

**BRISTOL CITY COUNCIL
PUBLIC RIGHTS OF WAY AND GREENS COMMITTEE**

9 January 2006

UPDATE ON RIGHTS OF WAY IMPROVEMENT PLAN

(Draft Report of the Director of Planning, Transport and Sustainable Development)

Ward: Citywide

Purpose of Report

1. To report for information on the Rights of Way Improvement Plan (ROWIP) and to provide an update on the proposed approach towards its preparation.

Background

Introduction

This committee has considered three reports specifically regarding the implementation of the Countryside and Rights of Way Act 2000.

The report under item 9 of the meeting of 8th April 2002 noted the new duty to prepare a Rights of Way Improvement Plan. Reports under item 5 of the meeting of 7th April 2003 and under item 11 of the meeting of 14th July 2003 mainly concerned the establishment of the Joint Local Access Forum (JLAF), but also referred to the duty to prepare and publish a Rights of Way Improvement Plan.

Context

The Countryside and Rights of Way Act 2000 (CROW Act 2000): Sections 60-62 outlines the duty of highway authorities (HAs) to produce a Rights of Way Improvement Plan (ROWIP) as a statutory requirement.

The Statutory Guidance on ROWIPs describes the need for each Highway Authority to conduct an assessment of the network and the needs of existing and potential users. Bath & North East Somerset, Bristol City and South Gloucestershire Councils are working together to produce a joint ROWIP. North Somerset Council is preparing a ROWIP for its own area.

The ROWIP

Following statutory guidance, the ROWIP will be split into two parts, the *Assessment* and the *Statement of Action*.

The *Assessment* must look at:

- (a) the extent to which local rights of way meet the present and likely future needs of the public,
- (b) 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,

(c) the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems.

The *Statement of Action* should outline the action we 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 assessment.

Timetable

Following statutory guidance from the Department for Transport, ROWIPs are to be linked to Joint Local Transport Plans (LTPs). An LTP for the period 2006-2011 will be published jointly by Bath & North East Somerset, Bristol City, South Gloucestershire and North Somerset Councils in March 2006. This Joint LTP will outline the approach of these four authorities to their ROWIPs. It will contain numerous links to PROW and the emerging ROWIPs in the main text of the LTP – particularly under the ‘Accessibility’ and ‘Congestion’ sections. The four authorities have also put together a paper that will form a “Public Rights of Way Strategy Statement” in the Joint LTP.

Guidance from the Department for Transport says that ROWIPs and LTPs are to be “fully integrated” from 2010. The first joint ROWIP will be published by Bath & North East Somerset Council, Bristol City Council and South Gloucestershire Council by November 2007. There is a requirement that the ROWIP should be reviewed within 10 years, however, it is possible that it will be reviewed as part of the preparation of the next LTP for 2011-2016. The ROWIP will therefore cover a 3-10 year implementation period.

ROWIP Progress

Work undertaken so far by the three authorities:

- A steering group has been formed consisting of the lead public rights of way officers in each of these councils, officers working on the Rights of Way Improvement Plan including the Secretary of the Joint Local Access Forum (JLAF) and an officer from South Gloucestershire Council’s Transport Planning team, and an officer from the Joint LTP team;
- With North Somerset Council, contributions to the Joint Local Transport Plan and the draft Public Rights of Way Strategy Statement have been produced, following the development of a draft framework in consultation with the Joint Local Access Forum (JLAF);
- Approaches to the ROWIPs carried out by Countryside Agency funded pilot authorities, and other draft ROWIPs have been considered;
- An approach to the ROWIP has been developed that has led to the whole area assessment and local area assessments outlined above, each looking at user and network issues;
- Criteria (in consultation with the JLAF) for selecting areas for the local area assessments have been developed;
- The proposed areas for the local area assessments have been selected, ensuring that local areas are representative of the whole area;
- Measures of use, and considered the installation of counters to measure the current (and future) use of the network have been investigated.
- Initial consultation with the JLAF is being undertaken – compiling their initial ideas and proposals for the ROWIP.

ROWIP Approach

From the draft Joint LTP, the objective of our work will be to increase use of local rights of way. In the words of the draft Joint LTP, our vision is:

“To increase the use of Local Rights of Way by developing a network of safe and attractive routes which improves opportunities for sustainable access to essential services and facilities and which meets the present and future recreational needs of all members of the community, including those with visual impairment or mobility problems.”

