

North Somerset Council

Report to the Executive

Date of Meeting: 7 December 2022

Subject of Report: North Somerset Rights of Way Improvement Plan 2022-32

Town or Parish: All

Officer/Member Presenting: Cllr Mike Solomon - Executive Member for Neighbourhoods and Community Services

Key Decision: Yes

Reason:

The Rights of Way Improvement Plan provides a vision for the Rights of Way network over the next 10 years, together with objectives and an action plan to deliver improvements that will benefit all communities in North Somerset.

Recommendations

That the Council adopts the Rights of Way Improvement Plan (RoWIP) 2022-23 appended to this report.

1. Summary of Report

- 1.1 The Countryside and Rights of Way (CROW) Act 2000 placed a legal obligation on all Local Authorities to produce a Rights of Way Improvement Plan (RoWIP) to outline their aims for managing and improving local public rights of way (PRoW) in their area and to review, amend or rewrite this plan at least every 10 years.
- 1.2 Our first RoWIP (2007-2017) was updated in 2010 and was due for review in 2020. This is therefore our second RoWIP, the production of which has been delayed due to the Covid restrictions and workload pressures.
- 1.3. The Plan sets out how North Somerset Council (NSC) will manage the Public Rights of Way (PRoW) provision for the benefit of the physical and mental wellbeing of walkers, equestrians, cyclists and those with visual or mobility difficulties, together with delivering sustainable travel options and opportunities to engage with the natural environment.
- 1.4. As part of the development of the new RoWIP we proposed a set of 5 objectives and 14 areas of activity under which numerous actions were created to comprise the ROWIP action plan.

- 1.5 From 8th August 2022 we consulted on the draft RoWIP and invited responses to a number of questions, including requesting feedback on the following:
- PRow user requirements
 - RoWIP objectives
 - RoWIP action plan
- 1.6 Consultation responses were evaluated and have informed the RoWIP update.
- 1.7 It is recommended that the Council adopts the North Somerset Rights of Way Improvement Plan 2022-32 as appended to this report.

2. Policy

- 2.1 The RoWIP 2022-32 is a key strategic document that interacts with a wide range of policies in North Somerset and across the West of England. It sets out how we will act to deliver key aims to:
1. Increase our PRow Network through establishing effective connections
 2. Seek opportunities for improved strategic routes
 3. Improve routes to make them more accessible and enjoyable for all
 4. Encourage visitors to our region
 5. Support opportunities for the PRow Network to help address the Climate Emergency through enabling sustainable travel
 6. Support opportunities for the PRow Network to help address the Ecological Emergency through native planting, enhancing connectivity and engendering a better understanding of our natural environment
 7. Contribute to sustainable development, improved health outcomes and enhanced quality of life for our communities

3. Details

- 3.1 The North Somerset Rights of Way Improvement Plan is attached as Appendix A.

4. Consultation

- 4.1 A range of consultation exercises were carried out. (Table 1).

Consultation exercise	Details	Date
Briefing	Executive member briefing	19 th July 2022
Briefing	All member Informal Scrutiny	4 th August 2022
Econsult	Open invitation to respond to the consultation	22 nd August until 7 th October 2022
E life	Emailed to 43,000 individuals	September edition
Town and Parishes	Meetings with all Town and Parishes were offered at 2 evening events	20 th and 27 th September
Local Access Forum	A dedicated session was offered to provide a feedback opportunity for LAF members	22 nd September
Press and social media	A press release was published and numerous social media posts were carried out	August/September/October
Posters	QR code on posters located in key locations on the PRow network pointed people towards eConsult	August/September/October

Table 1 Consultation exercises for the promotion of the 2022-32 Rights of Way Improvement Plan

- 4.2 As this consultation exercise demonstrates the Council made considerable effort to raise awareness of the draft 2022-32 RoWIP.
- 4.3 The development of the RoWIP has taken place with input from the Place scrutiny panel.
- 4.4 The eConsult consultation resulted in 174 responses, 146 from individuals and 28 from organisations. Of the organisational responses, 19 of these were from town and parish councils with the remainder being from those representing user interests such as equestrian and ramblers groups together with organisations such as The Monarch's Way Association and also the Local Access Forum. Respondents were asked to consider a range of questions whose purpose was to explain how and why people used rights of way and what barriers they felt they faced to using them together with gaining opinions on the RoWIP itself and whether our list of user requirements was accurate, whether we have chosen an appropriate set of objectives and to raise actions that may have been missed out of the action plan. A summary of the responses can be found in Appendix B.

Following the consultation process we undertook analysis of the feedback we had received to update the draft RoWIP. Not all respondees replied to each question. Many of the responses received have been used to inform the final version.

