

CABINET ITEM COVERING SHEET PROFORMA

AGENDA ITEM

REPORT TO CABINET

21 JUNE 2018

**REPORT OF SENIOR
MANAGEMENT TEAM**

CABINET DECISION

Cabinet Member for Environment & Transport - Cllr Mike Smith

RIGHTS OF WAY IMPROVEMENT PLAN (2018-2023)

1. Summary

The Rights of Way Improvement Plan (RoWIP) is a statutory document required under the Countryside and Rights of Way (CROW) Act 2000. The first RoWIP was adopted by the Council in 2008 as a 10 year policy document which covered the period between 2008-2018 in respect of the management and improvements of the local rights of way network.

Works have been undertaken over the last year to prepare the 2nd RoWIP which will cover the period between 2018 – 2023. This new document provides an update of works and improvements carried out on the rights of way network over the last 10 years.

The purpose of this report is to seek Members' approval to adopt the Council's 2nd Rights of Way Improvement Plan (2018-2023) for Stockton as a 5 year policy document.

The ROWIP is attached at **Appendix A**.

2. Recommendation

It is recommended that:

1. Cabinet approve the Council's 2nd Rights of Way Improvement Plan (2018-2023).

3. Reasons for the Recommendation/Decision

The Council has a statutory responsibility to produce a Public Rights of Way Improvement and it is therefore necessary to seek Cabinet's approval to the draft document to enable it to be produced in its final version.

4. Members' Interests

Members (including co-opted Members) should consider whether they have a personal interest in any item, as defined in **paragraphs 9 and 11** of the Council's code of conduct and, if so, declare the existence and nature of that interest in accordance with and/or taking account of **paragraphs 12 - 17** of the code.

Where a Member regards him/herself as having a personal interest, as described in **paragraph 16** of the code, in any business of the Council he/she must then, **in accordance with paragraph 18** of the code, consider whether that interest is one which a member of the

public, with knowledge of the relevant facts, would reasonably regard as so significant that it is likely to prejudice the Member's judgement of the public interest and the business:-

- affects the members financial position or the financial position of a person or body described in **paragraph 17** of the code, or
- relates to the determining of any approval, consent, licence, permission or registration in relation to the member or any person or body described in **paragraph 17** of the code.

A Member with a personal interest, as described in **paragraph 18** of the code, may attend the meeting but must not take part in the consideration and voting upon the relevant item of business. However, a member with such an interest may make representations, answer questions or give evidence relating to that business before the business is considered or voted on, provided the public are also allowed to attend the meeting for the same purpose whether under a statutory right or otherwise (**paragraph 19** of the code)

Members may participate in any discussion and vote on a matter in which they have an interest, as described in **paragraph 18** of the code, where that interest relates to functions of the Council detailed in **paragraph 20** of the code.

Disclosable Pecuniary Interests

It is a criminal offence for a member to participate in any discussion or vote on a matter in which he/she has a disclosable pecuniary interest (and where an appropriate dispensation has not been granted) **paragraph 21** of the code.

Members are required to comply with any procedural rule adopted by the Council which requires a member to leave the meeting room whilst the meeting is discussing a matter in which that member has a disclosable pecuniary interest (**paragraph 22** of the code)

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SUMMARY

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The purpose of this report is to seek Members' approval to adopt the Council's 2nd Rights of Way Improvement Plan (2018-2023) for Stockton as a 5 year policy document.

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RECOMMENDATION

It is recommended that:

1. Cabinet approve the Council's 2nd Rights of Way Improvement Plan (2018-2023).

DETAIL

1. Under sections 60 and 61 of the Countryside and Rights of Way (CROW) Act 2000, the Council is required to prepare, publish and review a RoWIP.
2. The RoWIP identifies the current issues affecting the use, management and maintenance of the local rights of way network, together with the actions that the Council proposes to undertake, both on its own and in partnership with others, in order to improve the existing network and to ensure that its potential is fulfilled over the next 5 years.
3. The legislation sets out the following requirements regarding the ROWIP:
 - The extent to which local rights of way meet the present and likely future needs of the public;
 - The opportunities provided by local rights of way (and in particular by footpath cycle tracks, bridleway and restricted byways) for exercise and other forms of outdoor recreation and enjoyment of their area; and

