to meet people's needs today and in the future. The Implementation Plan lists the actions and works required to develop an improved access network.

The draft Lincolnshire Rights of Way Improvement Plan 2014 – 2019 is attached to this report.

### **Implementation**

Whilst the County Council has a statutory duty to prepare and publish a Rights of Way Improvement Plan, there is no duty to implement the plan. However, developing and publishing the second RoWIP will provide a strategic framework for undertaking PRow improvements and provide opportunities to attract external funding.

Implementation of the second RoWIP will be dependent on identification of suitable funding and will be achieved in a variety of ways, for example, in partnership with stakeholder organisations or through actions identified in other relevant plans, and will rely on securing both internal and external funding. It is considered that funds will continue to be stretched during the implementation of the second RoWIP and that the plan will continue to be, to some degree, aspirational.

### **3. Consultation**

The Consultation and research undertaken during the preparation of the first RoWIP is still considered relevant, therefore consultation for the second improvement plan has been limited to stakeholder groups.

A range of organisations have been consulted including Parish Councils (Parish Paths Partnership members), Government organisations, District Councils, landowner representatives, user groups and other key agencies. The consultation has also been advertised on the Lincolnshire County Council website. The consultation took place over a 12 week period between 20<sup>th</sup> July 2012 and the 12<sup>th</sup> October 2012. The County Council received 31 responses.

Section 61(2) of the Countryside & Rights of Way Act 2000 states that the highway authority must publish a Draft Plan and recommends a minimum 12 weeks consultation period.

**Scrutiny Comments**

n/a

**Executive Councillor Comments**

n/a

**Local Member Comments**

n/a

**Policy Proofing Actions Required**

n/a

**4. Appendices**

<b>These are listed below and attached at the back of the report</b>	
Appendix A	The Draft Lincolnshire Rights of Way Improvement Plan 2014 - 2019

**5. Background papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Andy Savage - Senior Countryside Access Officer, who can be contacted on 01522 782070 or [andrew.savage@lincolnshire.gov.uk](mailto:andrew.savage@lincolnshire.gov.uk)