Pecyn Dogfen Gyhoeddus

Swyddog Cyswllt:
Maureen Potter / 01352 702322

At: Cyng Ray Hughes (Cadeirydd)

Y Cynghorwyr: Mike Allport, Haydn Bateman, Sean Bibby, Chris Dolphin, Andy Dunbobbin, David Evans, Veronica Gay, Cindy Hinds, Dave Hughes, Joe Johnson, Colin Legg, Vicky Perfect, Paul Shotton a Owen Thomas

21 Tachwedd 2018

Annwyl Gynghorydd,

Fe'ch gwahoddir i fynychu cyfarfod Pwyllgor Trosolwg a Chraffu yr Amgylchedd a fydd yn cael ei gynnal am 10.00 am Dydd Mawrth, 27ain Tachwedd, 2018 yn Ystafell Bwyllgor Delyn, Neuadd y Sir, Yr Wyddgrug CH7 6NA i ystyried yr eitemau canlynol

R H A G L E N

1 **YMDDIHEURIADAU**

Pwrpas: I dderbyn unrhyw ymddiheuriadau.

2 **DATGAN CYSYLLTIAD (GAN GYNNWYS DATGANIADAU CHWIPIO)**

Pwrpas: I dderbyn unrhyw ddatganiad o gysylltiad a chynghori'r Aelodau yn unol a hynny.

3 **COFNODION** (Tudalennau 3 - 14)

Pwrpas: I gadarnhau, fel cofnod cywir gofnodion y cyfarfodydd ar 19 Medi a 16 Hydref 2018.

4 **CYNLLUN DRAFFT GWELLA HAWLIAU TRAMWY 2018-2028 (ROWIP)** (Tudalennau 15 - 128)

Adroddiad Prif Swyddog (Cynllunio, Amgylchedd ac Economi) - Aelod Cabinet dros Strydlun a Chefn Gwlad

Pwrpas: Ymgynghori gydag aelodau'r pwyllgor ar y Cynllun Gwella Hawliau Tramwy 2018-2028 newydd fel rhan o'r cyfnod ymgynghori statudol o 3 mis.

5 **GORFODI AMGYLCHEDDOL** (Tudalennau 129 - 138)

Adroddiad Prif Swyddog (Stryd a Chudliant) - Aelod Cabinet dros Strydlun a Chefn Gwlad

Pwrpas: I adolygu'r opsiynau ar gyfer darparu'r gwasanaeth Gorfodi Amgylcheddol yn y dyfodol.

6 **STRATEGAETH TOILEDAU LLEOL** (Tudalennau 139 - 142)

Adroddiad Prif Swyddog (Stryd a Chudliant) - Aelod Cabinet dros Strydlun a Chefn Gwlad

Pwrpas: I hysbysu Craffu am y cyfnod ymgynghori sydd ar y gweill ar Strategaeth Toiledau Lleol y Cyngor.

7 **CLUDIANT YSGOL – FFIOEDD CONSESIYNOL** (Tudalennau 143 - 148)

Adroddiad Prif Swyddog (Stryd a Chudliant) - Aelod Cabinet dros Strydlun a Chefn Gwlad

Pwrpas: Ceisio argymhelliad gan Graffu i godi am seddi consesiynol cludiant ysgol.

8 **RHAGLEN GWAITH I'R DYFODOL** (Tudalennau 149 - 154)

Adroddiad Hwylusydd Trosolwg a Chraffu yr Amgylchedd

Pwrpas: Ystyried y flaenraglen waith Pwyllgor Craffu & Trosolwg amgylchedd

Yn gywir

Robert Robins
Rheolwr Gwasanaethau Democrataidd

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
19 SEPTEMBER 2018

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Wednesday, 19 September 2018

PRESENT: Councillor Ray Hughes (Chairman)
Councillors: Mike Allport, Haydn Bateman, Sean Bibby, Chris Dolphin, Andy Dunbobbin, Veronica Gay, Joe Johnson, Colin Legg, Vicky Perfect, Paul Shotton and Owen Thomas

APOLOGIES: Councillors David Evans and Dave Hughes. Derek Butler, Cabinet Member for Economic Development.

SUBSTITUTION: Councillor: Ted Palmer (for Cindy Hinds)

ALSO PRESENT:
Councillors: Helen Brown, Rosetta Dolphin, Patrick Heesom, Christine Jones, Brian Lloyd, and David Wisinger (as observers)

CONTRIBUTORS: Councillor Carolyn Thomas, Cabinet Member for Streetscene and Countryside, Councillor Chris Bithell, Cabinet Member for Planning and Public Protection, Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Highway Strategy Manager. (For minute No.16) Nick Thomas, Operations Manager North-East Wales, Natural Resources Wales.

IN ATTENDANCE: Environment Overview & Scrutiny Facilitator and Committee Officer

14. DECLARATIONS OF INTEREST

None were received.

15. MINUTES

The minutes of the meetings held on 12 June and 12 July 2018 were submitted.

RESOLVED:

That the minutes be approved as a correct record and signed by the Chairman.

16. NATURAL RESOURCES WALES (NRW)

The Chair introduced Mr Nick Thomas, Operations Manager North-East Wales, NRW, to the meeting and invited him to give a presentation on the current work being undertaken by NRW.

Mr. Thomas thanked the Committee for the opportunity to give an outline of the work of NRW. He advised that NRW was established in 2013 and was responsible for the work of the Environment Agency Wales, CCW, the the Forestry Commission and some Welsh Government (WG) duties. NRW was the largest WG sponsored body with 1750 member of staff and had an annual budget of around £170m. Its purpose was to deliver sustainable management of natural resources. Mr. Thomas went on to give a presentation which covered the following main points:

- Wellbeing of Future Generations Act – how we will deliver
- Environment Act principles
- Flintshire Public Services Board (PSB)
- Well-being Assessment for Flintshire
- Waste regulation
- Industry regulation
- River Alyn water framework directive project
- agriculture
- Dee Estuary
- access, recreation, health
- climate change
- incident response
- flood risk management
- conservation

The Chairman thanked Nick Thomas for his presentation and invited Members to raise questions.

Councillor Owen Thomas referred to the issue of fly-tipping and asked if there was security around quarry sites. Mr Thomas explained that quarry owners held responsibility for managing security on their sites. He commented on the significant costs involved in clearing land of waste stored without a permit or exemption and the legal consequences of non-compliance. He urged Members to report any incidents or concerns regarding the management or illegal tipping/storage of waste to the NRW.

During discussion Members raised a number of concerns around the ability of the sewerage system to cope with increased demand due to new and future property development in Flintshire. Mr. Thomas referred to the work undertaken to slow and divert the flow of surface water into the sewerage system. The Chief Officer (Planning, Environment and Economy) explained that Welsh Water would make an assessment of its sewerage system to determine whether it could meet the additional demand of any new build in an area and, if necessary, further development would not take place until the sewerage system had been upgraded. The Chief Officer advised that some developments in Flintshire had been 'time locked' as a result of this process.

The Chief Officer referred to a sustainable urban drainage system for all developments in excess of 18 dwellings, separation of foul water and surface water

Councillor Veronica Gay raised concerns around the maintenance of the Balderton Brook, Saltney. Mr. Thomas agreed to look into the specific issues raised following the meeting.

During discussion Mr. Thomas responded to the further questions and concerns raised by Members around the Wales coastal path, Dee Estuary, dredging, and incident responses.

RESOLVED:

That the presentation from Natural Resources Wales be noted.

17. PHASE 2 SPEED LIMIT REVIEW UPDATE

The Chief Officer (Streetscene and Transportation) introduced a report to provide an update on progress of the County-wide Speed Limit Review.

The Chief Officer provided background information and explained that the report sought to update the Committee on the progress made to date as well as providing details of a number of legal challenges against the proposed process which have since been overcome. The report also sought to inform the Committee of the revised timelines associated with the progress of a Single Consolidated Order covering the entire highway network, whilst also clarifying proposals to expedite those member requests that were supported by the Department for Transport (DfT) criteria.

The Chief Officer referred to the key actions which had been undertaken and explained that in order to eliminate the over reliance on Legal Services, Streetscene and Transportation officers had developed a system of approved templates which had now enabled the completion of a 'Single Order' for which all speed limits (both existing and proposed) were to be advertised. Utilisation of this revised approach had streamlined the previous over complicated procedure standardising the order writing process for any given eventuality.

The Chief Officer invited the Highway Strategy Manager to report on the key considerations as detailed in the report concerning the progress on delivering the review of speed limits on all public highways. The Highway Strategy Manager advised that following the proposal to advertise the 'Single Order' via the use of a modern map based schedule, officers had now completed a map based system covering the County's highway network for which individual Map Books had been created. Each Map Referencing Book contained a clear indexing system which enabled members of the public to easily locate individual areas of interest both within their immediate place of residence and across the County.

The Chief Officer reported that whilst progress had been made with the Consolidated Order it had not been without its challenges as detailed in the report. The Highways Strategy Manager reported on the challenges which were received regarding the advertisement of 30mph and 60mph speed limits and referred to the national legislation concerning speed limits and street lighting. He went on to explain that for the purposes of speed limits street lighting could take many forms and consisted of County Council owned lighting columns, Community Lighting, and Footway Lighting. Whilst the Authority's internal systems accurately recorded the positioning of all County Council owned and maintained Street Lighting Columns, it would not include the different classifications of lighting described and it was

necessary that the accurate positioning of every street lighting column was known (regardless of ownership) before determining whether or not a 30mph or 60mph speed limit would require the making of an order. The Highway Strategy Manager advised that a detailed survey had been internally commissioned to accurately record the extent of all street lighting on both 60mph and 30mph speed limits (regardless of ownership) which is scheduled for completion in October 2018. When completed officers will re-examine the data to determine which speed limits are regulated by 'default of Street Lighting' and those speed limits which will need to be regulated by an order.

The Chief Officer advised that due to the delays that had occurred as a result of legal challenges it was anticipated that the Single Order would be advertised early 2019. On completion of the required statutory process, both the Singular Order and the Members' requests which had been supported by the DfT Criteria, can be consolidated with Phase 1 Speed Limit Review (completed in November 2016) which would ensure the Council would hold a single consolidated and compliant order covering the County's highway network. When the single Consolidated Order was in place a 5 year review of all existing speed limits within the County (with the exception of the areas already examined within the Members requests) will be undertaken to ensure compliance with the DfT Criteria with any revisions being made via an amendment to the main Consolidation Order.

Members expressed their thanks to the Chief Officer (Streetscene and Transportation) and his team for their work on the speed limit review and the highway network.

During discussion officers responded to the questions and concerns raised by Members around speed enforcement and safety on rural roads and country lanes. The Chief Officer explained that the Authority did not have the power to enforce speed limits but could provide tracking evidence to the Police when necessary. In response to the question regarding safety on rural roads, the Highways Strategy Manager advised that accidents had to be reported to the Police in the first instance before the Authority could take action. In response to a further question concerning the objections to the Authority's proposals to advertise and implement 30mph and 60mph speed limits the Chief Officer said the Authority welcomed feedback and worked positively with objectors to achieve the mutual aim to implement the correct speed limit in an area.

RESOLVED:

(i) That the progress made to date and the legal challenges and subsequent changes in approach which had led to a delay in the process be noted; and

(ii) That the amended legal process in order to progress the delivery of a Single Consolidated Order be supported

18. FORWARD WORK PROGRAMME

The Environment Overview & Scrutiny Facilitator presented the Forward Work Programme for consideration.

The Facilitator advised that an update on environmental enforcement would be provided to the meeting of the Committee to be held on 27 November.

Councillor Chris Dolphin requested that for the budget workshops cost comparisons should be provided for Greenfield Valley Heritage Park and Wepre Park.

The Chief Officer Planning, Environment and Economy confirmed that each of the portfolio savings would be subject to a budget workshop. The facilitator confirmed that a date would be circulated shortly.

Councillor Paul Shotton suggested that a future meeting of the Committee be held at Wepre Park and this was agreed by the Committee.

RESOLVED:

(a) That the Forward Work Programme be amended; and

(b) That the Facilitator, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings as the need arises.

19. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press and no members of the public in attendance.

(The meeting started at 10.00am and ended at 12.03pm)

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Chairman

Mae'r dudalen hon yn wag yn bwrpasol

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE
16 OCTOBER 2018

Minutes of the meeting of the Environment Overview & Scrutiny Committee of Flintshire County Council held in the Council Chamber, County Hall, Mold on Tuesday, 16 October 2018

PRESENT: Councillor Ray Hughes (Chairman)
Councillors: Mike Allport, Haydn Bateman, Sean Bibby, Chris Dolphin, Andy Dunbobbin, David Evans. Cindy Hinds, Dave Hughes, Joe Johnson, Colin Legg, Vicky Perfect, Paul Shotton and Owen Thomas

SUBSTITUTION: Councillor: Mike Peers (for Veronica Gay)

CONTRIBUTORS: Councillor Carolyn Thomas, Cabinet Member for Streetscene and Countryside, Councillor Chris Bithell, Cabinet Member for Planning and Public Protection, Councillor Derek Butler, Cabinet Member for Economic Development, Chief Officer (Streetscene and Transportation), Chief Officer (Planning, Environment and Economy), Highway Strategy Manager, Finance Manager, and Access and Natural Environment Manager

IN ATTENDANCE: Environment Overview & Scrutiny Facilitator and Democratic Service Officer

20. DECLARATIONS OF INTEREST

None were received.

21. BUDGET 2019/20 STAGE 2 PROPOSALS

The Chief Officer (Streetscene and Transportation) introduced a report on the stage 2 budget proposals for Streetscene and Transportation Portfolio and part of the Planning, Environment & Economy Portfolio for 2019/20. He provided background information and referred to the workshop held on 11 October, which had provided Members with the opportunity to understand portfolio budgets in more detail and the risks and resilience levels of service areas. The Chief Officer reported on the portfolio pressures and investments and Portfolio business planning efficiencies as detailed in the report concerning Streetscene and Transportation.

Councillor Paul Shotton referred to the reduction in income from waste recycling. The Chief Officer explained that the income from recycling waste, and cited plastic, card and paper as an example, had dropped significantly due to the loss of international markets and referred to the initiatives which were taking place to sustain the market.

In response to a question from Cllr Paul Shotton regarding the potential to use plastic as a replacement for Bitumen to repair road surfaces and potholes, the Chief Officer Streetscene and Transportation advised that discussion was taking place with a local company regarding this and it was intended that a sample batch of material would be provided for trial in the near future. Members would be invited to visit the company to look at the product and when further information was available a report would submitted to scrutiny on the findings.

Councillor Mike Peers raised a number of queries. He referred to the income from external works (Fleet Workshop) which was recorded as £0.010m in the report, and said on page 3 of the resilience statement it was stated as £10.00. He also asked for clarification as to whether 3 weekly waste collections were part of the proposals at the current time. Councillor Peers referred to the saving for 2015/16 of £30k on the closure of the information centre at Mold bus station, and said that it appeared the money was being spent processing the grant funding. The Chief Officer confirmed that the bus station grant was from the Welsh Government and that the £30k referred to was a revenue saving from closure of the small Information centre at Mold Bus Station.

Councillor Carolyn Thomas advised that a decision had not been made yet regarding a 3 weekly waste collection service but commented that due to the latest budget settlement and further reductions in funding it was not possible to rule out as a potential budget saving at the present time. She added that changing to a 3 weekly waste collection service could realise a saving of £800k.

In response to a question from Councillor Owen Thomas regarding side waste, the Chief Officer referred to the procedures used to address the problem of side waste which was left for collection. He advised that 1,400 warning letters had been issued to residents and businesses and said that only 30-40 cases had progressed to the second stage to warn of a notice being issued. The Chief Officer reported that no Fixed Penalty Notices had been issued and said that the aim was to engage with and encourage people to improve their recycling of waste products. He commented on the cost and low resale value of recycled waste and the need to find an alternative sustainable use for the benefit of the environment.

In response to a question from Councillor Mike Peers regarding access costs which had been raised at the budget workshop, the Chief Officer (Planning, Environment and Economy), confirmed that the figures referred to 20 full time posts. . Councillor Carolyn Thomas added that some of the work was mandatory. The Chief Officer advised that a report would be provided to a future meeting of the Committee with further detail on the mandatory services provided.

Councillor David Evans requested a report on the advantages and disadvantages of moving to a 3 or 4 weekly waste collection service with information included regarding the experiences of authorities who had introduced 3 or 4 weekly collections.

Councillor Cindy Hinds asked if plastic waste was sorted at recycling centres. The Chief Officer (Streetscene and Transportation) explained that mixed plastic was collected and then sold as mixed plastic. Separated plastic had a slightly higher value but a cost was incurred in separating the plastic. He reported that work was being undertaken to look at the business case for separation of plastic, however he felt it was important not to make recycling more complicated for residents which may

effect recycling rates. The Chief Officer advised that the Authority was consistent with other local authorities in Wales in selling mixed plastic. Councillor Carolyn Thomas explained that the Authority currently accepted everything except black plastic and film.

Councillor Owen Thomas said that the volume of waste materials to be collected was increasing and asked if the Authority held records to show data on waste collected over the last five years. He referred to the waste materials produced by supermarkets and other retail and fast food outlets and said that although the Authority was working to achieve savings the amount of waste to be collected was increasing.

Councillor Carolyn Thomas explained that she was lobbying the WG and the UK to reduce the amount of plastic and waste produced and said that the WG was keen to work with supermarkets to encourage responsibility and reduce use of plastic material. In response to a further question from Councillor Owen Thomas, the Chief Officer (Streetscene and Transportation), advised that waste was one of the most regulated industries and advised that data/statistics on waste and recycling collection was available and was regularly reported on recycling and residual waste. He added that the WG were reviewing their targets with a view to increasing recycling targets from 70% to 80%.

Chair commented on the issue of litter discarded around fast food outlets and the 'blight' it caused on surrounding areas and asked if the Authority had raised the problem with local businesses. The Chief Officer confirmed that he had written to fast-food outlets in Flintshire to outline the Committee's concerns and had received a response which he would circulate to the Committee. Councillor Carolyn Thomas agreed to raise the matter during her meeting with the Minister for Environment the following day.

RESOLVED:

(a) That the Committee endorsed the portfolio pressures and investments; and

(b) That the Committee endorsed the portfolio efficiency options.

22. REVIEW OF HIGHWAY AND CAR PARK SAFETY INSPECTIONS AND INTERVENTION LEVELS AND RESPONSE TO POLICY

The Chief Officer (Streetscene and Transportation) introduced a report to review the above Policy in line with the revised national guidelines following the implementation of the new code of practice in October 2018. He provided background information and commented on the recognition in the recent budget announcement of the importance of the highway network in the delivery of economic and sustainable growth and said it was envisaged that 3 year funding would be made available for the resurfacing of roads. The Chief Officer invited the Highways Network Manager to give an overview of the main considerations, as detailed in the report.

Councillor Mike Peers commented on the Council's statutory duty as a 'Highway Authority' to maintain all adopted highways. including highway structures

within the County and the potential for claims arising against the County from highway users for personal injury or loss arising from incidents or accidents in the event of a breach of that duty. He commented that the priority must be public safety not 'class' of potholes. He asked if the Authority referred to its inspection reports when dealing with claims arising from incidents or accidents which had occurred on the adopted highway network and were they available for Members to view.

Councillor Peers referred to the proposed policy for highway and car park safety inspections, interventions criteria and response times which was appended to the report. He commented on the defect identification criteria and expressed concerns that the category a defect would fall into was in the main down to interpretation. He said more detail needed to be provided on the red category.

Councillor Peers expressed concerns around the response times and feedback to issues raised by Members and residents concerning defects and cited an example of a defect which had been reported regarding a pothole in his Ward. He drew attention to the response time stated in the proposed policy. The Highway Network Manager responded to the queries raised by Councillor Peers and explained that risk assessments were undertaken by the Streetscene Area Co-ordinator in line with code of practice. He agreed to provide records on a case by case basis to Councillor Peers. Councillor Peers asked that regular updates be provided by the Streetscene Area Coordinator to Members on the condition of the roads, footways and car parks in their Wards.

Councillor Paul Shotton asked if consideration could be given to the use of drones to aid the Streetscene Area Co-ordinators to carry out their safety inspections or mend potholes. The Chief Officer confirmed that electronic equipment was already used to assist in safety inspections and agreed to look into the possible use of drones.

Referring to the inspection of structures and retaining walls, Councillor David Evans commented on the problem of damaged railings and asked if this was included in the inspections. He also said there were no timescales detailed in the proposed policy for the repair or replacement of any defects identified during the inspection of structures and walls.

Councillor Evans referred to the defect identification criteria on page 21 of the report and expressed the view that cycleways should be moved into the same category as footways.