- The accessibility of local rights of way to blind or partially sighted persons and others with mobility problems.
 - An authority by whom a rights of way improvement plan is published shall, not more than ten years after first publishing it and subsequently at intervals of not more than ten years;
 - a) make an assessment of the matters specified in subsection (2) of section 60, and
 - b) review the plan and decide whether to amend it
4. This is the first review of the Councils RoWIP, as required under the CROW Act 2000, and subsequent reviews will be carried out at 5 year intervals.

The Rights of Way Improvement Plan

5. Given the above, the Council has continued to prepare a RoWIP, based on the need to create a 'joined up' network of paths across the Borough; in good condition; accessible to all users for leisure and other everyday needs; which assists in increasing the levels of exercise that people take; and on which people feel safe.
6. The RoWIP 'Action Plan' will be explored through the integration of existing Council plans, strategies and policies that not only in delivering the RoWIP, but also delivering the Council aims and objectives of the RoWIP 'Action Plan'.
7. The Plan has two key sections. The first contains an assessment of the state of the existing public rights of way network and the present and likely future needs of the public. The second contains an action plan setting out a programme to improve the network over the next 5 years.
8. The provision of a Rights of Way network that is in good condition and 'fit for purpose' contributes towards the long term vision and ambitions of the Economic Growth Plan 2017 – 2020 by supporting the following objectives;
- 2E(3) Manage and maintain parks, open spaces and other green infrastructure to a high standard
 - 2E(4) Deliver new and improved green infrastructure to enhance quality of place, promote health and wellbeing, and contribute to sustainable development
 - 2E(5) Improve access to the River Tees and maximise its recreational and commercial uses
 - 2E(6) Protect and enhance the local distinctiveness, heritage and biodiversity of the natural and built environments
 - 3B(2) Provide support to people who are disadvantaged/furthest away from the labour market who wish to improve their employment prospects

The Assessment

9. The assessment of whether the existing network meets the public's needs was made in two parts:
- An examination of the size and connectivity of the network and its general condition, together with the procedures and policies that determine how the network is maintained and developed; and

- An extensive consultation exercise, in order to identify the existing and future needs of both users and non-users.

Action Plan

10. The Action Plan, attached at **Appendix B** to this report, is the most important part of the RoWIP. The action plan identifies twenty two potential improvements to the existing path network in order to provide greater opportunities for use of the network by residents of, and visitors to, the Borough.

Review of RoWIP (2008-18)

11. Following the introduction of the first RoWIP in 2008, the Council has implemented as much of the action plan as resources has allowed. The improvement works, as summarised below, have been implemented by utilising existing internal budgets and other partnership funding to translate the RoWIP action plan into physical works as part of the Tees Heritage Park, River Tees Rediscovered, England Coast Path and the Councils Green Infrastructure Strategy Plan;
 - 20.1km of surface improvements.
 - New footpath/cycle routes.
 - On-going improvement's to path furniture to provide better access (kissing gates replacing stiles).
 - New footbridges have been installed and remedial works carried out on existing footbridges.
 - New 'National Trail' created through the Borough as part of the England Coast Path (route to be opened Autumn 2018).
 - New surface decks crossings installed over live railway lines.
 - On-going maintenance works as part of the annual vegetation works programme includes 160km clearance works (during May to October) which is carried out by NACRO organisation as part of their Environmental Project which offers trainees a wide range of practical skills on the right of way network, as well as providing educational qualifications.
 - The results for the Council (the last 10 years) for the condition of 'right of way' network is well above the national average results, as part of the former national 'Best Value Performance Indicator 178'.
 - New signage works (include destinations and distance information).
 - New boardwalks/duckboards works.
 - New initiative ideas to promote regional routes within Stockton via social media sites 'Framing the Teesdale Way'.
 - Provide and update a range of promotional leaflets.
 - Over the last 3 years an increase of 44% in usage has been recorded using pedestrian counters on the 'Teesdale Way' (in parts) which is positive information when carrying out improvements works as part of the River Tees Rediscovered project.