In particular, we will be looking at increasing use through attracting new users to the network. The assessment will include consultation targeted towards potential users.

“Local rights of way”, as defined in the Countryside and Rights of Way Act 2000 are footpaths, cycle tracks, bridleways, restricted byways and byways open to all traffic. It is likely that we will be considering a less limited definition of access than this in order to consider public rights of way in a wider context. We will be considering some other highways, Access Land and other public open spaces, for instance.

We aim to produce a relevant and concise plan. Bristol City Council has a duty to produce and publish a ROWIP but there is no duty to implement. There is no allocation of additional resources to the PROW team in Bristol to deliver the proposals arising from the ROWIP.

Resources are not yet assigned for the implementation of any recommendations arising from the ROWIP as, whilst there is a duty to produce and publish a ROWIP, there is no duty to deliver its recommendations.

Assessment Approach

This will form the bulk of the work and will research both the access on the ground, and the users and potential users of that access. It will involve consultation with the JLAF, the public and other ‘stakeholders’, for example, community groups, parish councils and including other providers of access such as the Forest of Avon. We are planning to split the assessment into two parts – a whole area assessment and local area assessments.

The resources available for the ROWIP dictate that a detailed assessment of the entire network is not possible. It is necessary to rationalise the approach that is taken to best fulfil the requirements of the Guidance. Given that the PROW network in the area of the three authorities is over 2100 km in length, we believe that much more useful information will be obtained by looking at sample areas of the network in detail than just by looking at the whole network in a more superficial manner.

Whole area assessment

This will include a network assessment looking at the provision of access across the whole area – for example a desktop exercise to examine the distribution of promoted routes and the availability of access for different users. It will also include a user assessment to research the needs of the public across the area – we hope to get meaningful answers from both users and non-users to ‘what would make you use local rights of way more?’ This will include questionnaires at shopping centres and town centres throughout the ROWIP area and/or use of

Local area assessments

Three or four geographical areas (parishes or urban wards) that reflect the whole area will be looked at in more detail. This will allow a more valuable review of access provision than would be possible if the whole area was studied in less detail. The local area assessments will look at local use and potential, and will allow the involvement of stakeholders and consultees in the context of a local network. This should help encourage new ideas for managing and improving the network. The findings from the four local area assessments will then be extrapolated in principle for the whole ROWIP area.

The assessment of users in each local area will take on four key methods. These are:

- Postcard survey covering a random sample of dwellings within the area. It will give information on the project, the next stages in the assessment and will ask some basic questions about current and potential usage;
- Consultation with stakeholders. The aim of this is to incorporate views from a broad spectrum of consultees reflecting the aims of the assessment;
- Site visits and consultation with the Joint Local Access Forum (JLAF) in order to hear views and ideas;
- Face-to-face interviews with stakeholders to discuss specific issues and ideas;

The assessment of the network in each local area will:

- Include a physical survey of the local rights of way network in the area;
- Incorporate a survey of other access in the area;
- Measure use of the network in the area through monitoring; and
- Investigate potential use in the area and limitations to that use.

The aim of the process is to gain detailed and robust data.

Selection of Local Areas

The four areas for local assessment have been selected so that there is one within each of the three authority areas, plus one additional area to assess access for bridleway users. The areas have been selected so that individually they provide a sufficient local rights of way network for assessment, and typical sample of the local rights of way network and related factors in each authority. At the same time, the selected areas are distinctive, so that there is the opportunity for some comparison in the local area assessments. There is the potential for some contradiction in selecting areas that are both typical and distinctive, so the priority has been to select areas that together will include factors that are typical to the whole ROWIP area (and thus might be extrapolated to the whole area). A list of the criteria considered for the selection of these areas is shown at the end of this document.

The selected areas are:

- Timsbury Parish in Bath & North East Somerset;

- Brislington East and West Wards in Bristol, including access to the River Avon Trail between Totterdown Bridge and the Bristol/South Gloucestershire boundary at Hanham Lock;
- Sodbury Parish in South Gloucestershire; and
- Oldbury-on-Severn parish in South Gloucestershire to consider access for bridleway users.