The Highways Network Manager acknowledged the points raised around signage, structures, walls, railings, repair times, and cycleways, and said he would consider the suggestions in the final draft to Cabinet.

Councillor Owen Thomas commented on the timescale for potholes to be repaired and said in his Ward there was evidence that potholes had been waiting months for repairs to be carried out. He also referred to the poor condition of some pavements which were unsafe for pedestrians to use due to surface moss and overhanging trees and hedges. Councillor Thomas expressed concerns around public safety and said residents should be held responsible for maintaining overhanging branches and foliage onto public footways.

In response to the matters raised the Highways Network Manager explained that the issue of overgrown hedges and defects on pavements was addressed by

the Environmental Enforcement Policy and where appropriate residents were advised of their responsibility to maintain their boundaries in terms of overhanging growth.

Referring to the repair of potholes the Chief Officer explained that there was a matrix for resurfacing works but not for repairs to potholes and said the Streetscene Area Co-ordinator was the initial point of contact for identifying and prioritising defects. In response to a question from Councillor Andy Dunbobbin the Chief Officer agreed to circulate the link to the reporting app for potholes on the Flintshire website

Councillor Christopher Dolphin commended the policy and sought further information on the process to ensure a repair was done when a pothole was reported. Commenting on a road with more than 100 potholes, he felt there was a need to let Members know where a repair was on the list and whether action was going to be taken or not. The Chief Officer reiterated that Members need to liaise with their Streetscene Area Co-ordinators who would update on progress. In response to a further question from Councillor Dolphin, the Chief Officer advised that the patching programme was ongoing and driven by the Area Co-ordinators. The Chief Officer and Councillor Carolyn Thomas, agreed to undertake an inspection of the problem areas with Councillor Dolphin in his Ward.

Councillor Derek Butler commented that the volume of traffic in addition to the length of Flintshire roads should be given consideration by Welsh Government when allocating resources.

RESOLVED:

That the Committee recommends Cabinet approves the revised Highway and Car Park Inspection Policy (as in Appendix 1) which outlines the Council's approach to all safety inspections, defect identification criteria, and response times.

23. FORWARD WORK PROGRAMME

The Environment Overview & Scrutiny Facilitator presented the Forward Work Programme for consideration.

The Facilitator sought the views of the Committee on holding an additional meeting in December due to the number of items which were to be considered at the meeting to be held on 27 November. Members agreed that an additional meeting be held on 11 December to start at 9.00 a.m.

RESOLVED:

(a) That the Forward Work Programme be amended; and

(b) That the Facilitator, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings as the need arises.

24. LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 – TO CONSIDER THE EXCLUSION OF THE PRESS AND PUBLIC

RESOLVED:

That the press and public be excluded for the remainder of the meeting for the following item by virtue of exempt information under paragraph(s) 12 and 13 of Part 4 of Schedule 12A of the Local Government Act 1972 (as amended).

25. GREENFIELD VALLEY – 6 MONTH REPORT

The Chief Officer (Planning, Environment & Economy) introduced a report to provide an update on the current position of Greenfield Valley Heritage Park. He provided background information and referred to the key considerations, as detailed in the report, and progress on the Flintshire Internal Audit recommendations as detailed in the appendix to the report. He invited the Access and Natural Environment Manager to give an update on site operations.

The Access and Natural Environment Manager reported on the educational activities undertaken by 12 schools during the Summer term said more than 100 events had been delivered this season. He commented on the increase in visitor numbers and social media interest and explained that the improvement of general presentation and maintenance standards had resulted in Greenfield Valley maintaining the Greenflag Award and securing the gold standard visitor award from Visit Wales.

The Access and Natural Environment Manager referred to the improvement and repair works, and new signage which had been undertaken on walkways, woodland trails, priority paths, and steps. He advised that a user survey of Play offer within the site was completed during the Summer and the results would be analysed during Autumn. Meetings had also been held with the Active Travel Team to discuss the potential of a multi-user path through the Valley. Sustrans were also currently undertaking a feasibility study of potential routes.

RESOLVED:

That the update be noted.

26. MEMBERS OF THE PUBLIC AND PRESS IN ATTENDANCE

There was one member of the press and no members of the public in attendance.

(The meeting started at 10.00am and ended at 11.55pm)

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Chairman

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	27th November 2018
Report Subject	Draft Rights of Way Improvement Plan 2018-2028
Cabinet Member	Cabinet Member for Streetscene & Countryside
Report Author	Chief Officer Planning Environment and Economy
Type of Report	Operational

EXECUTIVE SUMMARY

Section 60 of the Countryside Rights of Way Act 2000, requires all Local Highway Authorities to produce a Rights of Way Improvement Plan (RoWIP). The RoWIP is a plan for the Local Authority to manage and improve its rights of way network and will be over a 10 year period.

This second ROWIP assesses the 2018 network and evaluates progress made since 2008. The current (2018) policy context is examined, priority areas are identified and a new-style Statement of Action put forward.

In July 2016, the Welsh Government issued guidance to local highway authorities in Wales for the review and redrafting of ROWIPs. This guidance has been used to direct the preparation of Flintshire's second ROWIP.

Part of the plan is a booklet containing a suite of polices and procedure associated with Rights of Way.

RECOMMENDATIONS	
1	Members give consideration to the draft Rights of Way Improvement Plan and policy & procedures booklet as part of the three month statutory consultation.

REPORT DETAILS

1.00	**EXPLAINING THE IMPROVEMENT PLAN**
1.01	The ROWIP 2018-2028 focuses on three main sections; evaluation of the previous plan; assessment of the current network condition and; a statement of action going forward over the life of the plan.
1.02	The plan is a statutory requirement under Section 60 of the Countryside Rights of Way Act 2000.
1.03	**Evaluating delivery of the first ROWIP** The first ROWIP identified the following areas as being key priorities for 2008-18: • Management of the network • Service Management • Improving the network • Signage • Clearing obstructions and improving enforcement • Definitive Map • Improving accessibility • The development of bridleways and a cycle network • Link up and develop bridleway network • Off-road motor vehicles • Publicity and promotion
1.04	Of the 22 tasks identified, seven have been completed or substantial progress has been made while seven have made little or no progress, and eight have made partial progress. However, the recording of essential data has been found to have been inconsistent and sometimes lacking, leading to difficulty in identifying progress in some areas.
1.05	**Assessment of current condition of the network and its legal record** The public rights of way network in 2018 consists of approximately 1800 individual public paths made up as follows: Footpath - 955.2km (88.3%) Bridleway - 114.6km (10.6%) BOAT* - 11.9km (1.1%) *(Byway Open to All Traffic) Total 1,082km (100%)
1.06	The RoWIP specifically assesses: • Ease of Use • Maintenance and repair

	• Enforcement • Legal record • Policies and protocols • Infrastructure • Surface • Accessibility • Vegetation management • Reporting, recording and monitoring processes • Promoted routes
1.07	Current management and organisation is detailed with specific reference to staff, budget, the Local Access Forum (LAF), and external relationships. A Strategic overview of the (PROW) network was carried out, with reference to relevant legislation, strategies and documents at national and county level.
1.08	The findings from the review of the consultation responses, the desk review of relevant strategies and plans, and the evaluation of the current condition of the network can be drawn together to show a number of emerging messages:
1.09	**Stakeholders:** • People who walk regularly are broadly happy with the condition of the network. • Users would like to see a more dynamic approach to enforcement, with improved communication about action taken. • Horse-riders want bridleway improvements. • Disabled users feel strongly about the restricted access to WCP, and need facilities. • Landowners have concerns about users opening up gaps around stiles.
1.10	**Condition monitoring and maintenance** • There is very little available data on network condition. • Work is primarily reactive, and not pro-active. • Stakeholders are unclear about how and why maintenance works are prioritised and done.
1.11	**Information and promotion** • The CAMS on-line reporting system is a positive development. • Promotion of the network, carried out by the countryside team, is limited. • There is very little information available for either land managers or path users, but there is demand for it.

	• PR opportunities are not maximised.
1.12	**The organisational perspective** • The Rights of Way staff focus on their own individual areas. • The team has looked externally to learn from good practice elsewhere. • Relevant data and information is difficult to access. • There is a weak relationship between PROW team and the rangers/countryside service.
1.13	There are aspects where the local rights of way network that can be said to meet present needs in terms of what participants in the review have said they like about the Flintshire's rights of way network. These can be summarised as follows: • Providing access to many different parts of the County for regular walking. • Footpaths mainly in good useable condition. • Noticeable improvements in recent years. • Good signposting from roads. • Providing some opportunities for off-road mountain biking and horse-riding.
1.14	However, it is evident that there are ways in which Flintshire's local rights of way are weak in terms of meeting present and future needs in relation to the problems that participants in the review raised and the improvements that they said they would like to see. These can be summarised as follows (in no particular order of importance): • Waymarking is not as consistent as some users would like; • There are not enough bridleways for riders to enable them to ride off-road as much as they would like; • Wheelchair users are not all able to access the Wales Coast Path, and experience some problems with the surfacing on local footpaths; • Landowners have experienced problems as a result of inappropriate behaviour by users and their dogs, particularly in terms of compromising the stockproofing of their fields; • There is insufficient information about the ROW network, in terms of what is there, and people's rights and responsibilities.
1.15	Opportunities identified in the statement of action:

1.16	**Physical accessibility of the network** • Investigate opportunities where disability access can be improved • Maintain good condition of footpaths • Waymarking and signage improvements • Investigate opportunities for bridleway linkages • Investigate opportunities for footpath links between key places • Using volunteers more for maintenance and improvement works • Deal with enforcement issues in a timely way
1.17	**More purposeful use of the ROW network** • Build and maintain strategic linkages, and facilitate networks, at strategic and operational levels. • Investigate opportunities for appropriate routes for walking for health. • Investigate opportunities for appropriate routes for active travel.
1.18	**Legal recording and changes** • Consolidate the Definitive Map and Statement. • Address anomalies. • Continuous review of the Definitive Map and Statement. • Build expertise amongst the ROW team staff. • Investigate and develop opportunities for sourcing external funding. • Develop and disseminate a team prioritisation policy for legal work.
1.19	**Promotion and information** • Promoted routes network • Promoted routes for riders and cyclists • Improve information provision for land managers and ROW users • Improve information provision for people with disabilities
1.20	**Strategic working** • Work pro-actively, using the ROWIP for direction; regularly review progress and report to LAF & Cabinet. • Develop, review and update policies to ensure comprehensive and consistent coverage of key areas of activity. • Build and maintain strong means of communication with key stakeholders, including Councillors, users and landowners. • Create and implement a volunteering strategy, including considering collaborative opportunities. • Develop use of GIS as a proactive management and decision-making tool. Develop and disseminate a team prioritisation policy for legal work.
1.21	**Key task planning and delivery**

	• Sound record-keeping, especially CAMS. • Well designed and planned surveying/data gathering. • Consistent procedures for all key work tasks.
1.22	**Organisational development** • Review lead roles and responsibilities for key tasks for particular individuals. • Encourage individuals to work with initiative, within a 'whole team' • Build relevant expertise related to lead roles within the team • Establish the LAF • Investigate opportunities for closer collaborative working with neighbouring and over-lapping authorities • Investigate and develop opportunities for sourcing external funding.
1.23	In response to the early findings of the RoWIP, a Policy and Procedure booklet has already been developed as a priority. The policies and procedures will form the basis of a booklet to be made available to users of the Public Rights of Way network and to landowners, in order that there is widespread understanding and transparency about what Flintshire County Council does and how it does it. Where appropriate the Authority has considered best practice and published guidance notes in the delivery of the service.

2.00	**RESOURCE IMPLICATIONS**
2.01	The draft RoWIP details the likely resource implications over the next ten years and it is expected to be delivered from existing Service budgets and additional grant aid and income.

3.00	**CONSULTATIONS REQUIRED / CARRIED OUT**
3.01	The following organisations were consulted in the development of this draft: • British Horse Society, Clwyd Branch • Exercise Referral Scheme, Deeside Leisure Centre • Flintshire Disability Forum • Flintshire Local Voluntary Council • Farming Union of Wales • National Farming Union • Natural Resources Wales • Public Health Wales • Ramblers Flintshire (Footpaths Officers)

	• Walkabout Flintshire
3.02	An electronic survey disseminated to members of Ramblers Flintshire and Walkabout Flintshire walk leaders received 40 responses.
3.03	A pre-consultation letter was sent out in 2017 to Town and Community Councils and neighbouring Authorities.
3.04	A statutory three month public consultation is currently underway.

4.00	**RISK MANAGEMENT**
4.01	None

5.00	**APPENDICES**
5.01	Draft Rights of Way Improvement Plan 2018-2028
5.02	Flintshire Rights of Way Policy and Procedures 2018

6.00	**LIST OF ACCESSIBLE BACKGROUND DOCUMENTS**
6.01	**Contact Officer:** Tom Woodall, Access & Natural Environment Manager **Telephone:** 01352 703902 **E-mail:** tom.woodall@flintshire.gov.uk

7.00	**GLOSSARY OF TERMS**
7.01	

Mae'r dudalen hon yn wag yn bwrpasol

Flintshire Rights of Way Improvement Plan 2018-28

July 2018

Table of Contents

1 Introduction

1.1 Background to the second ROWIP

The first Rights of Way Improvement Plan (ROWIP) was published in October 2008 and covers the period through to the end of September 2018. In the foreword to the ROWIP, its aims were expressed as being to, "…secure improvements to the management, maintenance, protection and recording of the [public rights of way] network, to ensure that it becomes more open and accessible to the public." The Executive Summary to the first ROWIP is included as Annex 1.

This second ROWIP assesses the 2018 network and evaluates progress made since 2008. It looks specifically at progress against the first ROWIP's Statement of Action. The current (2018) policy context is examined, priority areas are identified and a new-style Statement of Action put forward.

In July 2016, the Welsh Government issued guidance to Local Highway Authorities (LHA) in Wales for the review and redrafting of ROWIPs (Welsh Government, 2016.). This guidance has been used to direct the preparation of Flintshire's second ROWIP. Experience with the first ROWIPs highlighted the need for greater flexibility in the plans. The guidance suggests the inclusion of 'Delivery Plans' as an annex to the main ROWIP and that these are used as an opportunity to regularly review progress, especially in the light of any significant changes of circumstance. It is intended that a Delivery Plan will be produced and maintained as an annex to this ROWIP.

1.2 The area covered

This Plan covers the County of Flintshire. But it should be noted that there are other influences affecting parts of Flintshire and the management of those parts of the public rights of way (PRoW) network. In particular, Flintshire includes part of the Clwydian Range and Dee Valley AONB (the AONB). Denbighshire Countryside Service, takes general responsibility for the day to day management of PRoW within the AONB, although Flintshire Council, as the Local Highway Authority, retains overall responsibility for the paths in its area and leads on non-routine issues such as any definitive map questions.

Insert map of Flintshire and the AONB.

1.3 Method

Preparation of the plan involved the following areas of activity.

Research

Data searches and analysis, on-line searches and review of printed material have all been used to provide the evidence behind the assessment stage. This ROWIP makes extensive use of data recorded on Flintshire's digital Countryside Access Management System (CAMS), which includes data from a 33% survey of the network undertaken in 2017 and a full network survey from 2010. No further on-the-ground research was carried out for this ROWIP.

Consultation with stakeholders

The following organisations were consulted:

- BHS Clwyd Branch
- Exercise Referral Scheme, Deeside Leisure Centre
- Flintshire Disability Forum
- FLVC
- FUW
- NFU
- NRW
- Public Health Wales
- Ramblers Flintshire (Footpaths Officers)
- Walkabout Flintshire

Meetings were held with:

- Flintshire Disability Forum, Shotton Area Group
- FUW Flintshire
- Ramblers Flintshire
- Walkabout Flintshire

An electronic survey disseminated to members of Ramblers Flintshire and Walkabout Flintshire walk leaders received 40 responses.

2 Evaluating delivery of the first ROWIP

2.1 Key priorities in ROWIP 1

The first ROWIP identified the following areas as being key priorities for 2008-18:

1. Management of the network:
   - Development, adoption and promotion of a set of Enforcement Policies and Procedures;
   - Seeking additional funding; and
   - Develop partnership working.
2. Management:
   - Examine management practices to identify cost savings;
   - Increase joint working on rights of way across departments and also with other Local Authorities;
   - Set up an effective management and monitoring system; and
   - Develop use of volunteers.
3. Improving the network:
   - Improve maintenance, using prioritisation as identified by the Local Access Forum (LAF);
   - Work with user groups to identify gaps in the network;
   - Addressing issues from the severance of PRoW by the A55 trunk road;
   - Improve accessibility; and
   - Publicise and promote improved rights of way.
4. Signage:
   - Improve signage, along with necessary on-the-ground improvements.
5. Clear obstructions and improve enforcement:
   - Addressing obstructions on the network, including non-reinstatement following ploughing.
6. Definitive Map:
   - Writing Policies and Procedures that reflect good practice;
   - Preparing a Statement of Priorities;
   - Determining outstanding applications for Definitive Map Modification Orders (DMMO);
   - Put programme in place to remove the backlog of Legal Event Modification Orders (LEMO);
   - Review outstanding anomalies;
   - Backlog of Public Path Orders (PPO) to be reviewed and prioritised; and
   - Develop a robust enforcement policy to avoid development over paths.
7. Improve accessibility:
   - Improving accessibility by following the 'least restrictive access' principle.
8. The development of bridleways and a cycle network:
   - No specific proposals.
9. Link up and develop bridleway network:
   - Develop linked up bridleways and multi-user routes.
10. Off-road motor vehicles:
    - Encourage users to identify alternatives to footpaths and bridleways for their activities.
11. Publicity and promotion:
    - Publicise and promote the Council's work on rights of way.

Each of the above priority areas was worked up into detailed proposals making up the first ROWIP's Statement of Action.

2.2 Delivery of Statement of Action

The Statement of Action (SoA) included performance indicators with the intention that progress could be monitored. Table 3.1 provides an action by action assessment of delivery of the SoA.

KEY:

	Actions completed
	Partial progress
	Little or no progress

Task	Performance Indicator	Progress to 2018	Narrative
1.1 Rights of Way Management	Review of management of PRoW carried out	Reported to Cabinet (21/6/16) as having been completed in 2012.	No copy of this report has been found. Process now underway (May 2018) to again review the management setup.
1.2 Policies & Procedures	Full set of policies and procedures to be in place within 5 years	Partially done	Being reviewed and developed (May 2018)
1.3 Requests for Action	1. Guidelines for communication and time limits for response, inspection and action. 2. Percentage of requests for action dealt with in accordance to agreed timescales.	1. Corporate guidelines for responses, no inspection target, response and action depends upon priority. 2. No system in place to assess this.	The CAMS can provide information to measure success but target times for various actions still need to be determined.
2.1 Statement of priorities	Statement of priorities adopted by October 2009	Done	
2.2 Remove backlog & new DMMO applications determined within defined timescales	1. No. of apps received p.a. 2. % determined in 12 months 3. No. of outstanding apps 4. Appoint 3 DM/PPO officers	1. Not known 2. Not known 3. Not known 4. Achieved	1. Only counted as received when an application is properly made and landowner notified. 4. Now 3 RoW officers plus an admin person, all with roles in DMS management.
2.3 Backlog of LEMO	No. of outstanding LEMO to be near zero by 2012	75 LEMO made.	This was an active target but not known if it was met – problem found with poor quality orders uncovered in the process, also with limits on legal officer's time. Now the LEMO is done immediately following DMMO
2.4 DMS	% of paths by length that are free	List of anomalies	List to be updated.