4.5 PRow User Requirements

As part of the draft 2022-32 RoWIP we sought views on continued relevance of the list of user requirements which had been identified for the 2007 RoWIP. Of the 170 people who responded to the question about the requirements of PRow users, 124

people (55%) felt we had correctly identified the requirements each type of user has, 25 did not agree and 21 were unsure.

Table 2 provides a summary of the original RoWIP list of user requirements together with details of the additional requirements proposed by the consultees which are listed in the final column. Not all categories received any suggestions other than 'better provision.' Many suggestions had already been captured by the existing list of requirements or identified shortfalls. All user types would benefit from guidance on path user behaviour to better enable multi-user paths to be enjoyed by all.

User Type	Proposed RoWIP 2022-32 User Requirements			Post-consultation additions
	Requirements	Current Provision	Shortfall	
Mobility, visually and other impaired users	Routes suitable for use. Good information about routes. Suitable facilities	Limited routes identified for specific use.	Limited percentage of network available. Insufficient targeted information provided.	Parking, consideration of gate widths, path widths/inclines
Casual Walker	Safe, clean and interesting environment for people and children. Good information (for example website, leaflets and on the ground waymarking)	860km of public right of way plus 500ha of area-wide access and permissive access over private land	Need to continue reducing obstructions, ensure adequate signage and improve surfacing where possible to increase 'ease of use'.	Connection with public transport, safer crossings over highways, greater variety of routes, greater levels of signage
Walkers with Dogs	Means of passing through stiles. Facilities for dog mess and drinking. Areas in which dogs can run free legally and without affecting livestock.	860km of public right of way plus 500ha of area-wide access and permissive access over private land	Need for greater education amongst dog owners about responsible behaviour and risks to livestock. Need for routes with suitable facilities.	Requirements are what existing resources allow
Ramblers	Variety of routes. Good access furniture. Continued mechanism for dealing with complaints and definitive map problems	860km of public right of way plus 500ha of area-wide access and permissive access over private land. Backlog of Legal Orders for processing. Procedure for handling complaints moved online.	Need to increase 'ease of use'. More publicity/promotion. Backlog of Legal Orders has been reduced, however work still to be done	Requirements are what existing resources allow
Cyclists	Variety of route options with good	280km of public rights of way and	Small percentage of local rights of	Better segregation

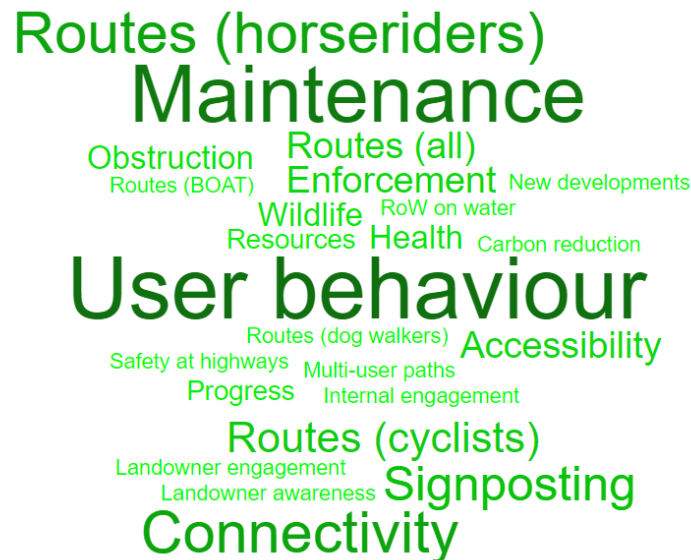
	connectivity, including routes free of difficulty (for example avoiding dangerous road crossing and steep hills). Improved publicity and promotion	cycle tracks plus permissive routes. Fragmented network. Information on some routes published.	way available for cyclist and very little permissive. Poor connectivity. Need to improve information online and through publications	
Utilitarian users (walkers and cyclists)	Safe, off-road network that links residential areas and key destinations (for example schools, places of work and shops). Good all-weather surfaces.	Existing network of highways, including public rights of way, footways and cycle tracks plus permissive paths.	Connectivity of links between trip generators.	Fully gated routes to villages, safer connections at roads
Horse riders	Routes that are free of obstructions, well signposted, waymarked, free from vegetation, suitable surfaces, safe to use and form circular routes at least five miles long.	123km of public rights of way and 1.5km permissive route. Fragmented network, minimal publication of routes. Roadside verges could offer possibilities.	Only small percentage of local rights of way available for horse riders, very little permissive use available. Poor connectivity, few circular routes, limited information.	Path widening, vegetation control, disabled users
Carriage Drivers	Adequate parking. Good length of route.	38km of public rights of way.	Small length of route publicly available. Poor connection.	Requirements are what existing resources allow
Off Road Motorists	Unsurfaced routes that are free from obstruction and have character. Challenging natural gradient and surface. Reasonable length and interesting topography. Routes that would not be damaged by light vehicle use.	0.7km of public right of way	There is negligible provision for off-road driving on local rights of way in North Somerset. These routes require greater investment due to degradation by vehicles.	Requirements are what existing resources allow