The above improvement works and the proposals contained in the Action Plan for RoWIP 2 (2018 - 2023) combine to form part of the improvement plans overall vision statement to:

- Identify ways to improve access to and usage of public rights of way for those with visual or mobility impairments and to extend, wherever possible, the overall accessibility of the network.
- Encourage greater use of the public rights of network especially by current non users.
- Improve access to open spaces, woodlands country parks, nature reserves and rivers in the Borough via public rights of way by creating links from these green spaces to urban areas.

- Ensure future improvements to the rights of way network are included in Local Development Framework policies and that new developments contribute to the maintenance of existing rights of way and the creation of new rights of ways.
- Increase opportunities for sustainable travel where appropriate to places of work and schools, using existing public rights of way or by creating new public rights of way in order to contribute towards reducing traffic congestion.
- Enhance the range, type and a accessibility of information available for the public rights of way network

National Highways and Transport Network Survey

12. The Council participates in the annual National Highways and Transport Network public satisfaction survey which is an independent survey, conducted by Ipsos MORI. Over 3000 questionnaires were posted randomly to selected addresses within the Borough for their views on a number of Highway and Transportation related topics. On the ‘Rights of Way’ questions, the Council were ranked 3rd out of 112 local authorities which is an excellent outcome and undoubtedly down to the ongoing improvements as part of the RoWIP.

COMMUNITY IMPACT IMPLICATIONS

13. The strategy set out in the RoWIP will contribute towards achievement of a number of the Core Themes and Ambitions, as summarised in the table below:

Core Theme	Ambition
Economic Regeneration & Transport	<ul style="list-style-type: none"> • Better use of the River Tees. • Improved transport networks.
Environment & Housing	<ul style="list-style-type: none"> • Create better open spaces. • Tackle climate change. • Deliver design quality.
Children & Young People	<ul style="list-style-type: none"> • Provide positive health opportunities through the use of rights of way network.
Healthier Communities & Adults	<ul style="list-style-type: none"> • Promote healthy living and wellbeing.
Community Safety	<ul style="list-style-type: none"> • Reducing crime and fear of crime through well designed and well used greenspaces
Stronger Communities	<ul style="list-style-type: none"> • Development of greenspaces and increasing pride in the local area
Older Adults	<ul style="list-style-type: none"> • Providing leisure and recreational opportunities
Arts, Leisure and Culture	<ul style="list-style-type: none"> • Providing locations for sporting events

FINANCIAL IMPLICATIONS

14. There are no direct financial implications associated with the recommendations contained within this report. The improvements set out in the action plan will be progressed as and when financial resources allow.

LEGAL IMPLICATIONS

15. Producing a ROWIP is a statutory requirement under sections 60 and 61 of the Countryside and Rights of Way (CROW) Act 2000.

RISK ASSESSMENT

16. The activities flowing from the recommendations contained within this report are categorised as low to medium risk. Existing management systems and daily routine activities will be sufficient to control and reduce risks.

COUNCIL PLAN POLICY PRINCIPLES AND PRIORITIES

17. The report impacts upon the Policy Principles and Priorities in the Council Plan

CORPORATE PARENTING IMPLICATIONS

18. This report does not include any corporate parenting implications.

CONSULTATION INCLUDING WARD/COUNCILLORS

19. In order to prepare the new RoWIP, consultation process was carried out with Parish Councils, Ward Councillors, Neighbouring Authorities, Local Access Forum and all stakeholders via on-line consultation exercise, with additional leaflets made available in all Council customer access points and the consultation exercise was published in the Stockton News.
20. All representations received regarding the 2nd RoWIP have been taken into account during the preparation of the new RoWIP.

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Education related?

No

Background Papers

- I. s.60 & 61 The Countryside and Rights of Way Act 2000.
- II. Government Guidance: Defra 11/2002: Rights of Way Improvement Plans, Statutory Guidance to Local Highways Authorities in England.
- III. Stockton-on-Tees – Rights of Way Improvement Plan (2008-18)

Ward(s) and Ward Councillors:

All

Property

N/A