Task	Performance Indicator	Progress to 2018	Narrative
anomalies	from DMS anomalies.	was made but it is not thought to be up to date	
2.5 Process PPO	1. All cases will be reviewed 2. No. of outstanding PPO's 3. No. of PPO required	1. Yes 2. 10 3. Not known	3 – number not readily available.
3.1 All PRoW signed where they leave a metalled road	1. Yearly sign installation programme 2. % of network signed	1. Intention but not a quantified target per annum.	1. On-going target with annual budget of £1000 for 10 signs per annum. Used to be specific funding through NRW, also funding through specific schemes such as Watts Dyke Way. Signposting tends to follow clearing of other problems so only sign when path is fully available.
3.2 Waymarks and signposts	% of paths that meet the 'easy to use' BVPI criteria for waymarking	Not known	Stopped surveying in 2015. Only limited availability of BVPI data
3.3 Surfaces in proper repair etc.	1. Annual maintenance programme updated and paths prioritised 2. Length of paths cleared p.a. 3. % pf paths that meet BVPI test for surfaces	1. Yes, but also reactive. 2. c.3,800m 3. Not known	1. EG they use slurry sealing of paths to prevent deterioration. 2. Annual clearance programme doesn't go into CAMS, only reported problems.
3.4 All bridges in a safe condition	1. Biannual inspection 2. % of bridges that are satisfactory	1. Surveyed every 2 years. 2. Figures unavailable from CAMS - see Streetscene asset management system.	1. These are dealt with by the Streetscene Operations Managers who carry out an annual survey.
3.5 Path furniture safe and convenient	1. Policy of least restrictive access 2. Removal of barriers 3. % of path furniture that is easy to use. 4. Defined timescales for problem resolution	1. Yes 2. Yes 3. From CAMS 4. List of priorities but not a timeframe with it.	3. CAMS can record if structures conform to BS standard and are dog friendly. 4. Work is done ASAP according to priority, especially related to danger.
3.6 Obstructions	1. Draft and implement enforcement policy and procedure within 2 years 2. Programme of enforcement action implemented within 3 years 3. Appointment of Enforcement Officer	1. Incomplete 2. No 3. No 4. No realistic figure available	1. Policy produced outlining the order of priority only. 3. Shared role between several officers. 4. Figure not available through CAMS

Task	Performance Indicator	Progress to 2018	Narrative
	4. % of paths clear of obstructions		
3.7 Inspection and monitoring	1. Length of PRoW inspected p.a.	1. Only the promoted routes.	1. This is done by Ranger service.
4.1 Improve coast access	2. No indicators identified		Joint responsibility – Inspectors and Countryside Service Rangers.
4.2 Improve equestrian access	1. Survey to be carried out to establish extent of problem and identify which routes need improvement 2. No. of gates installed on bridleways p.a. 3. Length of new bw/rb created p.a.	1. Not done 2. Not known 3. <1km p.a.	Some bridleway creation together with facilities such as Pegasus Crossing.
4.3 Improve cycle access	1. No. and length of new cycle routes p.a.	1. None on PRoW	There are specific cycle officers in other departments so hasn't been seen as a PRoW issue. This is an area for inter-department cooperation.
4.4 Improve Accessibility for All	1. Comprehensive audit of network and of promotional material 2. Plan drawn up for a programme of selected path improvement by 2010 3. "A percentage" of paths examined each year for accessibility, in addition to BVPI.	1. Yes, done as part of full survey. 2. No 3. No.	3. Reactive only.
4.5 Improving and extending the network	1. Plan prepared identifying solutions to specific problems, such as lack of provision for different users	1. No	1. Opportunities have been taken to add a bridleway.
4.6 Guided and promoted walks	None identified (though a number of 'opportunities' were put forward: a. Review current provision b. Provide more info on PRoW and associated costs c. Seek advice from LAF d. Provide info on access land e. Provide site maps for countryside sites and walks f. Use more maps/images g. Use website to promote a 'Walk of the month' h. On-line problem reporting	a. No b. No c. Yes d. No e. Yes f. No g. No h. Yes	h. Yes, but problems encountered setting it up and it is still not considered to be 100% reliable.
4.7 Annual report	1. Annual report covering progress on targets and PI identified in ROWIP	1. Last published in 2014	

2.3 Assessment of progress made

Changes to individual elements of the PRoW network will be considered within the following sections of this ROWIP. However, in general terms, it is apparent that of the 22 tasks identified, seven have been completed or made substantial progress, while seven have made little or no progress, and eight have made partial progress.

3 Assessment of current condition of the network and its Legal record

3.1 Current condition

3.1.1 Monitoring

In the 2008 ROWIP, it was noted that regular inspections could aid the Authority in taking a proactive approach to rights of way management (and could also provide a defence against negligence claims). However, with the exception of bridge inspections by Streetscene officers, no inspection regime was put in place.

Limited surveys were undertaken for Best Value Performance Indicator (BVPI) purposes[1], using a standard method involving a five percent sample of the network. The survey was designed to give an indication of the 'ease of use' of a network but, because of the small number of paths monitored each year, the results were found to vary significantly from year to year. Although accurate on a national scale, the BVPI surveys were seen as being of limited value to Authorities with smaller networks, such as Flintshire and in 2014 the decision was made to stop carrying out the annual surveys.

There is now no routine monitoring of the network and any network assessment has to be based upon accurate record keeping in CAMS with occasional baseline surveys of all or part of the network.

3.1.2 Network composition

3.1.2.1 Current make-up

The public rights of way network in 2018 consists of approximately 1800 individual public paths made up as follows:

Footpath	-	955.2km (88.3%)	
Bridleway	-	114.6km (10.6%)	
BOAT*	-	11.9km (1.1%)	*(Byway Open to All Traffic)

Total 1,082km (100%)

In common with most networks in Wales, the Flintshire network is heavily biased towards footpaths, with routes available to horse riders and cyclists making up just 12% of the paths total. Motor vehicle users have just over 1% of the public paths network legally available to them.

3.1.2.2 Change since 2008

In 2008, the network was made up as follows:

Footpath	-	938.5km (88.9%)
Bridleway	-	106.5km (10.1%)
BOAT	-	11.2km (1.06%)

Total 1,056km (100%)

[1] Originally BVPI 6.10 and subsequently CMT/001, the data was supplied by local authorities to the Local Government Data Unit, now called Data Cymru.

Essentially the network has hardly changed since 2008. The network has increased overall and a large part of this was down to the All Wales Coastal Path and the amount of recorded rights of way that were added to the network as part of this process.

3.1.3 Ease of Use

In December 2000, the Government published new and revised Best Value Performance Indicators (BVPIs) in line with its programme to modernise Local Government. Best Value Authorities were under a duty to seek continuous improvements in the way in which they exercised their functions and BVPIs provided a performance management framework for reporting progress.

The relevant indicator is the total length of rights of way, which were easy to use, as a percentage of the total length of all rights of way. 'Easy to use' means:

- Signposted or waymarked where they leave the road and to the extent necessary to allow users to follow the path;
- Free from unlawful obstructions and other interference, (including overhanging vegetation) to the public's right of passage;
- Surface and lawful barriers (e.g. authorised stiles and gates) in good repair and to a standard necessary to enable the public to use the way without undue inconvenience.

In order to meet the easy to use standard, a path must record a pass against each of the individual items that make up the test.

3.1.3.1 Current

From the non-random 2017 survey results; 43.4% of paths by number passed the easy to use standard. But by length, which was the required measure and which is most relevant to users, 34.1% of the paths surveyed passed.

The low pass rate is the compounded result of failures in a number of areas and a more useful picture of the network can be gained by considering the pass rate for individual aspects.

Signposting from the roadside is an area that has been given particular attention. The overall pass rate by number of all paths is about 74%.

Way-marking away from the roadside is in a more complete state with 98% of paths in the 2017 survey recording a pass for this aspect.

Stiles and gates scored 'pass' for about 77% of paths (by number).

Other forms of obstruction, such as barriers or fences across paths, or items and buildings deposited on them are a further significant cause of ease-of-use failure.

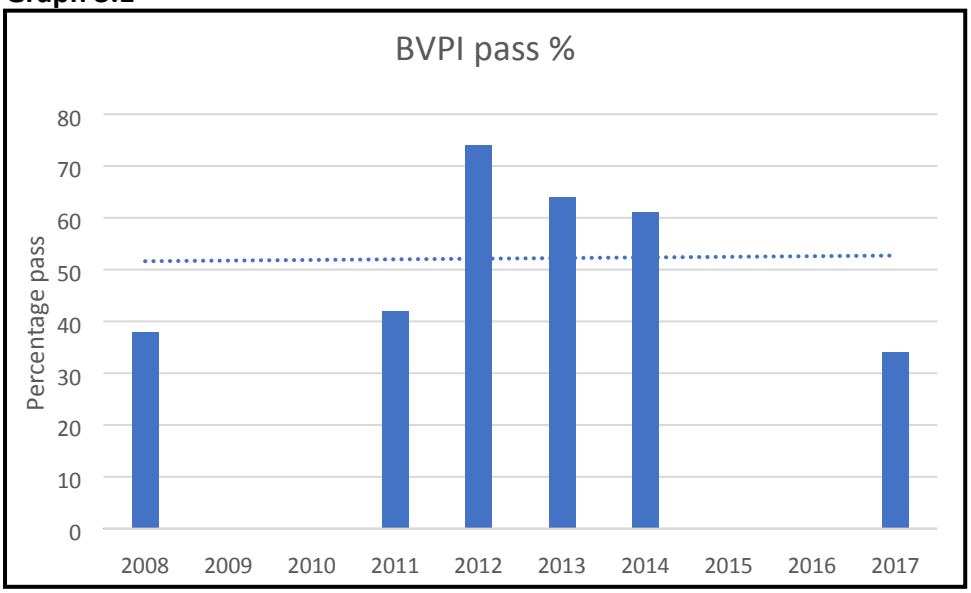
In contrast to other path infrastructure, only 3.3% of paths (by number) failed because of surface issues.

3.1.3.2 Change since 2008

Unfortunately, the BVPI records for 2008 to 2014 (the year that the surveys were stopped) are unavailable and so it is necessary to search for alternative publications that record the annual scores.

In 2008, the ROWIP recorded that 38% of the network met the easy-to-use standards. Graph 3.1 below shows an average of 52% easy to use. However, given the gaps in the data, and the very different sample selection in 2017, it would be unwise to over-interpret these data. The mathematical trend-line, shown as a dotted line, suggests a slow rate of improvement overall.

Graph 3.1



3.2 Infrastructure

3.2.1 Policies and protocols

Informally, the PRoW team adheres to the 'least restrictive access' principle, that is, replacing stiles, whenever possible, with gaps, gates or kissing gates. This is good working practice and should be extended and formalised to guide authorisation of new structures.

No formal Policies have been put in place to cover path furniture, though it is assumed that any items installed will comply with the relevant British Standard, such as BS5709 covering gaps, gates and stiles.

3.2.2 Network furniture

A full network survey was carried out in 2010 with all of the data being entered into the CAMS. Although not at the start of the ROWIP period, these data give us a solid baseline from which to monitor any subsequent changes to the network. There has not been a further 100% network survey, but a 33% survey was carried out in 2017, potentially giving a robust sample size upon which to extrapolate changes across the whole network. However, the survey was not random but was based upon a selection of whole community networks and a number of partial networks that, together, represented 33% of the total network length (see Fig. 3.1). This introduced an unknown amount of selection bias, undermining the reliability of the data as a representative sample.

However, as a number of Communities' networks were re-surveyed in their entirety (based upon the similarity of the total number of items recorded), it should be possible to confidently compare the results from these communities in both 2010 and 2017. The communities involved are:

Buckley	Leeswood
Connah's Quay	Llanasa
Flint	Mold
Gwaenysgor	Mold Rural
Higher Kinnerton	Northop
Holywell	Trelawnyd

Fig. 3.1: Distribution of paths surveyed, 2017

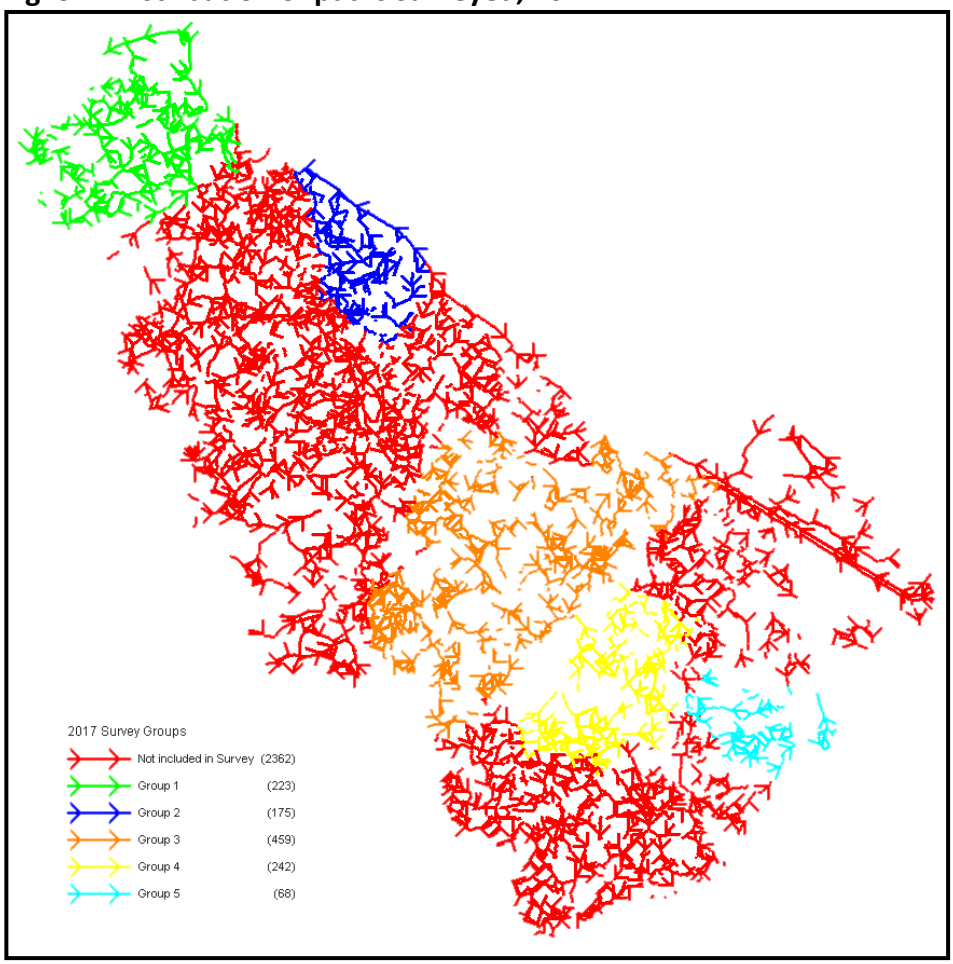


Table 3.1 overleaf compares the results for these Community networks obtained in 2010 and 2017 for various types of infrastructure.

Table 3.1: Infrastructure data from replicated communities

Item	2010*	2017*	% change
Stiles	1204	1224	+1.7%
Kissing Gates	261	238	-8.8%
Gaps	85	90	+5.9%
Gates (<1.2m)	53	54	+1.9%
Roadside Signs	732	829	+13.3%
Sleeper bridges	25	29	+16%
Other bridges	118	158	+33.9%

* Numbers of the items recorded within the 12 replicated communities' surveys. These are NOT the total network figure.

Table 3.2 Infrastructure data for complete network

Item	**2010** **(Full survey results**	**2018** **data (recorded on CAMS)**	**Change**
Stiles	3310	3316	+6
Kissing Gates	493	506	+13
Gaps	185	186	+1
Gates (<1.2m)	155	152	-3
Roadside signs	1938	1992	+54
Sleeper Bridges	58	58	0
Other bridges	245	336	+91
All gates (excluding Kissing gates)	1494	1501	+7

It is not possible to draw any firm conclusions from the available data and further survey work will be needed to fully compare the survey data from 2010 and what's recorded in CAMS in 2018. However, using the figures available, the number of stock stiles have increased slightly, the number of kissing gates have increased slightly more than new stiles and recorded gaps are almost unchanged. Small gate numbers have decreased marginally but the figure for *All Gates (excluding kissing gates)* indicates a further increase. Roadside signs have significantly increased since 2010 as have the number of bridges recorded (apart from sleeper bridges which remained the same). The increase in *Other Bridges* accords well with the prominence given to bridge installation in the Annual Report.

3.2.3 Surface

As was discussed in 3.1.3.1, only 3.3% of ease-of-use failure in the 2017 survey were related to surface issues, suggesting that 96.7% of the network's surface is in an acceptable condition. However, this figure is based on a subset of the partial, non-randomised survey, so there can be only limited confidence that this is a true reflection of the network as a whole. Nonetheless, the figure strongly suggests that the PRoW network's surface is generally in acceptable to good condition. This accords well with the first ROWIP not recording surface issues as a significant source of BVPI failures, and it also reflects the considerable effort made annually with vegetation clearance (see 3.4.3.1 below).

3.2.4 Accessibility

The 2008 ROWIP committed the County to developing a programme for improving accessibility of the network (Task 4.4 in the SoA). However, little progress appears to have been made with this other than an informal Policy of taking opportunities to replace stiles with gaps, gates or kissing gates.

3.3 Maintenance, repair and enforcement

3.3.1 Policies and protocols

Several Policies were adopted by the Council in 2016, including to guide the approach to be followed for prioritising maintenance efforts. The Policy is to follow a hierarchy for addressing issues based upon their safety implications and also the popularity of the path – giving higher priority, for example, to promoted routes. The hierarchy is as shown in Table 3.3:

Table 3.3: Priority of maintenance issues

Priority No.	Issue
1	Health and safety issues
2	Volume and degree of usage and potential usage, especially National Trails, national and promoted footpaths and published trails, eg Clwydian Way and the Wales Coastal Path.
3	Ways that are suitable for those who are less agile, wheelchair users and the visually impaired.
4	Multi-use and bridleway circular routes and those identified in liaison with the British Horse Society.
5	Walks, rides and other activities for health.
6	Link Paths off the National Trail and promoted trails.
7	Paths published by community councils, including accesses to school.
8	Circular and other routes published by Flintshire CC, including accesses to school.

In practice, a simpler system has been adopted whereby issues are prioritised as high, medium or low priority when they are entered into CAMS, as the system dictates. The prioritisation of issues is tempered with an unwritten Policy of addressing other issues in the vicinity at the same time as the priority issues, increasing the efficiency of the maintenance effort but making it less clear to path users as to what the prioritisation process is.

With respect to enforcement, a similar prioritisation hierarchy has been developed. Again, health and safety related issues are given the highest priority, with the aspiration that health and safety related complaints will be investigated on the day of complaint and measures immediately put in place to mitigate the problem. The full hierarchy is shown in Table 3.4 overleaf:

Table 3.4: Priority of enforcement issues

Priority no.	Issue
1	Health and Safety implications
2	Time-dependent problems such as ploughing and cropping, hedge trimming and tree pruning.
3	Wilful, unnecessary and determined obstructions.
4	Obstructions on routes that have been the subject of a high volume and wide variety of complaints, including bridleway and multi user routes, the Offa's Dyke National Trail and other promoted routes.
5	Obstructions and problems on routes that would lead to obstruction-free, access to all ways.
6	Obstructions whose removal would lead to a significant improvement to the rights of way network

While the Policy prioritises the order for addressing enforcement issues, there is no Policy in place as to how the issues will be dealt with and, in practice, the approach adopted will vary from officer to officer and case to case.

Options for enforcement include serving notice and recharging for works carried out. This power has only rarely been used, with an official letter generally securing resolution of the issue. For some issues requiring enforcement action, there is also an option of prosecution. The County Legal and Democratic Services Officer has delegated authority to seek prosecution but this power has not been used.

Task 3.6 in the first ROWIP's Statement of Action was that an effective enforcement Policy and Procedure 'will be drafted and implemented within two years of the ROWIP's publication'. No evidence has been found that this task was completed and enforcement remains subject to individual approaches and, therefore, inconsistencies.