The local area assessment will cover Brislington West and Brislington East wards in Bristol. This follows a desktop review of the definitive map of Bristol and a comparison of areas in with a higher density of public rights of way that would provide opportunities for study. For instance, within Brislington there are recorded public rights of way which provide for utility and recreational use where there is likely to be the potential to increase the use of local rights of way. The Brislington Local Area Assessment will include access along the River Avon (with the River Avon Trail and the Conham river ferry). Brislington also contains a variety of housing, industrial, service and education land uses, there are also publicly accessible open spaces, for example at Eastwood Farm. Brislington also shares the Bristol City Council boundary with the other two councils in the ROWIP: Bath & North East Somerset and South Gloucestershire.

The assessment will also include a review of best practice for consideration in the statement of action.

Statement of Action

The statement of action will follow from the assessment, setting out the implementation of ideas and tackling some of the issues raised in the assessment. It will propose improvements and projects that contribute towards a coherent long term plan. It will outline a plan for improvements over a 3-10 year period.

Statutory Provisions

4. The Rights of Way Improvement Plan is a duty introduced by sections 60-62 of the Countryside and Rights of Way Act 2000. The council must prepare and publish such a plan by November 2007.

Options Considered:

5. Consideration was given to a more detailed approach over the wider area of the three authorities. However this was discounted due to limitations on both staff and finance resources.
6. Consideration was also given to other areas, based primarily on ward boundaries, within the area covered by Bristol City Council. Areas were only considered where a network of recorded public rights of way already existed. A review of the Definitive Map and

Statement identified only three areas these being Westbury on Trym, Eastville and Brislington.

Report Summary/Officer Comments

7. This report explains the rationale and reasoning for carrying out the assessment stage of the Rights of Way Improvement Plan and details the areas which will form part of the assessment.

Policy Implications

8. The Rights of Way Improvement Plan has been considered in the preparation of the Joint Local Transport Plan and will be integrated the next Local Transport Plan due to be published in 2010. The emerging Rights of Way Improvement Plan will inform the implementation of the Joint LTP for 2006-2011.

Consultation

(a) Internal

9. Highway Asset Management
Culture and Leisure Services

(b) External

10. For information only
Joint Local Access Forum
Bath and North East Somerset, Will Steel
South Gloucestershire Council, Rennie Dickins

Legal and Resource Implications:

Legal: No direct implications

Financial:

- (a) Revenue** The Public Rights of Way Team have not been allocated any additional funding for the assessment, public consultation and evaluation process necessary to prepare and publish a Rights of Way Improvement Plan. This is all having to be found or produced from within the existing financial allocations. This is likely to have an effect on our ability to deliver or meet other priorities/statutory duties.

(b) Capital There are no specific financial implications arising directly from this report. Whilst there is a duty to produce and publish a rights of way improvement plan, there is no duty to implement the plan. However there is an issue of raising public awareness or expectation as part of this process without allocating sufficient funding to meet the objectives or aims deriving from that process. This is likely to have a negative effect on public participation in the assessment process.

Land: No immediate effect. This will be dependent on the outcome of the public consultation and assessment stage

Personnel: The Public Rights of Way Team have not been allocated any additional staff resources to carry out the assessment, public consultation and evaluation necessary to prepare and publish a Rights of Way Improvement Plan. This is all having to be found or produced from within the existing staff allocations. This is likely to have an effect on our ability to deliver or meet other priorities/statutory duties

Appendices:

- **Appendix A - Criteria for the selection of areas for Local Area Assessments.**
- **Appendix B - Map showing areas for Local Area Assessments.**
- **Appendix C - Map showing Brislington East and Brislington West Wards for Local Area Assessments.**

RECOMMENDATION:

11. That the report be noted.

LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985 Background Papers:

1. Countryside and Rights of Way Act 2000
2. Statutory Guidance to Local Authorities in England. Covering letter to Local Authorities (November 2002)

3. Rights of Way Improvement Plans: Statutory Guidance to Local Authorities in England, Defra (November 2002)
4. Guidance For Full Local Transport Plans, Department for Transport, 2005.
5. Public Rights of Way and Greens Committee Report of 8 April 2002 (Agenda item 9)
6. Public Rights of Way and Greens Committee Report of 7th April 2003 (Agenda item 5)
7. Public Rights of Way and Greens Committee Report of 14th July 2003 (Agenda item 11)

Officer presenting report: John Roy, Team Manager, Walking, Cycling, Safer Routes to school and Public Rights of Way, Planning, Transport and Sustainable Development, with Chris Hogg, Local Access Forum Officer for Bristol City, Bath & North East Somerset and South Gloucestershire Councils.

