

**RIGHTS OF WAY COMMITTEE - 26TH JANUARY 2004**

**SUBJECT: RIGHTS OF WAY IMPROVEMENT PLAN**

**REPORT BY: DIRECTOR OF THE ENVIRONMENT**

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**1. PURPOSE OF REPORT**

- 1.1 To seek Members agreement to a programme for developing the rights of way improvement plan (ROWIP).

**2. SUMMARY**

- 2.1 The ROWIP will be the Council's plan for improving rights of way and access to common land.
- 2.2 The Welsh Assembly Government has produced guidance about the production of the plan. There is a requirement to produce a timetable and programme for funding the production of the plan by November 2003.

**3. LINKS TO STRATEGY**

- 3.1 The ROWIP is a community document aimed at an improving an important community asset through involvement of the community.
- 3.2 There is also a statutory requirement under the Countryside and Rights of Way Act 2000 to produce the plan.

**4. THE REPORT**

- 4.1 The WAG guidance requires the Council to produce by November 2003 "the outline and timetable for the production of the ROWIP including the assessments to be made, how it will be delivered and funded and otherwise resource the production of the plan, and what reports will be made on progress and outcomes".
- 4.2 This requirement has been met by forwarding the draft plan to WAG. Their comments are incorporated in the version of the report before members. The Local Access Forum has considered the draft report and commented upon it, as has one member of the forum individually. All those comments have been included with the exception of one. The report includes two statements about the likely approach of the Council to priorities. There is a stated presumption that little will be done about matters that are currently given low priority. The consultee wants such statements removed on the ground that they are prejudicial to future developments. It is proposed to retain the comments as pragmatic but realistic statements about future levels of council resources available to tackle different kinds of problem.
- 4.3 The report as it now stands is attached as Appendix A. The comments received on the draft report as a result of the consultation exercise are attached as Appendix B. Many have been incorporated.

- 4.4 The report includes a set of principles that will govern the production of the plan. These include assumptions about the continued tight availability of extra resources, the need for pragmatism in producing the plan and the importance of community involvement.

## **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no financial implications at this stage but there will almost certainly be increased pressure on budgets currently allocated to rights of way, once the content of the ROWIP itself is clear. The budget increase requirements that will emerge are not significant in terms of the Council's overall resources but they will be large in terms of budgets currently allocated to rights of way.

## **6. PERSONNEL IMPLICATIONS**

- 6.1 The production of the plan will place a considerable burden on Rights of Way staff in the Engineering Division over the next 3 years and to a lesser extent staff in the Countryside Section of the Planning Division.

## **7. CONSULTATIONS**

- 7.1 The Local Access Forum includes members having landed interests in the countryside and those who wish to protect it, those who use rights of way for a variety of recreational purposes, and councillors and council officers having a responsibility for management of rights of way and the countryside.
- 7.2 The Forum is steward for the production of the plan and has full oversight of it at every stage of its production.

## **8. RECOMMENDATIONS**

- 8.1 Members are asked to adopt the report as the basis for producing the Rights of Way Improvement Plan for Caerphilly County Borough Council.

## **9. REASONS FOR THE RECOMMENDATIONS**

- 9.1 Statutory requirement following full consultation with the Local Access Forum which is itself a body set up under statute.

## **10. STATUTORY POWER**

- 10.1 Countryside and Rights of Way Act 2000 and WAG guidance thereon (see background papers).

Author: Transportation Engineering Manager  
Consultees: Councillor J. Taylor, Cabinet Member; Councillors D. Cullen and M. Lloyd, chair and vice-chair of committee; Local Access Forum; Countryside and Landscape Manager

Background Papers:  
Rights of Way Improvement Plans - guidance to Local Highway Authorities in Wales, January 2003

Appendices:

Appendix 1 Rights of Way Improvement Plan - Outline and Timetable