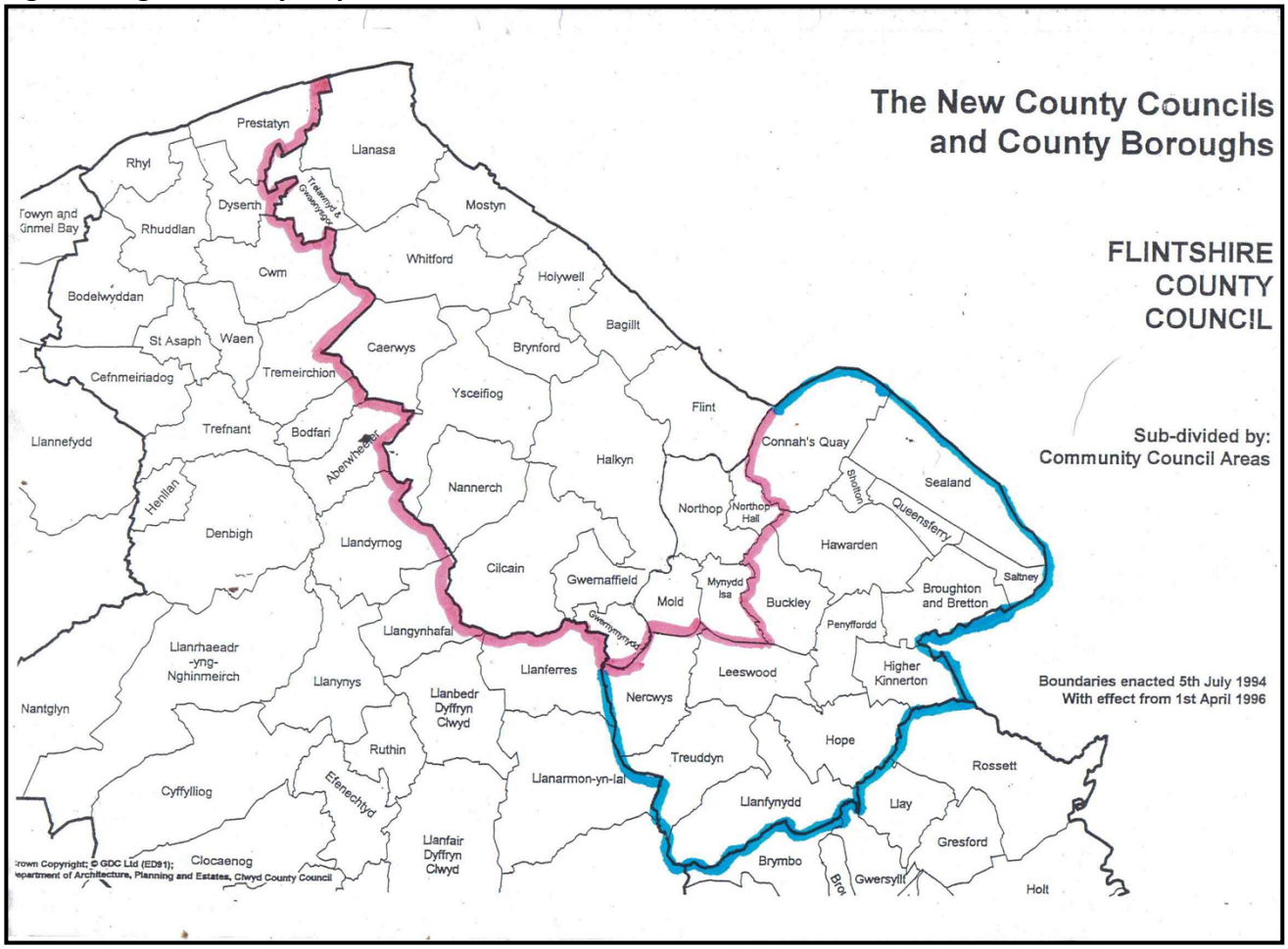
At its Cabinet meeting of 21st June 2016, the Council adopted a Policy that the surface of public paths should be maintained only to a sufficient standard for the normal traffic entitled to use the path, that is, a footpath will be maintained to a standard suitable for pedestrians and a bridleway will be maintained to a standard suitable for pedestrians and equestrians. Cyclists are not mentioned in the Policy proposal but should be included as part of the 'normal traffic' entitled to use bridleways. No specific consideration was given to the maintenance standard for byways open to all traffic.

3.3.2 Resources

The physical maintenance of the network is primarily carried out by the two Rights of Way Inspectors, currently based at County Hall, Mold and fully equipped with vehicles, tools and machinery. The Inspectors will install signposts, repair/ replace stiles, erect kissing gates, clear fallen trees, repair sections of path and work of a similar scale. Larger tasks are put out to contractors, with the contracts overseen by the Inspectors.

The Inspectors divide the County between them as shown in Figure 3.2.

Fig. 3.2: Rights of Way Inspectors' areas



The red-bounded area is currently managed the Western Inspector, and the blue-bounded area is managed by the Eastern Inspector.

Maintenance of path furniture – stiles or gates – is generally the responsibility of the landowner. Some landowners will themselves repair structures or install stile kits provided by the Council, though, as self-repair does not get recorded in CAMS, it is not possible to quantify the effort put in. As a rule, 10 to 12 kits will be supplied each year.

Contractors are also used for annual vegetation clearance on a schedule of paths at 400 locations around the County. The total area cleared is around 200,000m^2, with three cuts per year.

The County's two Rights of Way Officers have no direct role with maintenance, although they are an essential part of the reporting process, recording problems in CAMS and passing on the information to the Inspectors. But they are central to the enforcement process, leading on all rights of way enforcement issues.

The Countryside Service Rangers also have an input to certain parts of the network. In particular; the Wales Coast Path, where they have led its development in the county, and with maintenance of the promoted routes. The rangers regularly work with volunteers, including on the coast path and promoted routes.

As noted earlier, Flintshire contains part of the Clwydian Range and Dee Valley AONB. Day to day maintenance of PRoW within the AONB is organised through the Denbighshire Countryside Service in liaison with their Flintshire colleagues. The AONB has an active volunteer programme with volunteers regularly working on rights of way.

An important resource for managing the repair and maintenance of the network is the CAMS. This became available to all PRoW staff in 2010 and is now used as the main record keeping and work programming tool for the County.

3.3.3 Maintenance responsibilities

Responsibility for PRoW maintenance varies from aspect to aspect; however, fundamentally the Local Highway Authority, Flintshire County Council, has a duty to ensure the satisfactory maintenance of the PRoW network and to assert and protect the rights of the public.

3.3.3.1 Vegetation management

Highways law shares the burden of vegetation management between the Local Highway Authority (LHA) and the landowner. The LHA is generally responsible for the maintenance of the surface of a public path, including keeping down undergrowth, while the landowner is responsible for overgrowth from the sides of a path. However, in the case of a cross-field path, it is the farmer's responsibility to ensure that no crops are grown on the path.

Flintshire Council uses contractors to clear paths three times during the growing season. The County's PRoW Inspectors clear 4km or so in response to reported problems.

3.3.3.2 Path surface

It is generally the LHA's responsibility to maintain the surface of a path but it is the farmer's responsibility to reinstate a cross-field path within seven days of ploughing or 24 hours of any subsequent cultivation.

There is no annual maintenance regime for surface repair, work is carried out in response to problems being reported. Small repairs may be done on the spot by the Inspectors but larger jobs will involve organising work through contractors.

3.3.3.3 Path furniture

Stiles and gates on PRoW, if authorised, are legal obstructions for the benefit of farming activities. As such, maintenance is primarily the landowner's responsibility, although the LHA is obliged to offer at least 25% support, recognising that there is a public interest in maintaining stiles and gates in good order. In practice, the Council will generally assume full responsibility for the repair or replacement of stiles when problems are reported, taking the opportunity to seek the replacement of stiles with gates or kissing gates where there is landowner agreement. However, occasionally stile kits are supplied to landowners for them to fit themselves.

During 2016/17 ten stile kits were supplied. In addition, some 69 stiles were repaired or replaced and 15 kissing gates installed by the Rights of Way Inspectors or contractors.
Signposting where a path leaves a road, and waymarking along the length of a path, are LHA responsibilities. 29 signposts were installed during 2016/17 and 120 waymarkers erected.

Bridges on paths are usually the LHA's responsibility unless the landowner has chosen to put in a more substantial structure, for example where a vehicular stream-crossing point is also used by a footpath. Management of the County's stock of bridges on PRoW, excluding sleeper bridges, is devolved to bridge engineers within the Authority's Streetscene department.

There is no available record of furniture installed since 2008, but a selection of the most significant items from the record for 2013/14 (the last available record) for both Western and Eastern Inspector areas is shown in Table 3.5 below:

Table 3.5: Path furniture installed, repaired or replaced between 2008 and 2014

Type	Western area	Eastern area
Signposts	68	8
Direction signs	100	20
Waymarkers	98	150
Stiles	16	38
Stile-steps	26 repaired	118 repaired
Steps	29	25
Kissing gates	13	2
Bridle gates	5	
Sleeper bridges		11
Other bridges	3 repaired	1 repaired
Revetment (metres)	25	40

3.3.4 Reporting, recording and monitoring processes

As was noted in 2008, work on PRoW in Flintshire is very much reactive. In the first ROWIP it was noted that there was, "no set inspection routine other than the yearly best value performance indicator (BVPI) surveys, so most of the work arises from complaints from third parties." This remains the situation to date except that, as the BVPI surveys were abandoned in 2014, there is even heavier reliance on reports coming in from the public.

Ad hoc reporting from the public has been supplemented in 2017 with a partial (33%) survey of the network but there is currently no regular monitoring regime in place.

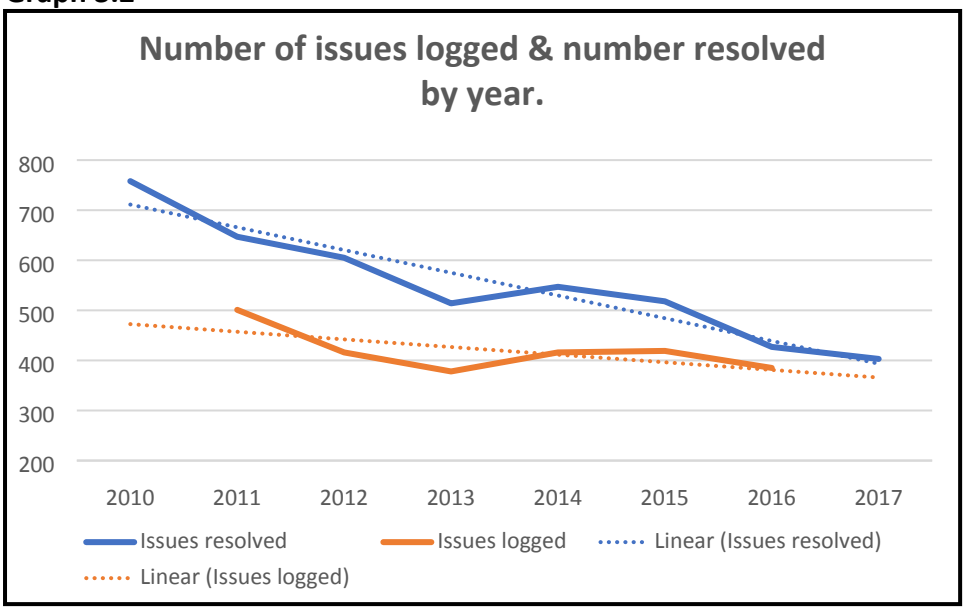
All issues reported, or identified in the course of other work, are recorded in CAMS by the receiving officer. Each issue is given a priority of high, medium or low, based primarily on health and safety implications and/or whether they are time-critical. The issues are allocated to the relevant Inspector, based on area, and then appear on that Inspector's CAMS generated 'To do' list.

Path users can use the on-line reporting system to log issues at any time. Rights of way officers' next logging in to CAMS are prompted about reports received but need to 'accept' the reports and then allocate them to an Inspector. It is not one-person's responsibility to check CAMS for on-line reports and up to five people could potentially open a report. Despite this lack of defined responsibility, the system reportedly functions well.
When issues are addressed, but often before they have been resolved, the original reporter will receive an automatic email notifying them that the issue has been attended to. Some confusion can be caused by CAMS generating a 'completed' message when, for example, a dangerous situation has been made safe – perhaps by temporary closure of a path – rather than fully resolved.

A worthwhile improvement to the automatic response from CAMS would be for it to offer more tailored responses appropriate to the action taken and whether or not further action is needed. There is no automatic system in place for updating reporters who have phoned in or emailed a report of an issue, even though it has been logged in CAMS by an officer. A phone-call or email is needed from the officer if the reporter is to be kept informed.

3.3.5 Reporting and resolution rates

Graph 3.2



	2010	2011	2012	2013	2014	2015	2016	2017
Issues resolved	758	647	605	514	547	518	427	403
Issues logged	5709	501	416	378	416	419	385	1109

NB, the figures in green text have not been used as they are enlarged by the 2010 full network survey entries and the 2017 33% survey entries rather than being representative of the number of issues 'naturally' arising, as in other years.

Graph 3.2 shows the trends in numbers of issues logged in CAMS by year and the number of issues resolved that same year. It can be seen that the numbers of issues dealt with each year has consistently been higher than the number of new issues logged, suggesting a steady eating into the backlog of issues first recorded in 2010. However, the convergence of the two trend lines suggests that the number of issues resolved each year is reducing and, if this trend were to continue, the backlog would be expected to begin to rise once more. In practice, the two curves are more probably converging on loose parity, achieving a steady state where, over a few years, the numbers of issues logged and resolved will be approximately equal.

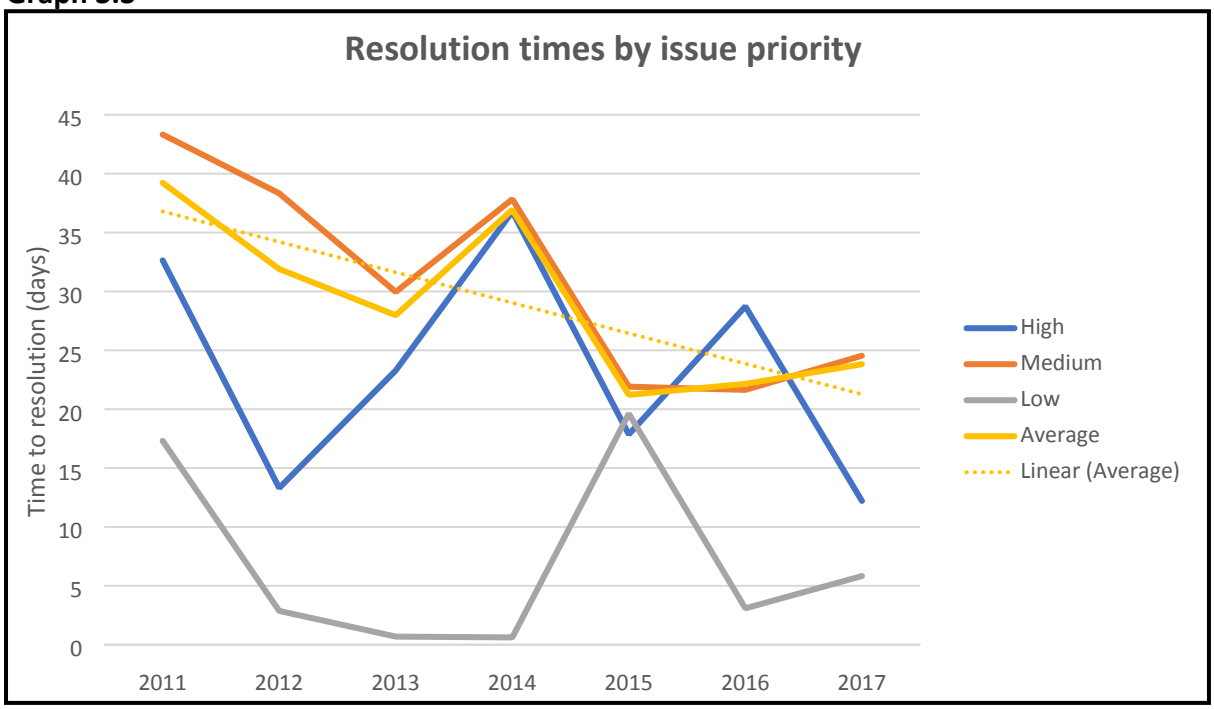
However, it should be borne in mind that the annual rate of issues reports is not the same as the total number of reported issues in the system. The total number of issues logged to the end of 2017 was 9,333. The total number of issues resolved in the same time was 4,419. This suggests that there is a backlog of about 4,900 unresolved issues recorded in CAMS. At the current level, and making the assumption that the backlog is representative of the types of issues normally received, it would take

between ten and eleven years to fully address the backlog, even if no more issues are reported. If new issues continue to be reported at current rates, the time taken to deal with the backlog, with current resources, would be nearer 40 years. In the 2008 ROWIP it was noted that there was an estimated backlog of 2840 maintenance tasks, but with a high level of uncertainty as to the actual number.

So, the message arising from these figures is that the current level of effort is possibly sufficient to maintain the status quo against incoming issues but to address the backlog within the lifetime of this ROWIP will require at least a doubling of resource.

Graph 3.3, below, looks at the mean resolution time for issues sorted by the priority that they were given when logged. The trend line for the overall average across all priorities clearly shows that there has been a significant decrease (about 40%) in the time taken to resolve issues since 2011. Despite the year on year volatility, this general trend is reflected across all issues whatever priority they are assigned.

Graph 3.3



	2011	2012	2013	2014	2015	2016	2017
High	32.64	13.31	23.29	36.77	17.86	28.73	12.21
Medium	43.32	38.33	29.96	37.83	21.91	21.64	24.54
Low	17.31	2.87	0.69	0.62	19.62	3.09	5.83
Average	39.22	31.9	27.98	36.94	21.22	22.15	23.82

Considering Graphs 3.2 and 3.3 together reveals an apparently contradictory situation where resolution rates have improved significantly but the number of issue resolved each year is going down. This may be a function of the recording system or the way that it is being used but, further consideration should be given as to whether or not this is a true picture. One potential explanation for the apparent slow-down is that shortly after the full network survey in 2010 there was a higher proportion of 'quick-win' issues that could, on average, be dealt with more quickly than the normal

run of reported issues. If that is the case, it would be expected that the resolution rate will rise again following the 2017 survey and its further crop of quick-win issues.

3.3.6 Enforcement

As of June 2018, there were 331 obstructions recorded on CAMS. The BVPI data discussed in 3.1.3.1 suggested that 32% of the network's paths (by number) suffer from obstruction. Assuming that there is only one obstruction per path link (a link being the stretch of path between one path or road junction and the next) and with an average link length of about 307m affecting some 102km of the network – or 9.4% by length.

The first ROWIP identified the need for an Enforcement Officer. That need is still recognised but, as yet, no such officer has been appointed. The enforcement role is part of the Rights of Way Officers' remit and between the two officers 12 formal letters were sent out in 2017/18. Most letters are sent in response to actual complaints received but some letters are also sent preventatively where there is considered to be a high risk of repeated non-compliance.

As for 2008, the most common obstructions requiring enforcement action are: fences or other barriers across paths; tied up or locked gates; overgrowth; crops; and, buildings.

3.3.7 Promoted routes

Table 3.6 summarizes the events, routes and publications found following enquiries and on-line searches. The table includes a number of events featuring guided walks in Flintshire, including the Countryside Service's 'Countryside Events' programme for 2018.

Table 3.6: Promoted routes and events

Promoted routes		
Name	**Opening date**	**Notes**
Offa's Dyke Path National Trail	1971	60-mile route through the Wales/ England border country. Set up and run as a National Trail. Short length only in Flintshire.
Wales Coast Path	2012	861-mile route around the coast of Wales. Set up and managed in Flintshire by the Countryside Service Rangers.
Wales Link Path	2018	Spanning eighteen miles and going through four counties, the Wales Link Path now connects up the Wales Coast Path via the southern/eastern edge of Flintshire.
Dee Way	2005	Privately promoted, 127-mile route linking to the Dee Valley Way in Denbighshire and beginning/ending at Flint.
North Wales Pilgrims' Way	2015	134-mile annual pilgrimage route with details on-line to self-guide. Starts at St. Winefride's Well, Holywell.
St. Winefride's Way	2004	The 14-mile route links St Asaph's Cathedral, Denbighshire, with St Winefride's Well in Holywell, Flintshire. Privately published guide.
Cistercian Way	1998	650 miles around Wales, including Flintshire. Set up by the Friends of the Cistercian Way.
Wat's Dyke Way Heritage Trail	2008	A 6-mile route following the Wat's Dyke earthwork. Set up and run by the Wat's Dyke Association
NCN5	2018?	A cycle route through Flintshire developed and promoted by Sustrans. This 372-mile route includes an on-road section through Flintshire but with proposals for a traffic-free, coastal alternative.
Rural Walks in Flintshire	2006	29 graded walks. (19 have '10 minute walks' options.) Includes information about level of accessibility and proximity to parking. Needs updating to include on-line links for information on the map pages – e.g for bus timetables. Needs to be re-designed to facilitate easy printing of individual routes, perhaps with GPS data capability. Maintained by the Countryside Service Rangers.

Promoted routes		
Name	**Opening date**	**Notes**
Events		
Countryside Events	2018	Published by the Flintshire Countryside Service. Consists of more than 50 events, often including guided walks, some of which use PRoW.
Prestatyn and Clwydian Range Walking Festival	2018	28 free led walks for various levels of fitness put on by the AONB team, with some incursions into Flintshire.
Flintshire Family Walking Festival	2016	Organised by Flintshire CC but has not been repeated since 2016.

From the above table, it is apparent that there is a wealth of suggested walking routes within or passing through the County. However, it is also apparent that there is very little available specifically for disabled walkers. Similarly, there are no promoted bridleway routes, for either cyclists or horse riders.

3.4 Legal record

The relevant date for the Flintshire DMS is 31/10/1978. But the DMS is a changing resource that is subject to continuous review and amendment. The number of modification orders altering the DMS increases over time. To reduce the number of separate documents comprising the DMS, Authorities will occasionally undertake a consolidation exercise, producing a new DMS with a new 'relevant date'. Flintshire has reviewed and consolidated its DMS on two occasions: 1963 and again in 1976, resulting in the current DMS with its relevant date of 1978.