Contact telephone number: (0117) 903 6670

APPENDIX A

Criteria for the selection of areas for Local Area Assessments.

- unit (e.g. ward/parish/bounded by...) (unit)
- Local Authority (\$)
- Distance from B&NES (km/adjacent/N/A)
- Distance from Bristol CC (km/adjacent/N/A)
- Distance from SGlos (km/adjacent/N/A)

- size of area (Ha)
- population (#)
- population in surrounding 1 or 5 km cordon (#)
- Urban area (Census definition, Ha)
- Urban area (Census definition, %)
- Rural area (Census definition, Ha)
- Rural area (Census definition, %)
- Adjacent to urban or rural area? (Y/N)
- Distance from an urban centre (e.g. shops, work: km or within)
- Distance from urban edge (minimum: km)

- Housing/estate types: urban areas - non-porous (Y/N)
- Housing/estate types: urban areas - porous, e.g. 70/80s cul-de-sac (Y/N)
- Housing/estate types: urban areas - porous, e.g. 50/60/70s public estates (Y/N)

- Number of settlements, for considering settlement links (rural areas, #)
- Number of public open or green spaces (# or significant)
- Public Transport provision or links (Y/N)

- Index of Deprivation

- Arable/Pastoral/Mix (for rural)

- AONB (Ha)
- AONB (%)
- FOA area? (Ha.)
- FOA area? (%)

- Length of recorded PROW network (km)
- Density of recorded PROW network (m/Ha.)
- Number of recorded PROW (#)
- Density of unrecorded network (PROW/highways, cycle, permissive, parks etc; nominal: high/med/low)
- Recorded Footpaths (km)
- Recorded Footpaths (#)
- Recorded Footpaths (%)
- Recorded Bridleways (km)
- Recorded Bridleways (#)
- Recorded Bridleways (%)
- Recorded RUPPs and Restricted Byways (km)
- Recorded RUPPs and Restricted Byways (#)
- Recorded RUPPs and Restricted Byways (%)
- Recorded BOATS (km)
- Recorded BOATS (#)
- Recorded BOATS (%)
- Multiuser/ cycle routes (km)
- "ORPA"s (km)
- Minor roads (km OR high/med/low???)
- CSS/Agri Access? (Y/N and area Ha.)
- Access Land (Y/N and area Ha.)
- Parks (Y/N and area Ha.)

- Country Parks(Y/N and area Ha.)
- Other land with access (Y/N)
- Other providers (FC/WT/NT/Sustrans/BritWater/etc)

- Local promoted route (Y/N)
- National/ regional promoted routes (Y/N)

- Walkers: utility (Y/N/Possible)
- Walkers: amblers (Y/N/Possible)
- Walkers: ramblers (Y/N/Possible)
- Walkers: Hikers (multi-day trips: Y/N/Possible)
- Joggers (Y/N/Possible)
- Sport (e.g. orienteering) (Y/N/Possible)

- Horse riders: individual e.g. from liveryes (Y/N/Possible)
- Horse riders:organised/treking centre or riding schools (Y/N/Possible)

- Carriage drivers (Y/N/Possible)

- Cyclists: utility (Y/N/Possible)
- Cyclists: 'ambler' recreation (Y/N/Possible)
- Cyclists: mountain biking/ off-road (Y/N/Possible)
- Cyclists: touring (including multi-day trips: Y/N/Possible)

- Motorised: motorbike (Y/N/Possible)
- Motorised: >2 wheel (Y/N/Possible)

- Gaps in available network (Y/N/possible)
- Severance (by road/rail/river) (Y/N/possible)

- (Road) Safety (Y/N/possible)
- Accessibility
- Congestion
- Air quality
- Quality of Life

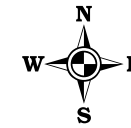
- Development issues/ opportunities (Y/N/Possible)
- Nature Conservation designations (Y/N)
- Crime and ASB, real or perceived (later real only) (Y/N/possible)
- Perceived problems with use (e.g. illegal use) (Y/N/Possible)

- High ground / views (Y/N)
- Nature Conservation (Y/N)
- Coastal (Y/N)
- River/Lake (Y/N)
- Heritage (Y/N)
- Picturesque etc (Y/N)