Table 2 Identified requirements for each type of PRow user

4.6 Objectives

The consultation set out our draft objectives and invited comments on whether they are the right set of objectives to improve the North Somerset rights of way network.

The responses received, including those supporting the objectives where responses were often still provided, covered the following themes (larger text equates to a greater number of responses on that theme):



We received 170 responses on the objectives with 124 people (73%) agreeing that they were appropriate choices. Of those that did not agree (25) or who were not sure (23), in many cases the suggestions for improvements to the objectives were already encapsulated directly in the existing wording or within the spirit of the objective. For example, there were calls for “more routes for horse-riders” however this is already covered under objective 5: *Increase routes other than footpaths*. Equally there were suggestions such as “accessible furniture is very important but many pieces currently in situ are unnecessary and unlawful. These should be removed.” Objective 3 covers this particular point as making routes more accessible can only be achieved by ensuring furniture such as stiles and gates are replaced with versions that accommodate more users.

Multiple suggestions highlighted that the objectives required more detail to enable people to recognise their concerns are being reflected in our proposals. As such we have amended the objectives to provide this (alterations to the draft objectives are highlighted in bold).

1. Provide a **timely** and effective maintenance and **enforcement** policy for the PRow network
2. Improve connectivity on the PRow network
3. Improve accessibility for all users
4. Improve awareness of the PRow network (**e.g. promotion/signage**) and its benefits (**e.g. for health and access to nature**), understanding of the responsibilities of PRow users (**e.g. behaviour towards other users and the natural environment**) and **landowners** and the knowledge and confidence relevant to each type of user
5. Increase routes other than footpaths to address the inequality of PRow provision across North Somerset **and identify opportunities for segregated use where possible**

4.7 Action Plan

We suggested a range of 32 actions to improve user experience. This received a much more mixed and slightly lower response (144 people) with only one third

agreeing with our proposals. The third of respondents who did not agree with our actions either wanted some removed or others added. 44 of the respondees did not necessarily agree but provided no feedback on what actions were needed.

The responses received, including those supporting the content of the action plan, covered the following themes (larger text equates to a greater number of responses on that theme):



Many correctly highlighted that our objectives relating to connectivity and an increase in routes other than footpaths are not specifically listed in the proposed actions so these have been added into section 10 of the action plan. For example, section 10 of the action plan consists of actions to improve the network and 3 suggestions drawn from the consultation responses will be added to the existing list. One of these is to identify routes which can be upgraded to accommodate a greater variety of users, including segregation and provision of additional facilities for those with impairments.

Respondents made a wide range of different comments and suggestions. Many related to problems on or requests for specific routes and so are not reported within the revised RoWIP however they will be investigated separately.

Other broader concerns related to the relative lack of bridleways and non-road or segregated cycle routes; poor and infrequent maintenance; a lack of sufficient signposting; risks to nature from both increased activity on PRow and increased surfacing of paths; a lack of multi-user routes; safety where RoW meet the highway; engaging with landowners to achieve improved access and concerns over the progress possible within Council budgetary constraints.

To cover the concerns raised under this element of consultation we have proposed some new actions and also amended others.

New actions

New Action Plan Reference	Activity
2.f)	Report on progress with maintenance
8.c)	Make greater use of on-site signage, including QR codes to inform the public about rights of way and seek engagement
9.c)	Report on progress with asset management
10.d)	Identify locations for improved connectivity, including severed routes
10.e)	Identify locations for safety improvements at junctions with highways
10.f)	Identify routes which can be upgraded to accommodate a greater variety of users, including segregation and provision of additional facilities for those with impairments
10.g)	Identify, map and promote routes which are specifically suitable for those with mobility impairments, aiming for a minimum of at least one per parish

Amended or clarified actions

Action Plan Reference	Activity
1.a)	Increase awareness of how to report problems
6.b)	Significantly reduce the backlog of Definitive Map Modification Order Applications and maintain outstanding applications below 10 (amended deadline from 2027 to 2024)
11.b)	Deliver action plan objectives from the GI Strategy including identifying areas where PROW/nature conflicts may arise, or could be enhanced