3.4.1 Resources

The DMS and the original Community Council submissions, are held at County Hall in Mold and a copy of the Definitive Map is held in the Hawarden Records Office.

The previous ROWIP recommended that an additional three officers should be appointed to help deal with the backlog of DMS work, as well as securing the services of a full time Legal officer. However, it has not proven possible to secure this level of additional staffing.

There is no lead 'Definitive Map Officer' for Flintshire; the DMS is maintained by a combination of the two Rights of Way Officers and the Rights of Way Team Leader, with Legal support from the Council's Finance, Legal and Democratic Services section. The DMS work is just part of the Rights of Way Officers' role and, effectively, the Council has no more than one full-time-equivalent Officer to manage the DMS.

3.4.2 Policies and protocols

Welsh Office Circular 5/93 on public rights of way recommends that the County Council periodically publish a statement setting out how it will bring and keep up to date the definitive map and statement. A statement of priorities was adopted by the Council on 21st June 2016, after consultation with the Local Access Forum (LAF), and is based upon a hierarchical approach setting out the relative importance the Council will attach to public path and definitive map orders. The hierarchy is split into seven categories of descending priority, as shown in Table 3.7. It was devised to rank highly those issues that were likely to be most urgent: hence, the highest priority given to paths that are in imminent danger of being 'lost' through development and schemes that have been targeted for

grant-aid. Also ranking highly are those paths that have been obstructed by long-term residential development. The footpaths may have not been open to the public for many years, but they still legally exist and can act as a blight on any potential property sale.

The statement also covers the Council's approach to prioritising Public Path Orders (PPO), that is, orders made to alter paths for the purpose of expediency rather than as a result of the discovery of evidence.

Table 3.7: Priorities for Definitive Map Modification Orders and Public Path Orders

Priority no.	Response/ action
1	Ways that are in danger of being lost through imminent development (i.e. at the planning application stage)
2	Orders affecting ways that are targeted for external funds, whose expenditure is time-limited and where the proposals are achievable within that time frame.
3	Path(s) that are obstructed by housing, which require an order or orders to resolve the situation.
4	Applications for modification orders
5	Mapping anomalies
6	Public path orders that are wholly or primarily in the public's interest
7	Public path orders that are wholly or predominantly for the benefit of private individuals

3.4.3 Definitive Map Modification Orders (DMMO)

In 2008, there were 14 applications for DMMO awaiting attention. In June 2018, the figure was 16. Many of these applications have been outstanding for a number of years, with two of the applications now more than twenty years old. As several of the applications rely upon the evidence of path users, then these should be a priority as there is a real danger that over time, the evidence could be uncorroborated as witnesses withdraw or move away.

Although the application rate is generally running at no more than two or three per annum, the backlog of cases is slowly growing, showing that the current allocation of staff and resources is just sufficient, a situation that could change for the worse during the life of the second ROWIP as we approach the 2026 cut-off date put forward in the Countryside and Rights of Way Act 2000.

3.4.4 Public Path Orders (PPO)

In 2008, there were 12 PPO applications outstanding. During the life of the first ROWIP, 22 orders were made. However, it was also noted in 2008 that a further 67 cases had been identified where PPO were needed to resolve issues such as houses built over the line of paths. A program of work to address these, and the backlog of applications, was to be drawn up with the aim of resolving all of these issues. However, no deadline was set for developing or implementing the programme and it appears to have fallen by the wayside.

Applicants can be charged for the administration of PPO, giving an incentive to address third party applications as a priority. However, the adopted prioritisation policy (see Table 3.7) places these at the bottom of the list, behind issues such as sorting out paths blocked by housing. It may be considered that it is worthwhile to promptly address new applications using dedicated officer time paid for by charges, separately to efforts put into addressing the backlog.

3.4.5 Legal Event Modification Orders

In 2008, there were thought to be about 174 LEMO needed. However, there is no register of these and so the actual figure was, and still is, uncertain. The target set was that the number of LEMO required should be 'close to zero' by 2012. In practice, 75 LEMO have been made since 2008 – although it should be noted that several of these were 'omnibus' orders covering more than one event.

As LEMO are now made simultaneously with PPO, the backlog should not be increasing and, as producing LEMO is a purely administrative procedure, with no potential for objections or expensive advertising, the aim of having zero LEMO outstanding should be readily achievable – given sufficient officer time and legal support.

3.4.6 Anomalies

The 2008 ROWIP recorded that the County maintained a schedule of such anomalies, with 99 issues listed. Unfortunately, this schedule has not been rediscovered and there is no current list with which to compare it. However, it seems certain that no progress has been made with addressing this backlog of anomalies.

Once anomalies are discovered, they should be investigated and resolved, but, rather than this being left to chance, a thorough review of the DMS should be carried out to identify these anomalies. This would allow a work programme to be developed to address these, including an assessment of the resources needed.

3.4.7 Limitations and Authorised Structures

The definitive statement should be the main repository for information about authorised furniture, with all stiles and gates recorded in the statement treated as duly authorised. However, the records for the County show that structures were not generally recorded and so there is no comprehensive record of historically authorised structures.

Similarly, the statement is where limitations, such as path widths, should be recorded but, again, these were generally not recorded and do not appear in Flintshire's definitive statement.

The lack of records for these established structures and traditional widths are a potential source of confusion and conflict and consideration should be given to establishing a complete register of limitations and authorised structures on a path by path basis. This information should be made available via the interactive map so that would-be disabled users are aware of constraints that they are likely to encounter.
Furniture specifically, is recorded on CAMS and is visible for people to see on the CAMS Web system, if they wish to simply view the map rather than logging issues.

Furniture authorised since the DMS was sealed is recorded in a hard-copy file, including the correspondence authorising the stile or gate. Before any authorisation is given, the site of the intended structure is visited and a checklist completed confirming that the item can be authorised. The checklist is included as Annex A.

3.5 Promotion and information

We have previously listed and outlined the existing stock of promoted walks in Table 3.6 and noted that there has been no active promotion of new routes by Flintshire Council since the Rural Walks in Flintshire book was published in 2006.

Here the focus is on the wider promotion of PRoW usage and the provision of general information for both path users and land managers, looking at what information is available to encourage responsible use of the network and to explain rights and responsibilities.

3.5.1 Resources

The on-line interactive map hosted on the Council's website at https://fccmapping.flintshire.gov.uk/connect/analyst/?mapcfg=publicrightsofway provides a versatile tool for all would-be users with access to the internet to research paths across the county.

Although this is not the definitive map, the interactive online map offers a complete reproduction of the definitive map but on a variable scale and has the advantage of offering the capacity to zoom in on target areas. Detailed information about each path, including community name and path number, can be retrieved by clicking anywhere along its length. However, there is no access to the definitive statement and no on-line way of finding out what limitations there might be on the path using the interactive online mapping. Adding links to the relevant part of the statement for each path would be a lengthy task but could be very valuable for users, especially those with restricted capacity or special needs.
Whilst the interactive map does not hold links to this information, users can access this information by using the CAMS Web system (https://rightsofway.flintshire.gov.uk/standardmap.aspx?NavigationPage=Page1). Whilst the CAMS Web system is primarily for users to log and track issues, the mapping is accessible for users to explore further. Through this system, users can find out what furniture exists, the length of the path and also view photos that have been added through survey work.
The interactive map has a legend providing the opportunity to call up a long list of council-provided service locations. It should be straightforward to add more information that is already held in CAMS,

such as the locations of stiles, gates and kissing gates, or the locations of known problems and obstructions.

3.5.2 Information for users

The Council does not carry any detailed information about countryside access rights, the duties of the LHA or the rights of landowners on its website. Non-specific advice is available on many other websites, such as the Natural Resources Wales (NRW) site (https://gov.wales/topics/environmentcountryside/consmanagement/rights-of-way-and-wider-access/rights-of-way/?lang=en) and The Ramblers (http://www.ramblers.org.uk/advice.aspx), but there are no links provided to any of these or other such sites.

For the path-using public, there is very little information available about access opportunities for disabled users. Extensive internet searches failed to bring up any substantive information about opportunities outside of the country parks for those with any form of restrictive disability, although it is known that considerable work has been done to improve the accessibility of the Welsh Coast Path in Flintshire. (Searching the Council's website only brings up links to the Supplementary Planning Guidance adopted in 2017, which has only very limited application to the countryside network but some applicability within the built environment.)

Similarly, there is little or no information directly provided for cyclists or horse riders using bridleways. However, there are links provided to other organisations providing more information about the limited opportunities available.

3.5.3 Information for applicants

Those wishing to make an application to perhaps add a path to the DMS, or to seek the diversion or closure of a recorded path need specific and detailed information. Most LHA's require an applicant for either a Definitive Map Modification Order (DMMO) or a Public Path Order (PPO) to use its own, in-house forms and to follow its specific protocols – including, where appropriate, the payment of fees. At present, information is not available about the process.

3.5.4 Information for land managers

Easy to access information about the responsibilities that land managers have to maintain access can be helpful in preventing problems and ensuring better compliance. But, no guidance has been prepared for landowners or land managers going about their normal working operations. While there are readily available sources of information for these groups through, for example, NRW, NFU Cymru and CLA Cymru, there are no links provided to these other sources on the Council's website. Adding links, or developing and uploading advice to the website, would be beneficial and requires little time or resources.

3.5.5 Active Travel Routes

The Government's ROWIP guidance instructs LHA to look at how PRoW currently contribute to Active Travel Routes and what potential there is for incorporating existing or new paths within the active travel network.

Flintshire has published a series of 16 Active Travel Existing Route Maps (ERM), showing routes that have been inspected and are considered to be suitable for cycling or walking as an alternative to

using motorised transport. Examining the 16 maps alongside the interactive map of PRoW shows very little overlap between ERM and PRoW, as tabulated below:

Table 3.8: Public paths used in Active Travel Routes

Active Travel ERM	Degree of overlap with rights of way
Buckley	One instance of shared PRoW/Active Travel route; BUC13
Broughton	No overlap with PRoW
Connah's Quay	Small amount of overlap near Shotton
Deeside Industrial Park	Path along north shore of Dee
Flint	No use of PRoW
Gorsedd	No overlap
Greenfield	No overlap
Holywell	No overlap
Hope	No overlap
Leeswood	No overlap
Mold	Overlap through 'ornamental gardens', M19
Northop Hall	No overlap
Penyffordd	Overlap on PE5 and PE8
Sandycroft	Overlap only on north shore of Dee
Shotton	No overlap except north shore of Dee
Lixwm	No overlap

Notwithstanding the limited overlap, it would be mutually beneficial to include an Active Travel layer on the Interactive Map. Likewise, it would be helpful to include PRoW on the ERM.

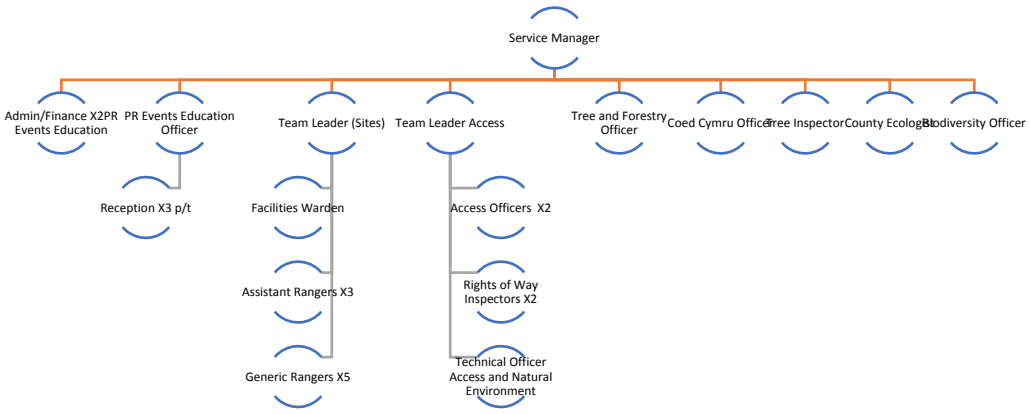
The County has also published and consulted on an Active Travel Integrated Network Map, which is billed as 'a 15-year vision to improve infrastructure for walkers and cyclists across the County.' Many of the links proposed are aspirational and represented as straight lines between communities. Fulfilling these aspirations could offer significant opportunities for improvements to PRoW, including upgrading public footpaths to bridleways or cyclepaths. Working with Active Travel colleagues to identify suitable PRoW for inclusion in the integrated network plans should be an early priority within this ROWIP period.

4 Current management and organisation

4.1 Resources

4.1.1 Staff

Fig. 4.1: Access and Natural Environment Services organisation chart



The Rights of Way team sits within the County's Access & Natural Environment Service and comprises five full time officers and a service technician.

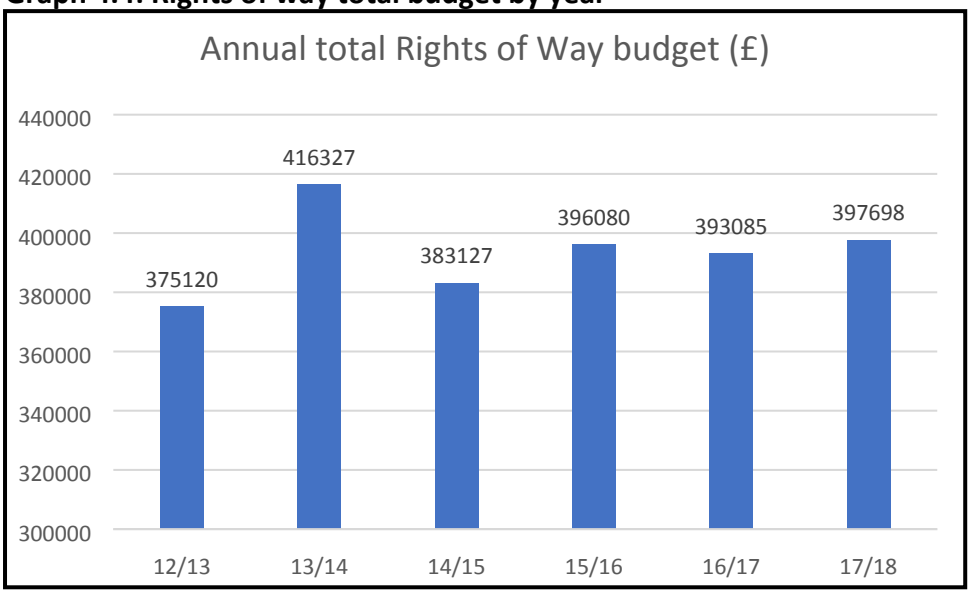
While the Rights of Way team is responsible for the bulk of the PRoW work carried out, and is solely involved with the DMS and enforcement elements, the network also benefits from a degree of input from the Rangers. This is especially so with respect to the Wales Coast Path and maintenance of the promoted routes.
Not shown on Fig. 4.1 but still making an important contribution is the AONB's PRoW staff and volunteers embedded within Denbighshire Countryside Service but working across the whole of the AONB.

The current team structure contrasts markedly with that in place in 2008. At the time of the first ROWIP, three Rights of Way Officers together with a Technician, an Administrative Assistant and a Senior Rights of Way Officer sat within Highways Regulatory Services. The two Rights of Way Inspector posts meanwhile were placed within Neighbourhood Services. The bringing together of the team under the Countryside Services was brought about in May 2016. The merger, with a remit of flexible joint working is considered to be a positive step aiding co-operative working.
Looking at staffing levels; it is notable that in 2008 there were 8 members of staff working on PRoW. In the current structure, there are only six posts – despite the need for more staff resources to begin to improve the network, as noted in the first ROWIP.

4.1.2 Budget

The 2008 ROWIP estimated that the annual investment required for rights of way in Flintshire per year, over the following five years, would be £269,351 or £ 255 per km. The budget figures from 2012/13 (the earliest date available) to 2017/18 show that this level of support has been exceeded since at least 2012, as shown in Graph 4.1. Although the budget peaked in 2013/14, the overall level of investment made by the County has remained high.

Graph 4.4: Rights of way total budget by year



4.1.3 LAF

The Flintshire Local Access Forum (LAF) has met regularly during the life of the first ROWIP. The LAF operated on a three-year cycle and came to the end of its most recent term in 2017. Its last meeting was held on October 23rd and at this meeting it was agreed that talks should be held with the Wrexham LAF Chairman to discuss the possibility of forming a joint LAF. A Memorandum of Understanding has now been signed by the Chief Officers of Flintshire and Wrexham Councils and recruitment is underway to the new, combined LAF. Each county will have its own LAF sub-group and the first combined meeting is expected to be in early September 2018.
The previous LAF had a successful run of 18 years but experience of the benefits of the cross-border model, as seen in Conwy and Denbighshire, together with the development of common themes, such as the Wales Link Path, and a perceived need to increasingly focus on regional rather than local issues finally led to the decision being taken to reform as a merged forum.

4.1.4 Rights of Way Volunteer Scheme

In 2016, the Council invited users to join its new Rights of Way Volunteer Scheme, to be loosely based upon the successful 'Silver Slashers' model from Ynys Môn Ramblers (http://www.ynysmonramblers.org.uk/footpath-maintenance.html) . Take-up has proven slow and, while the scheme is still live, it has not been successful in establishing a regular, self-sustaining working group.

The County's ranger service has a more established volunteer base and there has been occasional tie-up whereby the ranger service's volunteers are drafted in to work on rights of way. In total, the five rangers typically facilitate up to 10,000 hours of volunteer work each year. The expectation is that, using the ranger's experience of building and working with a volunteer base, the voluntary effort can be expanded further to the benefit of the PRoW network.

The Clwydian Range and Dee Valley AONB also runs a well-established volunteer scheme which, amongst its portfolio of work, undertakes footpath improvements across the AONB, including the parts in Flintshire.

Flintshire County Council published a Volunteer Policy for 2016/17 with the overall aim 'to work with local communities and partners to develop a diverse range of suitable volunteering activities that are relevant for the people of Flintshire.' The policy highlights the support available to volunteers through the Flintshire Local Voluntary Council (FLVC).

4.2 External relationships

Flintshire's network benefits from a number of relationships with other bodies, including:

- A tri-county agreement with Denbighshire and Wrexham for the management of the AONB, with Denbighshire taking the lead as the authority with the largest share by area.
- Work has begun to learn from nearby counties with respect to bolstering the number and quality of the county's policies and protocols.
- The establishment and development of the Wales Coast Path in Flintshire has involved a combination of Natural Resources Wales, together with internal inter-section working between the Rangers and PRoW staff.
- Offa's Dyke Path National Trail only dips into Flintshire for short lengths. It is therefore expedient to devolve management of these small sections to Denbighshire's Countryside Service, which looks after a much greater length of Trail, mainly within the AONB.
- The Wales Link Path crosses Flintshire and Wrexham in its 18 mile journey from the end of the Wales Coast Path to its junction with Offa's Dyke at Llandegla in Denbighshire.

5 Strategic overview of the PRoW network and associated policies

5.1 Stakeholder perceptions

Stakeholders were contacted from a range of interest groups including: walking groups, horse riders, landowners, people with disabilities, those involved in delivering exercise on prescription and public health professionals. In addition, a brief questionnaire was completed by members of walking groups about their observations of using Rights of Way in Flintshire over the period since the first ROWIP was created.

Clearly there is a divergence of views with landowners seeking support to enforce proper use of the ROW, and users, broadly, seeking increased access. However, there is much common ground, which can be built on in the next ten years.

5.1.1 Walkers

Meetings were held with representatives of two walking groups, Ramblers in Flintshire, and Walkabout Flintshire, who were then invited to complete a short survey about their experiences; 40 individuals responded.

Survey responses were from people with significant experience of Flintshire's ROW, with over 70% of respondents having been walking in the area for over 10 years and currently walking in Flintshire on a weekly basis. Half of these walked more than once a week.

Their experience of the ROW over the last 10 years was that 87% had seen changes in the past 10 years, with a significant majority reporting visible improvements such as improved stiles, gates and condition, and a minority (5%) reporting issues with obstructions.

In terms of reporting issues, 40% of respondents had never reported an issue, a quarter were reporting once or twice a year, with a small percentage (10%) reporting more frequently, i.e. monthly and even weekly. In terms of reporting, the most popular mechanism was the online system (CAMS) but a number also telephoned, emailed and reported in person. Nearly half of respondents (47%) reported they were happy or very happy with their ability to report; 9% (which in this sample represented 3 people) were unhappy or very unhappy. The remainder were neutral on this matter. Once an issue was reported, a significant number of respondents were dissatisfied. Those who were satisfied were very satisfied, comments such as" As soon as I reported it, they sorted it out" being typical. However, for those who were dissatisfied, the reasons fell into two categories: firstly, dissatisfaction with the process, i.e. they did not know what happened to the report they made; and secondly, they were dissatisfied with the outcome, e.g. "It remains unresolved". There were comments about the CAMS system, which can report an issue as resolved where no action has been taken, which frustrated some users.