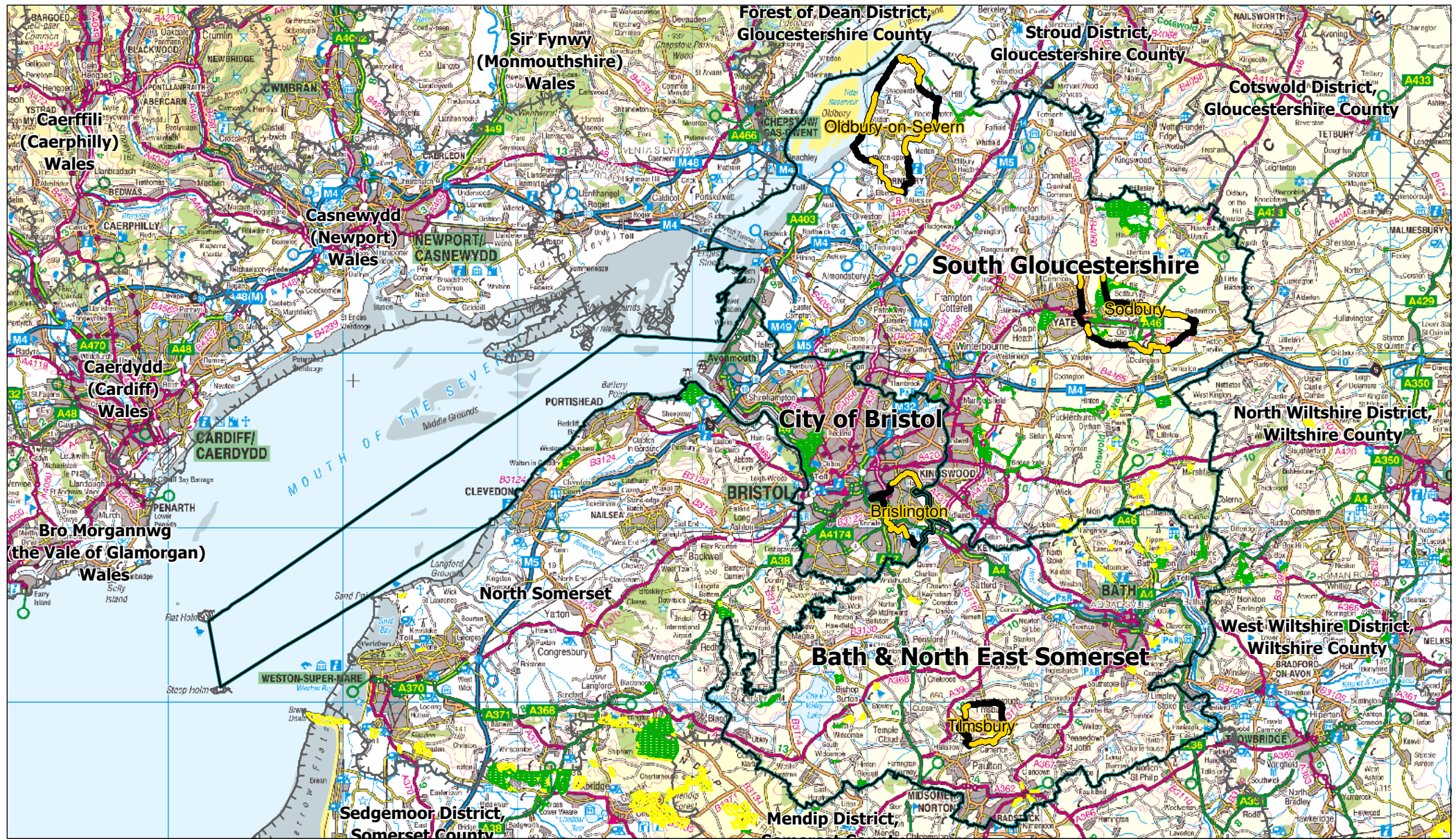
Update on Rights of Way Improvement Plan

Map showing areas for Local Assessments

Compiled by CJH on 14 December 2005 Scale 1:300000



Bristol City Council
Wildier House
Wildier Street
BRISTOL
BS2 8PH



- Secondary school ●
- Primary school ●
- Greenway —
- Shops □
- Prow - - -
- open space □
- industrial estate □