Some areas where consultee responses will not be able to be accommodated within the RoWIP document, but which in some cases are still a requirement for NSC to address include:

Suggestion from consultation	Is this something the council can take forward?	Proposed action
Provision of pavements where these are missing along highways	The council does not provide pavements on all highways and there is not sufficient budget to provide and maintain additional pavements unless critical.	Highlight reporting mechanisms for any critical safety issues related to missing pavements
Creation of more on-road cycle routes	Where feasible as part of Active Travel Policy and action plan	Information to be shared within the upcoming Active Travel action plan consultation
Segregation of walkers from livestock where RoW pass over fields	There is no requirement nor budget for the council to implement this suggestion	No further action

Clearance of over-hanging vegetation from pavements	Where feasible	Highlight reporting mechanisms for overhanging vegetation
Creation of rights of way on water bodies	There is no requirement nor budget for the council to implement this suggestion	No further action
Provision of dog waste bins and access to water on RoW	This is not possible on NSC land due to budget constraints and other landowners are not obliged to provide these facilities	No further action
Provision of public conveniences on RoW	This is not possible due to budget constraints	No further action

Other useful suggestions received through the consultation which will be explored through the proposed actions include:

- interactive options to encourage better engagement and people finding out more about the landscape etc. around certain places
- make access to the LAF meetings more accessible to stakeholders
- Online reporting should be extended to easily allow public suggestions on improvements and connectivity as well as maintenance and access issues.
- There will be numerous PRoWs which cross over Parish boundaries. There should be joined up consultation with both Parish/Town Councils, wherever possible.
- Use Parish & Town Councils - all have their own websites and most have a Parish Magazine. Publish regular news about works & improvements to the network - this should increase the amount of people seeing the information

As part of the consultation process we also engaged with the Disabled Ramblers who have been instrumental in ensuring that the key accessibility barriers associated with the different types of impaired users have been acknowledged and that the processes we employ for maintenance and new projects adequately take these users' requirements into consideration.

5. Financial Implications

Costs

- 5.1** There are no direct financial consequences or commitments flowing from this decision to approve the Rights of Way Improvement Plan 2022-32, but the delivery of the action plan will depend upon funding being available.
- 5.2** An additional £150,000 of revenue funding was made available in 2020 for rights of way improvements in recognition of the historical lack of funding. We worked with

the town and parish councils to identify the top 10 priorities in each area and with this funding we have installed:

- 12 Bristol gates
- 105 pedestrian gates
- 76 kissing gates
- 23 bridges
- 9 surface works
- 3 horse gates

The remainder of the identified improvements will be made as part of RoWIP 2022-32.

Funding

- 5.2 Ongoing funding will be required for the maintenance of the rights of way network. Many improvement schemes will be achievable through developer contributions or via match-funding from town and parish councils.
- 5.3 Where resources (including additional staff) are required this will be dealt with via the processes of the MTFP and/or the Councils Capital Strategy.

6. Legal Powers and Implications

- 6.1. None. The RoWIP is a guidance document and would not itself create commitments or statutory requirements on the Council, legal, financial or otherwise.

7. Climate Change and Environmental Implications

- 7.1 The strategic aims of RoWIP 2022-32 include:
- Support opportunities for the PRow Network to help address the Climate Emergency through enabling sustainable travel
 - Support opportunities for the PRow Network to help address the Ecological Emergency through native planting, enhancing connectivity and engendering a better understanding of our natural environment

These demonstrate the commitment to addressing the climate and nature emergency which are intrinsic to the RoWIP's purpose.

8. Risk Management

- 8.1 As mentioned earlier, the RoWIP is mandated via legislation and we are already not adhering to this by having a Plan that is not current.

In addition to meeting the legislative needs the consultation has enabled us to engage with PRow users and determine their requirements for using the network and also their views on the priorities for improving public rights of way in North Somerset.

9. Equality Implications

Have you undertaken an Equalities Impact Assessment? Yes.

- 9.1 The RoWIP directly addresses inequalities around access to rights of way as it focusses on improvements to access for all users but specifically those with mobility or other impairments. It also seeks to increase the number of routes so this will ensure the proximity of our communities to their nearest RoW will improve.

10. Corporate Implications

- 10.1 The RoWIP aligns with the Council's nature and climate emergencies through the provision of routes to enable sustainable and active travel together with opportunities for people to engage with and develop an appreciation for the natural environment.

11. Options Considered

- 11.1 None

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Appendices:

Appendix A – Rights of Way Improvement Plan 2022-32

Appendix B – RoWIP 2022-32 consultation - summary of responses

Background Papers:

The 2007 RoWIP.