In final comments, many respondents recognised the tensions of a mounting backlog of work, e.g. "Some of the claims go back over 20 years" and "A difficult time with cuts". Some constructive suggestions were made, such as learning from neighbouring Local Authorities, and using volunteers to waymark paths. Praise was given to individual staff on the ground. However, some of the suggestions such as" Lower stiles" are directly at odds with the requirements of farmers to keep their land stockproof. Most of the comments related to the length of time taken to address issues, the perceived lack of enforcement action, and issues with the CAMS system, in particular that it does not

generate a report for the records of the person submitting. One comment is a good example of the tone of responses, “The Council does a reasonable job in difficult circumstances. There should be a greater emphasis on enforcement”.

5.1.2 Horse Riders

The British Horse Society was contacted for the views of horse riders. They reported some very long-standing issues, dating back to before the original ROWIP. A key issue for riders is opening up bridleways for safe riding as rural roads become increasingly busy and therefore dangerous for horse riders. For example, “We no longer ride on the rural roads around us now because they’re too dangerous”.

They recognise the pressures facing the team but feel that horse riders and bridleways are at the “bottom of the list”.

5.1.3 People with Disabilities

Flintshire Disability Forum represents people with disabilities throughout the County, and whilst they have a focus on mobility issues, they are also networked with groups who represent visually impaired and deaf people. They hold regular sessions for people with disabilities in Mold and Shotton, and the views of disabled people was canvassed at the Shotton meeting which was attended by around 15 people.

Participants at this meeting reported that there has been an issue with use of the Wales Coast Path (WCP) in Flintshire, where those with electric wheelchairs cannot pass through the barriers created to deter motorbike riders. Wheelchairs which are pushed, e.g. by a carer, can pass through the barriers. The group does not understand why these barriers are in place and reported that there are no such barriers in the neighbouring county. This has become an issue which has soured the view of the Forum in relation to accessibility and ROW in Flintshire.

Users also reported issues with individual footpaths, for example where tree roots pushing an adjoining wall out on to the ROW, so that although the path remains accessible to those able to walk, wheelchair users have been forced to use the road. They were not clear about how or where to report these issues. One of these issues was preventing an individual from enjoying his chosen sport, bowls, as the path to the bowling green was no longer accessible in his wheelchair.
The Forum regularly arranges outings for members, but these take place in neighbouring authorities (Loggerheads and Alyn Valley were mentioned), whereas the two country Parks in Flintshire remain unused.

5.1.4 Landowners and Farmers

Field boundaries

A number of issues arose with field boundaries. The perception was that they were not clearly marked enough, leading walkers who were not always following the ROW to “go wrong” when crossing a field. They were happy for improved waymarking to be done on their land. They suggested that the problem was exacerbated by some simple maps produced by local visitor centres which meant that inexperienced walkers often “went the wrong way”.
Wooden gates had caused problems, mainly by being left open by both walkers, but also those cycling in groups, and there was some evidence of gates being wedged open with stones. There was some

comment that he approved stile, whilst the correct height for walkers, was not always stock proof and there had been examples of stock leaping over the stile, which was a problem. The preferred barrier for landowners was a kissing gate, made of metal, or a spring-loaded gate. In this way, it was said that fields remained stock proof, ROW remained accessible to most users, and the maintenance needed was low.

There was a strong concern about the failure of dog walkers to control their animals, and regular refusal, when requested, to place dogs on leads. In addition, those walking dogs had sometimes overcome the challenges of getting a dog over a stile by creating an opening nearby, either through clearing growth in a hedgerow, or by cutting through a wire fence. It was noted that creating an opening for a dog also creates a space where stock can pass through, which was a very real cause for concern for farmers. One option is to add dog gates to stiles, but landowners recognised this was an additional expense, and that there was more maintenance on such gates.

Farmers did not generally report these issues of concern to the Flintshire Council ROW team.

Maintaining ROW, and the duties of landowners
There was a lack of clarity for some farmers about their duties in respect of ROW in relation to a number of matters: in fields with crops; whether to place notices in fields with stock, e.g. cows with calves at foot; when the council maintained a ROW, and when it was the landowner's responsibility; who had the right to use the different types of ROW; what challenge might be appropriate for misuse.

Diverting ROW
The perception of farmers was that diverting a ROW was not possible, for example because they planned to build an agricultural building. Indeed, most farmers agreed that they planned new developments on their farms to avoid ROW, even where a short diversion would mean that the construction would have a lower planning or environmental impact. None had considered that it was possible to seek advice from the team prior to starting such developments.

Other issues
Litter was an issue, especially litter which could be damaging to stock, however it was not clear whether this was litter left by ROW users, or wind-driven.

Members of farming unions did not understand how the work of the ROW team was prioritised; examples were given of work done which they could not understand, e.g. regular grass cutting on an unused bridleway, the creation of a set of steps (at some cost) on a ROW only used by the landowner. They were keen to see money spent wisely and to understand why works were carried out.

Farming union members expressed their views that landowners' interests were given less priority than those of users, and that the legal requirements on them were burdensome.

5.2 Policy context

The ROWIP sits within a broad policy context framed by national legislation and its implementation at a county level.

Since Flintshire's first ROWIP, three particularly important pieces of legislation have been introduced: The Well-being of Future Generations Act (2015), the Planning Act (Wales) Act 2015 and the Environment Act (2016). The Welsh Government has identified, in a simplified document[2], the links between these three pieces of legislation. In addition, the Active Travel Act (2013) has also brought about new requirements, and there will be proposed changes to Flintshire's Active Travel Plans during the period of this ROWIP.

Locally, this new legislation has led to the production of Flintshire Public Services Board's Well-being Plan, and the implementation of Active Travel route maps covering 15 designated settlements within the county. As previously, the Flintshire County Council Corporate Plan, now called the Flintshire Council Plan is of core relevance to the ROWIP, as is the Local Development Plan.

5.2.1 Relevant legislation, strategies and documents at national and county level

5.2.1.1 National

The Well-being of Future Generations Act is focussed on improving the economic, social, environmental and cultural well-being of Wales. It contains seven national well-being goals:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsive Wales

The Act also introduced the sustainable development principle and five ways of working that are seen as key to changing how organisations work to ensure that they "act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs". The five ways of working are:

- Long-term
- Prevention
- Integration
- Collaboration
- Involvement

The Environment Act is focussed on planning and managing Wales' natural resources in a more proactive, sustainable and joined up way. It covers: sustainable management of natural resources; climate change; charges for carrier bags; collection and disposal of waste, fisheries for shellfish and marine licensing; flood and coastal erosion committee and land drainage.
In relation to sustainable management of natural resources, the Act provides a framework comprising:

- The State of Natural Resources Report (SoNaRR) – published in 2016.
- A National Natural Resources Policy – published in draft for consultation in 2017.
- Area Statements – in development.

[2] https://gov.wales/docs/desh/publications/160610-three-bills-diagram-en.pdf

The Planning (Wales) Act 2016
The Planning (Wales) Act gained Royal Assent on 6 July 2015.

The Act sets out a series of legislative changes to deliver reform of the planning system in Wales, to ensure that it is fair, resilient and enables development.

The act addresses five key objectives:

- A modernised framework for the delivery of planning services – the Act introduces powers to allow planning applications to be made directly to Welsh Ministers in limited circumstances
- Strengthening the plan led approach – the Act introduces a legal basis for the preparation of a National Development Framework and Strategic Development Plans
- Improved resilience – the Act will allow the Welsh Ministers to direct Local Planning Authorities to work together and for Local Planning Authorities to be merged
- Frontloading and improving the development management system – the At will introduce a statutory pre-application procedure for defined categories of planning application
- Enabling effective enforcement and appeals – the Act enables changes to enforcement procedures to secure prompt, meaningful action against breaches of planning control and increase the transparency and efficiency of the appeal system.

5.2.1.2 County

Flintshire Council Plan 2017 – 2023
This document presents the Council's themes for the period 2017 -2023. It is described in the text as an Improvement Plan. The Council revises the report annually, setting out how actions within the themes, of which there are six, will be delivered and measured.

The six themes in the plan for 2017-18 are:

- An Ambitious Council
- A Learning Council
- A Green Council
- A Connected Council
- A Service Council
- A Supportive Council

Each theme has specific sub-priorities, and also impacts identified within each theme. In addition, the Plan shows links to other strategies, and to the work of the PSB. The following potential links with the RoWIP have been identified:

Within the 'A Green Council' theme, the priority is described as *Sustainable Development & Environmental Management* and the accompanying impact is described as "Enhancing the natural environment and promoting access to open and green space".

Also under this theme is the priority of *Safe and sustainable travel services,* with an impact described as "Developing the transport infrastructure and employment sites, and transport services, widening access to employment and training sites", which gives a potential link between ROW and Active Travel Plans.

In the theme 'A Connected Council', the priority is described as *Resilient Communities,* with impact described as "Supporting local communities to be resilient and self-supporting". This impact would include the work done by local groups and volunteer led activities, including local Ramblers and Walkabout Flintshire to encourage the use of ROW throughout the County, and in the case of Walkabout Flintshire, to use the rights of way network for group activities that promote health and well-being.

Local Development Plan Written Statement June 2017

The Flintshire LDP provides the sustainable framework for land use planning in the County up to the year 2030, and will be a platform for development thereafter. The intention is that it will shape Flintshire's future both physically and environmentally, and influence it economically and socially. It will respond to the needs of a growing population and regionally important economy, in making provision for new jobs, homes, infrastructure and community facilities, but notes that it must do this in a way that ensures that the well-being of its communities is maintained, and that the impacts of the development and use of land are managed and mitigated sustainably. In addition, through its provisions, the LDP will also seek to ensure opportunities such as environmental enhancements are realised.

The context is set by national legislation and planning guidance, which requires Local Authorities in Wales to prepare and maintain a development plan that deals with the land use aspects of the challenges above, and does so in line with the sustainable development duty embodied by the Well-being of Future Generations Act (Wales) 2015.

The LDP, which will cover the time period between 2015 and 2030, will provide the framework to facilitate the sustainable delivery of growth and development. The status of the Plan at the time of the development of the new ROWIP is that the Deposit is due for consultation in November 2018.

Key links between the Local Development Plan, (as indicated in the Integrated Impact Assessment) and the ROWIP include:

Environment

- Encourage the use of more sustainable forms of transport and development locations, reducing the need to travel by car.
- Protect and enhance the local distinctiveness and the historic environment and its setting.
- Opportunities should be sought to continue the preservation of the special landscapes in Flintshire.
- Opportunities should be sought to maintain the important historic aspects of Flintshire.
- Access and awareness of the unique aspects of the County should be improved.
- Part of the Clwydian Range and Dee Valley AONB is situated in the County which must be protected and enhanced where appropriate.

Social

- Improve accessibility and transport links to basic goods and services from residential areas.
- Improve the health and wellbeing of the population and reduce health inequalities.

- Opportunities should be sought to improve the health of the population by encouraging healthy lifestyles. This could be achieved, for example, through well designed development that promotes physical activity, walking and cycling.

Economic

- Establish a strong tourist economy, sensitively capitalising on environmental, heritage, and leisure assets and ensuring the benefits are experienced locally, further described as
- Opportunities should be sought to reduce car/van transport and increase the use of greener more sustainable modes of transport
- Opportunities should be sought to reduce the distance people are travelling to work

Flintshire Well-being Plan 2017-2023

The Plan is published by the Flintshire Public Services Board (PSB), as a requirement under the Well-being of Future Generations Act. It is a statement of the PSB's commitment to improve local well-being for today and for future generations.

It has been the subject of wide consultation and has been developed from a comprehensive well-being assessment. It has five objectives:

- Community Safety
- Economy and Skills
- Environment
- Resilient Communities
- Well-being and Independent Living

The plan demonstrates the connections across the objectives and with the Council (Corporate) Plan, (which follows the same themes and a similar period 2017-2023).

Key links between the Flintshire Well-being Plan and the ROWIP include:

In the section on Environment, proposed actions include:

- Promote the benefits of using the natural environment for exercise, volunteering and education.
- Identify and act on issues which are causing environmental and ecological deterioration by working with partners such as the farming, commercial, industrial and transport sectors.
- Identify all existing 'green' assets through an asset mapping exercise, and seek opportunities to enhance and link these in future.
- Improve green transport links across Flintshire and into neighbouring counties, developing greater access opportunities to the green infrastructure.

In Resilient Communities, proposed actions include:

- Opportunities for people to improve their health and well-being are increased.
- Use and appreciation of the natural environment and use of the outdoors are increased.
- Change our long term physical planning for communities so that it enables the development of community buildings and natural and green spaces that better connect people.

And finally, in the section on Well-being and Independent Living, the following actions are identified:

- Explore and make best use of opportunities to promote mental health and well-being.
- Ensure links with other PSB priority work areas to maximise promotion of health and well-being opportunities, e.g. Get Flintshire Moving (Resilient Communities).

The Flintshire Well-being Assessment

The document is published by Flintshire's PSB, bringing together data to consider the well-being across the whole of the area and within particular communities. Data sources include statistical data, public engagement information and academic research. The assessment is structured around the seven themes identified within the Well-being of Future Generations Act, with a focus on Flintshire. These are :

- A Prosperous Flintshire
- A Resilient Flintshire
- A Healthier Flintshire
- A more Equal Flintshire
- A Flintshire of Cohesive Communities
- A Flintshire with Vibrant Culture and a thriving Welsh Language
- A Flintshire which is Globally Responsible

Key findings in the Well-being Assessment which have a direct link to the ROWIP include:

- Flintshire has a diverse landscape ranging from lowland valleys to upland exposed plateaux.
- Compared to the Welsh average, Flintshire citizens are generally more likely to make healthy lifestyle choices. However, only around a third of the adult population in Flintshire meet recommended physical activity levels.
- Communities enjoy quality of life, are safe and well-connected and are places where people feel they belong and support one another.
- In total, it is estimated that tourism brought in around £238.7 million to the local economy in 2015. In recent years there has seen a steady increase in the number of visitors to the area, over 3.6 million visitors in 2015, 2.8 million of which were day visitors.
- Flintshire is well-placed in terms of built facilities and the natural environment, which impacts positively on physical activity and well-being.

Active travel

Active travel is defined as walking and cycling (including the use of mobility scooters) for everyday journeys, e.g. to school, work, shops or to access services such as health and leisure centres.

The Active Travel Act makes it a legal requirement for Flintshire County Council to map and plan for suitable routes for active travel within certain of its settlements as specified by Welsh Government.

The first step was to produce Existing Route Maps[3], showing routes suitable for active travel and which met the standards set by Welsh Government. Flintshire's Existing Route Maps for pedestrian and cycle use were approved by Welsh Government in 2016, and 15 maps have been produced, covering the areas of Buckley, Broughton, Connahs Quay, Deeside Industrial Park, Flint, Gorsedd, Greenfield, Holywell, Hope, Leeswood, Mold, Northop Hall, Penyffordd, Sandycroft, Shotton and Walwen (Lixwm).

The Existing Route Maps do not show all possible walking and cycling routes, or other ROW, as the focus is on the ones which meet the Active Travel criteria. The report to government on Active Travel Routes for 2016/17 shows expenditure of £711,200 spent on maintenance, safety improvements and upgrades to the existing routes.

A Green Space Framework Strategy 2013

This strategy recognises the value of green spaces throughout the County, and includes ROW, parks, common land and designated areas, including the AONB. The stated vision is:

"Flintshire will enjoy a well-planned and managed network of integrated, accessible and diverse green spaces; creating a sustainable environment for the benefit of all people, wildlife and our natural heritage."

It states clearly that "We want people to use Green Spaces positively and more frequently as part of their daily lifestyle, and we accept that to do this we need to improve green spaces to deliver welcoming, accessible, attractive and safer community spaces".

There are three aims within the strategy, but the most relevant in terms of the RoWIP is Aim Three: i.e. "We will make existing green spaces more accessible for both people and wildlife". This aim includes the following points which are relevant to the ROWIP:

"Entrances and paths do not restrict people of any ability from benefiting from green spaces as well as considering the safety of all users".

"Green spaces should be easily accessible and closely situated to the communities they serve ensuring everyone has local access to a green space which offers both natural value and play value".

"Where-ever possible green spaces should be linked to one another to create "green corridors" to provide off-road routes which provide linkages to places of work, education, leisure and shopping facilities".

To do this, the Strategy proposes that everyone should have safe access to a green space within a five minute walk of their home. For the purposes of this Strategy, a five minute walk is considered to be a journey of 500 metres, and it is anticipated that significant work will be required to ensure safe pedestrian and cyclist access is provided along key identified routes.

4.2.2 Other relevant strategies and documents

Natural Resources Wales (NRW) has published its first Well-being Statement, ***Managing today's natural resources for tomorrow's generations 2017/18.*** The document outlines the organisation's well-being objectives and how they contribute to Welsh Government's seven well-being goals for Wales, as well as the steps they will take to deliver them. The seven well-being objectives are to:

1. Champion the Welsh environment and the sustainable management of Wales' natural resources Ensure land and water in Wales is managed sustainably and in an integrated way
2. Improve the resilience and quality of our ecosystems

[3] Copies of all maps are available via http://www.flintshire.gov.uk/en/Resident/Streetscene/Active-Travel-Existing-Route-Map.aspx

3. Reduce the risk to people and communities from environmental hazards like flooding and pollution
4. Help people live healthier and more fulfilled lives
5. Promote successful and responsible business, using natural resources without damaging them
6. Develop NRW into an excellent organisation, delivering first class customer service.

In due course, the new duty on Natural Resources Wales to produce ***Area Statements*** – as a tool for bringing about sustainable management of natural resources – will be relevant to the Flintshire's strategic priorities for rights of way.

The ***Wales Outdoor Recreation Survey 2014 Final Report*** was commissioned by NRW, following previous similar surveys in 2008 and 2011. It focussed on public engagement with the natural environment including participation in outdoor recreation, health and economic benefits, attitudes to biodiversity and pro-environmental behaviours. At a national scale, this provides relevant contextual data including:

- 93% of people have taken at least one visit to the outdoors in the last 12 months.
- Decreases between 2011 and 2014 were recorded for the proportion of people that had taken a visit in the last 4 weeks, as well as for visits taken within a mile of the start point, and shorter visits of less than an hour.
- Shorter, closer to home visits are more likely to be taken than longer visits taken further afield.
- People aged 75 or over were least likely to have taken visits.
- Walking is the most dominant activity undertaken, although increases in running were recorded. The other highest levels of participation were recorded for outdoor swimming, road cycling and off-road cycling.
- Walking was particularly likely to be undertaken by people who had children in the household, those aged 25-54, those in paid employment, carers and those with access to a car.
- Women were more likely to undertake walking than men. When analysed by age, visits taken by those aged 55 or over were more likely to have included walking, while the main activity for those aged 34 or under was more likely to be running.
- Walking was the single main activity on 6 in 10 visits for those who had visited the outdoors in the last 4 weeks.
- The most popular places to go outdoors (recorded by more than two-thirds of the population) were village, local park, beach, roadside pavement/track, woodland/forest, sea, other local open space.
- The most frequently cited reasons for not visiting the outdoors given by those who had not done so in the last 12 months were (in descending order) physical disability, other health reason, old age, busy/lack of time. For those who had not visited in the last four weeks, the most frequently cited reasons were (in descending order) busy/lack of time, bad/poor weather, other health reason, physical disability.
- Health or exercise was the most frequently cited motivation for visiting the outdoors (23%), closely followed by exercising a dog (22%), and then visits for pleasure or enjoyment (15%) and for fresh air/pleasant weather (14%).

- Over half of the visits to the countryside within the last 4 weeks involved less than 2 hours being spent on the main activity. 28% of visits where walking was the main activity involved less than an hour being spent. Visits of less than an hour were more likely to be by those with no car access, people aged 75 or more, those with a long-term illness or disability, and those with no academic qualifications.
- 38% of visits were taken within a mile of the start point (home, workplace, holiday accommodation), 37% within 1 to 5 miles.
- In terms of the main mode of transport used on visits to the outdoors, 46% of visits involved the use of a car, 42% walking, 5% bike and 2% public transport.
- Equal proportions of visits were taken along as with family – 39%, 20% with friends and 5% as part of an organised group. Around a quarter of visits included children in the party, and about two fifths included dogs.
- Money was spent during 42% of visits taken to the outdoors, with the average amount across all visits being £12.74. Spend was most frequently on food and drink.
- In terms of future demand, 60% of adults would like to visit the outdoors more often for recreation, a similar figure to previous surveys. There is increased interest in walking, although actual participation in walking has decreased since 2008. The destinations of greatest interest were ones that typically involve a greater amount of travel, i.e. beaches and mountains/hills/moorland.

5.3 Other relevant context

5.3.1 Countryside and Rights of Way Act 2000

The Countryside and Rights of Way Act 2000 (CROW) introduced a measure designed to provide landowners with surety that they will not be faced with unexpected claims for newly discovered rights of way based upon historical evidence, that is, evidence from before 1949. The measure, contained in section 53 of CROW, will come into force if and when the Welsh Government passes regulations to implement it. If implemented, the measure would extinguish any unrecorded historical rights on 1st January 2026 or a date up to five years later. 2026 is now commonly referred to as 'the cut-off date'.

As yet, the Welsh Government has not committed to making the necessary regulation to implement this measure. However, if the cut-off date is introduced, there will be significant consequences for the DMS workload of all LHAs. It is expected that, if the cut-off date is enacted, there will be a significant upsurge of claims for unrecorded PRoW in a bid to secure these routes before they are extinguished.

Claims based upon historical evidence that are properly made and lodged with the Council before the cut-off date will not be automatically extinguished but will remain pending investigation and determination. Therefore, the expected additional work load will, in the first instance, be one of checking that claims have been properly made. Assuming that they have, there is no overriding need for them to be determined before the cut-off date. Nonetheless, the additional claims will add to the DMS backlog and the County's duty to process them.

There is no way of telling in advance how many claims will be made, so the possibility of implementation of the cut-off date remains a potentially significant factor in the PRoW team's workload towards the latter end of this ROWIP period.

5.3.2 Improving opportunities to access outdoor recreation

In 2015 the Government carried out a consultation about 'Improving opportunities to access the outdoors for responsible recreation'. This wide-ranging consultation invited respondents to look at all aspects of outdoor recreation opportunities in Wales and to suggest new strategies, including new legislative measures for improving delivery.

The Government has not set itself a deadline for the production of new legislation or indicated that it will bring forward legislation in any particular areas. However, there is the possibility that the consultation is an early stage in an exercise that results in a radical overhaul of access legislation in Wales within the lifetime of the second ROWIP. If this happens, this document will need a fundamental review and probable amendment.

6 Evaluation of future needs and opportunities

6.1 Summary of key points from assessment of ROWIP 1 delivery and stakeholder perceptions

The findings from the review of the consultation responses, the desk review of relevant strategies and plans, and the evaluation of the current condition of the network can be drawn together to show a number of emerging messages (presented below in no particular order).

Stakeholders:

- People who walk regularly are broadly happy with the condition of the network.
- Users would like to see a more dynamic approach to enforcement, with improved communication about action taken.
- Horse-riders want bridleway improvements.
- Disabled users feel strongly about the restricted access to WCP, and need facilities.
- Landowners have concerns about users opening up gaps around stiles.

Condition monitoring and maintenance

- There is very little available data on network condition.
- Work is primarily reactive, and not pro-active.
- Stakeholders are unclear about how and why maintenance works are prioritised and done.

Information and promotion

- The CAMS on-line reporting system is a positive development.
- Promotion of the network, carried out by the Rights of Way team, is limited.
- There is very little information for either land managers or path users, but there is demand for it.
- PR opportunities are not maximised.

Progress with ROWIP 1

- Regular walkers are noticing improvements.
- Review of the Statement of Action shows that out of a total of 22 tasks, 6 have been completed, there is partial progress on 8, and little or no progress on 8.
- The lack of available data for assessment may be hiding more progress than is evident.

The organisational perspective

- ROW staff focus on their own individual areas.
- The team has looked externally to learn from good practice elsewhere.
- Relevant data and information is difficult to access.
- The synergy between ROW and the Rangers/Countryside service is limited.

6.2 Evaluation of the extent to which local ROW meet the present and future needs of the public

6.2.1 Meeting present and future needs

There are aspects where the local ROW network that can be said to meet present needs, in terms of what participants in the review have said they like about the Flintshire's rights of way network. These can be summarised as follows (in no particular order of importance):

- Providing access to many different parts of the County for regular walking.
- Footpaths mainly in good useable condition.
- Noticeable improvements in recent years.
- Good signposting from roads.
- Providing some opportunities for off-road mountain biking and horse-riding.

However, due to a limited resource it is evident that there are ways in which Flintshire's local ROW are not entirely meeting present and future needs, in relation to the problems that participants in the review raised and the improvements that they said they would like to see. These can be summarised as follows (in no particular order of importance):

- Waymarking is not as consistent as some users would like.
- There are not enough bridleways for riders to enable them to ride off-road as much as they would like.
- Wheelchair users are not all able to access the Wales Coast Path, and experience some problems with the surfacing on local footpaths.
- Landowners have experienced problems as a result of inappropriate behaviour by users and their dogs, particularly in terms of compromising the stockproofing of their fields.
- There is insufficient information about the ROW network, in terms of what is there, and people's rights and responsibilities.

6.2.2 Opportunities

The assessment has shown that there are a number of areas of opportunity. These are summarised below, and then covered in more detail in the Statement of Action.

Physical accessibility of the network

I. Investigate opportunities where disability access can be improved
II. Maintain good condition of footpaths
III. Waymarking and signage improvements
IV. Investigate opportunities for bridleway linkages
V. Investigate opportunities for footpath links between key places
VI. Using volunteers more for maintenance and improvement works
VII. Deal with enforcement issues in a timely way

More purposeful use of the ROW network

I. Build and maintain strategic linkages, and facilitate networks, at strategic and operational levels.
II. Investigate opportunities for appropriate routes for walking for health.
III. Investigate opportunities for appropriate routes for active travel.

Legal recording and changes

I. Consolidate the Definitive Map and Statement.
II. Address anomalies.
III. Continuous review of the Definitive Map and Statement.
IV. Build expertise amongst the ROW team staff.
V. Investigate and develop opportunities for sourcing external funding.
VI. Develop and disseminate a team prioritisation policy for legal work.

Promotion and information

I. Promoted routes network
II. Promoted routes for riders and cyclists
III. Improve information provision for land managers and ROW users
IV. Improve information provision for people with disabilities

Strategic working

I. Work pro-actively, using the ROWIP for direction; regularly review progress and report to LAF & Cabinet.
II. Develop, review and update policies to ensure comprehensive and consistent coverage of key areas of activity.
III. Build and maintain strong means of communication with key stakeholders, including Councillors, users and landowners.
IV. Create and implement a volunteering strategy, including considering collaborative opportunities.
V. Develop use of GIS as a proactive management & decision-making tool.
VI. Develop and disseminate a team prioritisation policy for legal work.

Key task planning and delivery

I. Sound record-keeping, especially CAMS.
II. Well designed and planned surveying/data gathering.
III. Consistent procedures for all key work tasks.

Organisational development

I. Review lead roles and responsibilities for key tasks for particular individuals.
II. Encourage individuals to work with initiative, within a 'whole team'
III. Build relevant expertise related to lead roles within the team
IV. Establish the LAF
V. Investigate opportunities for closer collaborative working with neighbouring and over-lapping authorities
VI. Investigate and develop opportunities for sourcing external funding.

6.2.3 Policies and Procedures

The Statement of Action sits alongside the *Flintshire County Council Policies and Procedures* booklet, appended as Annex C.

It has been compiled as a positive response to findings from the assessment, with the intention of creating widespread understanding and transparency about what Flintshire County Council does and how in relation to the County's PROW network. The booklet provides introductory information about the duties and powers of the Highway Authority, explains the Path Prioritisation Scheme, and then provides the policies and procedures relating to issues relating to the Definitive Map, enforcement and maintenance.

NEW VERSION OF STATEMENT OF ACTION TABLE

The Statement of Action sets out the strategic priority areas for delivery during the course of the ROWIP. The Statement of Action will be supplemented by Annual Delivery Plans which will set out the detailed work programme for the year ahead.
The Statement of Action has been drawn up within the context of the Policies and Procedures booklet with the following assumptions:

- The core PROW budget will remain limited, and is likely to reduce further.
- The PROW team aims to work in partnership internally and externally wherever possible and beneficial, in order to seek synergies and best value for the resources available.
- The Statement of Action is based on the evidence from the assessment. It has been designed to balance aspiration with pragmatism, so that annual delivery plans can work towards defined priorities for management, maintenance and improvements but within the realities of available resources.
- The Statement of Action includes intentions to try to increase the resources available.

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
1	**Physical accessibility of the network**			
1.1	People with disabilities are keen to have more access to the PROW network, in particular at the coast.	To understand where additional access is required and to provide opportunities where feasible.	Consult with disabled users to identify their access priorities. Investigate opportunities where disability access can be improved. Promote existing opportunities to disability groups.	M
1.2	A network that has generally good surface condition and roadside signage, and that received few. complaints during the ROWIP 2 consultation. The assessment shows that there	1. To maintain the surface of paths in good condition. 2. To reduce the number of stiles on the network in favour of gaps or gates, as a means to increase accessibility. 3. A network with the minimum of	1.1 Annual mowing programme. 1.2 Prompt responses to reports of problems. 1.3 Whole network survey. 2.1 Work with landowners to replace stiles with gaps or gates.	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	are issues with: • Stiles on the network, which can limit accessibility; • One third of paths, (representing 9.4% of the network) have some form of obstruction.	obstructions possible and a robust mechanism for resolving new ones arising.	3.1 Require gates or gaps in any new fences. 3.2 Develop and adhere to an obstructions removal and enforcement protocol.	
1.3	There is a high percentage of paths that are well signed throughout their length. However, some respondents to the consultation want better waymarking. At least three quarters of paths are signed where they leave a metalled road.	1. A network where users can easily follow the correct route, thereby satisfying landowners and users alike. 2. Confidence that Flintshire County Council is meeting its statutory obligations for signposting from a metalled road.	1.1 Respond promptly to reports of missing waymarks. 1.2 Encourage landowners to fully sign paths on their land. 1.3 Routinely check local waymarking whenever any path repairs are carried out. 2.1 Ensure that all locations that should be signed are recorded in CAMS. 2.2 Survey all sign locations and record any missing signs. 2.3 Develop and implement a programme of sign installation. 2.4 Plan for sign end-of-life replacement.	H
1.4	Horse riders would like more off-road routes to be available to them. The PROW network in the county	1. To be able to increase the proportion of the network available to horse riders and cyclists. 2. To develop circular routes for riders	1.1 Encourage landowners to dedicate footpaths as bridleways or to allow their permissive use. 1.2 Give priority to claims for	L

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	includes 115 km of bridleways, representing limited opportunities for off-road riding and cycling.	and cyclists.	bridleways. 2.1 Investigate opportunities for bridleway linkages, thereby making the most of existing provision. 2.2 Seek to upgrade footpaths to bridleways in collaboration with Active Travel Plans.	
1.5	Some consultation respondents would like to be able to travel between key places by walking on footpaths.	A network which is fit for contemporary patterns of use, which meets users' demands and contributes to the potential for Active Travel.	Investigate opportunities for footpath links between key places, prioritising those which also meet Active Travel criteria. Work with planning colleagues to ensure green infrastructure is built into all developments.	M
1.6	Staff resources are limited and insufficient for the volume of work. There are office-based and outdoors tasks which are potentially suitable for volunteers.	1. An adequately resourced PRoW team. 2. A dedicated and enthusiastic team of volunteers who support the aims and objectives in the ROWIP in a variety of ways.	1.1 Determine necessary levels of staffing and financial resources to deliver the ROWIP. 1.2 Develop a business case to bid for additional resources. 1.3 Maximise opportunities from internal and external co-operation. 2.1 Set in place plans and a programme for upskilling existing volunteers and recruiting new ones. 2.2 Work with FLVC to explore opportunities for volunteers through existing groups and projects 2.3 Consider partnership working	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			with NOMS to provide opportunities for those on supervised community service. 2.4 Working in a way that encourages retention of existing volunteers, e.g. providing a variety of volunteering opportunities, providing meaningful volunteering opportunities, ensuring the volunteers feel welcomed and valued, making the volunteering fun. Investigate opportunities for working in partnership with other internal services and external groups/organisations, to enable synergistic use of volunteering.	
1.7	Consultation respondents are reporting perceptions of delay in the authority's work to deal with enforcement issues. However, data shows that overall response times are improving.	1. To deal with enforcement issues in a timely way. 2. Stakeholders are aware of what enforcement work has been done. 3. PROW team has clear procedures to work to.	1.1 Clearly allocate enforcement responsibilities. 1.2 Ensure that all enforcement issues are recorded in CAMS. 2.1 Through Exegesis, send informative automated responses to complainants when actions taken. 3.1 Set in place and monitor usage of clear procedures for dealing with enforcement issues, including communication with relevant external stakeholders.	M

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
1.8	Some stiles and gates have been built on the network without formal authorisation.	All path furniture is authorised or is treated as an obstruction.	Develop and adopt formal policies to cover the authorisation of structures on PRoW. These policies to adhere to the least restrictive access principle. Maintain a publicly available record of all authorised structures.	H
2	**Legal recording and changes**			
2.1	The Definitive Map and Statement has a relevant date of 1978. The DMS now consists of the 1978 DMS plus all of the individual changes that have taken place since then. There is a number of outstanding LEMOs required to complete changes to the DMS. The locations of all paths in the network are shown on an interactive map on the Council's website.	1. A Definitive Map and Statement that is as up-to-date as possible. 2. A DMS that is readily available for public scrutiny.	1.1 Make any outstanding LEMOs. 1.2 Consolidate the Definitive Map & Statement and republish. 2.1 Ensure that any changes to the DMS are accurately reflected in the on-line interactive map. 2.2 Supply the newly consolidated map and statement to all major libraries and relevant portions to each Community Council.	L
2.2	The assessment showed that there is no overall record of anomalies. Whilst progress is being made on tackling the known anomalies, there is a long way to go, and more anomalies are likely to come	1. To understand the number and nature of anomalies across the network. 2. To reduce the number of anomalies.	1.1 Review the complete DMS for anomalies and set up a schedule to record them. 2.1 Develop and implement a programme to deal with them during the life of the ROWIP.	L

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	to the team's attention.			
2.3	There are PPOs and DMMO's, some of which date back several years since the applications were received.	1. The backlog of DMMO and PPO is reduced to zero. 2. New PPO and DMMO normally made or determined within 12 months of completed application.	1.1 Schedules of applications received to be kept up to date and publicly available. 1.2 A plan to be drawn up and implemented for resolution of all outstanding applications. The plan will prioritise addressing claims dependent upon witness evidence. 2.1 Sufficient resources will be allocated. 2.2 Relevant staff will be supported to develop necessary skills. 2.3 Sufficient legal officer support will be secured.	H
2.4	Staff members focus on geographical areas of work, with little opportunity to develop specific subject expertise and there can be an inconsistency of approach.	1. To build expertise among the ROW team staff, so that all necessary areas of work can be competently covered. 2. All work, including applications for orders, to be dealt with consistently across the County.	1.1 Encourage and support staff to seek membership of IPROW[4]. 1.2 Carry out a targeted skills audit to gain a sound understanding of skills gaps. 1.3 Draw up a plan for staff development and training and secure a staff training budget. 2.1 Through restructure provide a focus on the DMS in the responsibilities of officers	H

[4] Institute of Public Rights of Way and Access Management

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			2.2 Draw up protocols and practice guidelines to guide handling of applications.	
2.5	Limited and potentially falling core funding from the Authority, which restricts what the PROW team can deliver and achieve.	To increase the resources (not just funding) available to the PROW team, to enable them to continue – and ideally increase – their work outputs and outcomes.	Determine necessary resources and put together a business case to bid for additional funding. Investigate and develop opportunities for sourcing external funding. Monitor potential developments that may impact on workload (such as implementation of the cut-off date) and, if necessary, prepare pre-emptive resource bids.	M
2.6	There is a backlog of legal work, which will be challenging to overcome with the current and anticipated future level of staff resource.	1. The most important legal work to be completed in as timely a fashion as possible. 2. To be able to be clear to all stakeholders (internal and external) about the order in which legal work will be carried out.	1.1 Work with the officers to develop their PRoW experience and expertise. 2.1 Develop and disseminate a team prioritisation policy for legal work for internal and external use. 2.2 Develop a protocol with the legal department for prioritisation.	H
3	**More purposeful use of the ROW network**			
3.1	The PROW team have some existing strategic linkages and networks, but the assessment revealed some as yet untapped	The PROW team to have strong and active networks and collaborative relationships with internal and external stakeholders where there can be some	Build and maintain strategic linkages, and facilitate networks, at strategic and operational levels.	L/M

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	relationships e.g. with public health organisations.	form of mutual benefit.		
3.2	There are existing groups and organisations promoting walking for health, but which, for various reasons, are not taking full advantage of the PROW network.	For the PROW network to be actively used as a resource for walking for health.	Investigate opportunities for appropriate routes for walking for health. Develop collaboration with the team delivering Exercise for Health in the county to maximise the opportunity for use of PROW for this scheme Broker joint working between local community groups who can support the Exercise for Health scheme using PROW.	M
3.3	The consultation showed some interest in using PROW for active travel purposes.	For the PROW network to be used and promoted where appropriate for active travel.	Investigate opportunities for appropriate routes for walking or cycling for active travel. Work with other Council officers to incorporate public paths into Active Travel Integrated Network, taking opportunities to upgrade footpaths to bridleways where possible. Include Active Travel routes on the interactive map.	L
4	**Promotion and information**			
4.1	The consultation showed a general lack of awareness of the promoted routes and permissions.	For the PROW to be used appropriately by users throughout the network	Improve information about the promoted routes network. Develop information not only about where the routes are but how they	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			should be used.	
4.2	The consultation showed some inappropriate use of PROW by cyclists	Reduced illegal use of footpaths by cyclists and horse riders.	Improve targeted information about promoted routes for riders and cyclists. Provide clear on-line sign-posting to other information sources. Develop and promote routes specifically for off-road horse-riding and cycling.	L
4.3	The consultation showed that disabled people are unaware of accessible PROW and do not generally make use of them.	More use of PROW by people with disabilities.	Improve information provision specifically targeted at people with disabilities.	L
4.4	There is currently no information available on the authority's website for land managers about their rights and responsibilities in relation to PROW on their land. There appears to be a demand from land managers for more information to be available. It is important that PROW users are aware of their rights and how to use PROW responsibly.	1. Land managers and users to be aware of their responsibilities, and to behave accordingly. 2. Users of PROW treat the PROW, and nearby land and boundaries, with respect. 3. Applicants for changes to the network to have a ready source of information specific to processes in Flintshire	1.1 Develop improved relationship between the team and landowner representatives, and jointly develop information for land managers 1.2 Provide on-line information for landowners or provide links to other sites carrying good quality advice. 2.1 Develop and promote information for PROW users about the responsibilities whilst using PROW. 3.1 Develop and publish on the website a series of advice notes for would-be applicants for PPO and DMMO.	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
4.5	Currently there is limited information available to people searching the Council's website.	To be able to make available relevant information using a means that is increasingly popular for members of the public.	Investigate the feasibility of improvements to the interactive map on the Council's website e.g. Active Travel maps, CAMS GIS data and definitive map extracts. Promote and inform people of the infrastructure information viewable in the CAMS Web system	L
4.6	The consultation suggested that some external stakeholders do not understand how the Council prioritises its maintenance and improvement work.	Clarity for the PROW team and its stakeholders on how work on the PROW network is prioritised and delivered.	Develop, disseminate and make available on the Council website procedures and standards for responding to reported issues	M
5	**Strategic working**			
5.1	Flintshire's first ROWIP has come to an end; the second ROWIP provides new opportunities for guiding the direction of PROW work in the county.	For the ROWIP to provide clear strategic direction and a framework for all of the work done by Flintshire's PROW team.	1.1 Work pro-actively, using the ROWIP for direction. 1.2 Regularly review progress and report to LAF & Cabinet. 1.3 Develop fully targeted Annual Delivery Plans based upon the SoA	H
5.2	At present, policies exist for some but not all areas of the PROW team's work, and some of these may be outdated.	Clear strategic and operational guidance for the staff team and others about the way in which the PROW team will work.	Develop, review and update policies to ensure comprehensive and consistent coverage of key areas of activity, with LAF consultation and Council adoption.	H
5.3	There is potential to strengthen communication across the spectrum of the PROW team's	For all key stakeholders to understand the PROW team's work, and to have a strong relationship with individuals in	Build and maintain strong means of communication with key stakeholders, including Councillors,	M

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	stakeholders. Currently some stakeholders report that they do not understand how the team works or why certain work is done.	the team. For key stakeholders to have the information they need to champion the cause of the PROW team.	users and landowners. Develop and publish on the website a full suite of information about the working policies of the team.	
5.5	Staff resources are limited and insufficient for the volume of work, and they appreciate the work currently undertaken by volunteers. There are office-based and outdoors tasks which are potentially suitable for volunteers.	To make the most of the potential volunteering resource, in a way that works for the PROW staff team, its partners and the volunteers.	Create and implement a volunteering strategy, potentially with FLVC, including considering collaborative opportunities.	H
5.6	GIS-based information is currently used in CAMS, but more could be made of it to support strategic planning of the PROW team's work.	1. PROW team members equipped with the skills to make use of GIS in their roles. 2. GIS available to team members. To make best use of the available resources, facilitating the team's work and its outcomes. 3. Full use to be made of the CAMS.	1.1 Train staff in the use of GIS as a proactive management and decision-making tool. 2.1 A GIS platform to be made available to all team members. 3.1 Appoint a lead officer to be primarily responsible for the maintenance of CAMS.	L
6	**Key task planning and delivery**			
6.1	CAMS is the main repository for all network data but two thirds of the network has not been formally surveyed since 2010, reducing the system's reliability as a strategic planning tool.	1. To have as up to date as possible data about the network stored in CAMS. 2. To re-survey the entire network at least once over a three year period with snapshots based on annual	1.1 All staff to be trained in the use of CAMS with annual refreshers/reminders of the importance of thorough and consistent logging of data. 2.1 Arrange for a survey of the 67%	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
		sample surveys	of the network not surveyed in 2017 to be carried out, 33% 18/19 and 34% 19/20. 2.2 Re-introduce regular partial monitoring of the network (minimum 10% p.a.) 2.3 Plan to re-survey the whole network 3 three times by the end of the ROWIP period.	
6.2	Tasks are reported to and carried out by a number of different players in several independent organisations, potentially resulting in lost data and/ or replication of effort.	1. Confidence that all issues reported and works carried out are captured in CAMS. 2. Clarity and confidence for users that their reports are acted upon in accordance to the published protocols.	1.1 Regular liaison between all players involved in Flintshire's PROW. 1.2 Development of a simple, common reporting format that will enable records to be fed back to the PROW team for entry into CAMS. 2.1 Continue development of the on-line reporting system. 2.2 Develop and implement systems for ensuring feedback to users reporting problems.	H
7	**Organisational development**			
7.1	The PROW team is undergoing an organisational change process as part of wider changes within the	Clear roles, responsibilities and work programmes for all PROW team members, including individuals being	Review lead roles & responsibilities for key tasks for team members.	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	Authority.	allocated lead responsibilities for particular areas of work, resulting in a logical and effective way to share the team's workload.		
7.2	The term of the previous LAF has expired. A process is underway to set up a joint LAF with Wrexham.	1. A well-functioning and effective LAF that can support and promote delivery of the ROWIP. 2. A LAF that can take a strategic overview	1.1 Establish the LAF. 2.1 The role of the LAF to be primarily strategic with sub-groups set up for addressing purely local questions.	H
7.3	Flintshire's resources are limited. There is precedent for authorities to work collaboratively, including sharing staff resource.	To deliver and achieve as much as possible within the available resources.	Investigate the opportunities for closer collaborative working with neighbouring and over-lapping authorities.	M
7.4	Limited and potentially falling core funding from the authority, which restricts what the PROW team can deliver and achieve.	To increase the resources (not just funding) available to the PROW team, to enable them to continue – and ideally increase – their work outputs and outcomes.	Investigate and develop opportunities for sourcing additional resources, including external project funding and partnership working with other agencies in the statutory and voluntary sector.	H

Annexes

Annex A: ROWIP 2008 – Executive Summary

The Network Condition Assessment identified that there is an estimated shortfall of £97,000 per annum just to maintain the network at its current standard (i.e. 38% of paths being easy to use). In addition to this a further £167,000 per annum, over 10 years, will be needed to bring the network up to an acceptable standard. At the moment, the County Council is not in a position to commit these additional funds.

The annual investment required for rights of way in Flintshire per year, over the next five years, is estimated as £269,351 or £ 255 per km. (Paragraph 4.5 Statement of Action)

The County Council will need to commit more resources (both in terms of additional staff and finances) to ensure that the definitive map is 'fit for purpose'. This will involve removing the backlog of all outstanding definitive map modification orders to enable the County Council to prepare a new map using the latest technology. Efficiency will be improved through the extension of the computerised GIS and database to ensure greater accessibility to records. (Tasks 2.1 – 2.5 Statement of Action)

The County Council will also review how the various elements (i.e. the Countryside Service, the Rights of Way Inspectors and the County Hall Rights of Way Team) involved in the management of the Public Rights of Way operate. In particular, it will consider how improvements in overall performance may be achieved. (Task 1.1 Statement of Action)

The partnership-working element of rights of way work will be developed further (Task 4.1 Statement of Action).

A programme of improving accessibility to the network will be developed. The County Council will pursue sources of funding to progress this. It will also develop a programme of extending opportunities for equestrians and cyclists (through the provision of additional bridleways and cycle tracks) throughout the County. (Task 4.4 Statement of Action).

The County Council has already received funding from the Countryside Council for Wales (CCW) to improve and develop access to Flintshire's coast. It will continue to develop and implement this programme to provide greater opportunities for the public to gain access to this valuable resource. (Task 4.7 Statement of Action).

A full set of policies and procedures will be published by the County Council for the management and protection of the public rights of way network (Task 1.2 Statement of Action).

The backlog of obstructions (in other words the number of reported obstructions that have not been removed) needs to be addressed, so that in future all problems will be resolved within set timescales. Having a system of regular inspections in place and increasing the provision of signs and waymarks will be a priority. Improvements to the condition of the network will be measured through an annual performance indicator. (Tasks 3.1 – 3.7 Statement of Action).

Finally, the County Council will publicise its achievements through the publication of an annual report. It will also use every opportunity to give greater publicity to the excellent work it has carried out over the years, so that the public is more aware of its successes. This could reduce the cost of maintaining the network by making the public aware of its existence, thereby encouraging greater use. (Task 4.7 Statement of Action).

Annex B: Checklist for authorising structures

CHECKLIST RELATING TO THE INSTALLATION/RENEWAL OF STRUCTURES ON PUBLIC RIGHTS OF WAY

Re Public Footpath No. in the Community of

			COMMENTS
1.	Is the structure noted on the Parish Claim or current Definitive Statement?	NO Must therefore be capable of being authorised see 3,4, 5 and 6 below	
		YES If so, what type? Gate Stile Therefore no specific authorisation required - need to consider alternative structure or gap as in 7. below	
2.	Present situation on site	Gap Fence/hedgerow Gate Stile	
3.	What is the current use of the land?	Agricultural use Breeding/keeping horses Other	
4.	Is a structure necessary to prevent ingress/egress of stock?	YES Therefore authorisation may be given	
		NO	
5.	Is a structure necessary for safety reasons?	YES Therefore authorisation may be given	
		NO	
6.	Is the structure capable of authorisation?	YES	
		NO	
7.	Will the landowner agree to a	Gap YES/NO Gate YES/NO Gate with self-closing mechanism YES/NO Kissing gate YES/NO Stile YES/NO	
Action taken Signed Dated			

Annex C: Glossary

- Active Travel Routes – Routes that have been assessed or developed to be suitable for commuter or other non-leisure journeys on foot or by bicycle.
- Anomalies – Inconsistencies on the Definitive Map and Statement can come to light during the course of other work. Usually referred to as 'anomalies', these can include issues such as a path changing sides of a hedge on adjacent map sheets, or paths stopping as dead-ends at a community boundary.
- AONB – Area of Outstanding Natural Beauty. An area of land that is defined as being of particularly high value for the quality of its landscape. The boundaries of AONB are set by the local geography and so often include parts of several Local Authority areas.
- BVPI – Best Value Performance Indicator. No longer in use, the BVPI 6.10 was the indicator developed to assess the Local Highway Authority's compliance with PRoW requirements.
- CAMS – Countryside Access Management System.
- DMMO – Definitive Map Modification Order.For example, to record a previously unrecorded path on the Definitive Map and Statement. Anyone with evidence can make an application for a DMMO. The onus is then on the Local Highway Authority, also called the 'surveying authority', to consider all of the evidence available to it and make a determination as to whether or not an order should be made. If objections are raised, the orders are often referred to the Planning Inspectorate for determination. The LHA has non-binding duty to determine DMMO within 12 months of receipt of the application, but the need to accurately and exhaustively search for and assess evidence, together with the potential for contentious issues to result in a public inquiry, means that administering DMMO is a time-consuming, specialist task and each application can potentially take several years to resolve.
- DMS - Definitive Map and Statement. The documents that record the legal existence of public rights of way. The legal record of public rights of way is often referred to, for shorthand, as the 'definitive map'. However, the full document is the 'definitive map and statement' (DMS). The statement sometimes contains additional information about paths, including any constraints (such as widths, stiles or gates) that may affect the path. If there is a conflict between the map and the statement, it is the statement that takes legal priority. In Flintshire, the statement does not generally record limitations. The DMS consists of the last sealed map plus all of the modification orders that have since been made.
- LAF – Local Access Forum. A group of local access experts that meets at regular intervals to consider issues of local, regional and national importance to access users, both on PRoW and in the wider countryside, and to offer advice to the LHA.
- LEMO - 'Legal event modification orders' (LEMO) record on the definitive map legal changes that have already taken place under some other legislation. For example, recording a diversion made as a result of a PPO. LEMO do not have to be advertised,

are not subject to objections, and take effect as soon as they are made. In some cases, public path orders will include a LEMO, so that a separate order is not needed.

- Limitations - Stiles and gates across a PRoW can be lawful obstructions, but only if they meet specific conditions and have been authorised by the LHA. The principal conditions for authorisation are that a landowner has made an application to the LHA and that the structure is necessary for agriculture, forestry or horse-keeping.
- LHA – Local Highway Authority. Usually the county or unitary council, in this case Flintshire County Council.
- NRW – Natural Resources Wales.
- PPO – Public Path Order. For example, to stop up or divert a recorded PRoW. Whereas DMMO change the DMS to record already existing rights, Public Path Orders (PPO) are concerned with making changes to those rights, generally for the benefit of land management or development but sometimes also for the benefit of the path-using public. PPO can be made under the Highways Act 1980 or as a result of planning approval.
- PRoW – Public right of way. Unless the context dictates otherwise, this means a public footpath, bridleway or byway.
- Relevant date – The relevant date of the DMS is the date that it was last sealed and is the date on which it was considered to be an up to date record of all known PRoW.
- ROWIP – Rights of Way Improvement Plan.

Annex D Booklet of Policies and Procedures

Mae'r dudalen hon yn wag yn bwrpasol

FLINTSHIRE COUNTY COUNCIL

PUBLIC RIGHTS OF WAY POLICIES AND PROCEDURES

Contents	Page number
Rights of Way	
Introduction	4
Duties	5
Powers	6
Miscellaneous Matters	8
Path Prioritisation Scheme	9
Biodiversity Statement	10
Definitive Map Issues	
Introduction	11
Anomalies	13
Authorising Gates/Stiles	13
Charges	13
Consolidation	14
Consultation	14
Creation Agreements	14
Creation Orders	15
Deposits & Declarations	15
Developments	15
Diversions	16
Diverting obstructed Routes	16
Extinguishments	17
Gating Orders	17
Local Access Forum	17
Modification Orders (Discovery of Evidence)	18
Modification Orders (User Evidence)	18
Motoring Events	18
Permissive Path Agreements	19
Statement of Priorities	19
Temporary Closures	20
Widths	20
Enforcement Issues	
Introduction	21
Aggressive Dogs	22
Agricultural/environmental Schemes	22
Barbed Wire/Electric Fences	23
Bulls, including Cattle	23
Cattle grids	24
Dangerous Land adjoining the Highway	24
Dangerous Trees	25
Electric Fences	25
Encroachment	25
Enforcement Complaints	26
Fences	26

Introduction

The Public Rights of Way Network is a priceless asset providing the principal means of access to the countryside for all classes of users to enjoy recreational and physical activities, thus contributing to the health and well-being of future generations. This network also makes an important contribution to accessibility within Towns and Communities.

The management, maintenance, protection and recording of the Public Rights of Way network is a complex area of work for local Authorities and Flintshire County Council, as Highway Authority, has therefore developed a series of Policies and Procedures in order to deliver an effective and consistent Public Rights of Way Service throughout the County to ensure that it becomes more open and accessible to the public.

The provision of the Public Rights of Way function is addressed by a wide range of legislation and associated case law. However, within this legal framework, there is scope for each local Authority to interpret specific aspects of service delivery according to its needs and local circumstances.

These Policies and Procedures will be included on the Flintshire Website and available to users of the Public Rights of Way network and to landowners, in order that there is widespread understanding and transparency about what Flintshire County Council does and how it does it.

Where appropriate the Authority will consider best practice and published guidance notes in the delivery of the service.

STATUS OF ROUTES	NUMBER	LENGTH IN KM
FOOTPATHS		**955.2 km**
BRIDLEWAYS		**114.6 km**
BYWAYS		**11.9 km**
RESTRICTED BYWAYS		

Figures – April 2018

Rights of Way General Information

Duties of the Highway Authority

To erect and maintain signposts where any Footpath (FP) / Bridleway (BR) / Byway Open to All Traffic (BOAT) leaves a metalled road unless agreed with the Parish Council that it is not necessary [Countryside Act 1968 (CA68) s27].

To erect such signposts if in the opinion of the Highway Authority this is required to assist persons unfamiliar with the locality to follow a FP/BR/BOAT [CA68 s27].

To survey new paths agreed by a planning authority [Highways Act 1980 (HA80) s27].

To keep a list of highways maintainable at public expense [HA80 s36].

To maintain highways maintainable at public expense [HA80 s41].

To provide footways by carriageways where necessary or desirable for the safety or accommodation of pedestrians [HA80 s66].

To provide adequate grass or other margins by a carriageway where necessary or desirable for the safety or accommodation of ridden horses [HA80 s71].

To assert and protect the rights of public to the use and enjoyment of any highway including a duty to prevent, as far as possible, the stopping up or obstruction of highways [HA80 s130; amended CROW2000 s63].

To prosecute re: disturbance of surface where desirable in the public interest [HA80 s131A; Inserted by Rights of Way Act 1990 (RWA90) s1].

To enforce provision re: ploughing of footpaths or bridleways [HA80 s134; amended RWA90 s1].
To make orders authorising agricultural works not exceeding 3 months [HA80 s135; amended RWA90 s1].

To remove snow or soil [HA80 s150].

To have regard to the needs of disabled and blind persons in executing street works [HA80 s175A].

To keep the Definitive Map and Statement (DM&S) under continuous review [Wildlife and Countryside Act 1981(WCA81) s53; Modified by Countryside and Rights of Way Act 2000 (CROW2000) s53]

To re-classify Roads Used as Public Paths [WCA81 s54; repealed CROW2000 s47*]

To prepare and publish a Rights of Way Improvement Plan [CROW2000 s60].

To have regard to the needs of people with mobility problems when authorising stiles etc.[CROW2000 s69*].

To establish a Local Access Forum [CROW2000 s94].

Powers of the Highway Authority

To erect/maintain signposts along any FP/BR/BOAT [CA68 s27].

To prosecute if expedient for the promotion and protection of the interests of the inhabitants of the area [Local Government Act 1972 s222].

To create footpaths and bridleways by agreement with compensation or compulsory purchase [HA80 s25/26].

To adopt i.e. become responsible for maintenance of highways by agreement [HA80 s38].

Proceedings for an order to repair highway [HA80 s56].

To improve highways [HA80 s62].

To provide on a footpath safety barriers for safeguarding persons using the highway [HA80 s66; amended CROW2000 s70].

To widen highways [HA80 s72].

To construct a bridge to carry a public path [HA80 s91].

To reconstruct a bridge forming part of a public path [HA80 s92].

To drain highways [HA80 s100].

To make an order stopping up footpath(s) or bridleway(s) [HA80 s118].

To make an order stopping up footpath(s) or bridleway(s) which crosses a railway [HA80 s118A].

To make an order diverting footpath(s) or bridleway(s) [HA80 s119].

To make an order diverting footpath(s) or bridleway(s) which crosses a railway [HA80 s119A].

To remove unauthorised marks [HA80 s132].

To remove structures [HA80 s143].

To require removal or widening of gates [HA80 s145 + s149].

To repair stiles, etc. [HA80 s146].

To authorise the erection of stiles, etc. [HA80 s147; amended CROW2000 s69].

To require cutting or felling of trees or hedges that are overhanging or a danger [HA80 s154; amended CROW2000 s65].

To require removal of barbed wire [HA80 s164].

To require information as to ownership of land [HA80 s297].

To consolidate the Definitive Map (DM) [WCA81 s57].

To appoint wardens [WCA81 s62].

To designate a footpath as a cycle track [Cycle Tracks Act 1984(CTA84) s3].

To provide safety barriers on a cycle track [CTA84 s4].

To make Traffic Regulation Orders [Road Traffic Regulation Act 1984(RTRA84) s1].

To make a temporary Traffic Regulation Order during works [RTRA84 s14].

To require removal of signs [RTRA84 s69].

To enter land in connection with traffic signs [RTRA84 s71].

To stop up or divert footpaths or bridleways if satisfied it is necessary to enable development to be carried out [Town and Country Planning Act 1990 (TCPA90) s257].

To stop up or divert footpaths or bridleways temporarily if satisfied it is necessary to enable minerals to be worked and can be restored [TCPA90 s261].

Miscellaneous Matters

Other matters relevant to the exercise of the Rights of Way function:

Right to ride a non-motorised bicycle on a bridleway [CA68 s30].

Power to obtain particulars of persons interested in land [Local Government (Miscellaneous Provisions) Act 1976 s16].

Presumed dedication of highway after twenty years public use [HA80 s31].

Proceedings for an order against the Highway Authority to repair a highway [HA80 s56].

Power of magistrates to stop up or divert [HA80 s116].

Power of Secretary of State to make rail crossing diversion or stopping up orders [HA80 s120].

Penalty for damaging highway, etc. [HA80 s131].

Penalty for wilful obstruction of highway including interference by crops [HA80 s137].

Power of Magistrates Courts to order offender to remove obstructions [HA80 s137ZA; introduced by CROW2000 s64].

Definitive Map and Statement shall be conclusive evidence as to particulars shown [WCA81 s56].

Prohibition of driving on footpath or bridleway [Road Traffic Act 1988 s34].

Secretary of State's power to stop up or divert any highway if satisfied necessary to enable development to be carried out [TCPA90 s247].

Secretary of State's power to extinguish the right to use vehicles on a highway on application by the local planning authority [TCPA90 s249].

Extinguishment of unrecorded rights of way [CROW2000 s53].

Public Rights of Way Maintenance Priorities

Introduction

The hierarchy sets out the relative importance that the Council will accord this work, falling into 8 broad categories. It was devised to rank highly those issues that were likely to be most urgent: hence, the highest priority given to paths where a serious injury has occurred or it likely to occur. Also ranking highly are those paths that are well used by the public, including Offa's Dyke national Trail and other well-promoted routes, such as those featured in the publication, *Rural Walks in Flintshire*.

Priority no.	Issue
1	Health and Safety issues
2	Volume and degree of usage and potential usage, especially National Trails, national and promoted footpaths and published trails (e.g. the Clwydian Way and the Wales Coastal Path)
3	Ways that are suitable for those who are less agile, wheelchair users and the visually impaired.
4	Multi-use and bridleway circular routes and those identified in liaison with the British Horse Society
5	Walks, rides and other activities for health
6	Link Paths off the National Trail and promoted trails
7	Paths published by community councils, including accesses to school
8	Circular and other routes published by Flintshire County Council, including accesses to school.

Timescales for responding to requests

Written/e-mailed requests from the public will be acknowledged within 5 working days, the aim is to respond in full within 15 working days from the date of receipt.

The response will contain a unique reference number if the communication has been added to the Countryside Access Management system (CAMS) for tracking purposes and the contact details for the Officer responsible for dealing with the issues raised.

Biodiversity Statement

In undertaking all functions relating to Public Rights of Way, regard will be given to Section 6 of the Environment Act (Wales) which places a duty on Public Authorities to 'seek to maintain and enhance biodiversity' so far as it is consistent with the proper exercise of those functions. In so doing, Public Authorities must also seek to 'promote the resilience of ecosystems'.

Definitive Map Issues

Introduction

The Definitive Map and Statement is a legal document and records the line and legal status of all recorded public rights of way. Public rights of way are highways over which members of the public have the legal right of passage across someone else's land.

If a public right of way is included on a Definitive Map, it is conclusive evidence, in law, that the public have the right of passage, even though there may not be any visible evidence on the ground that a right of way exists. The Statement that accompanies the Definitive Map is a brief written description of the recorded public right of way.

The Authority has a duty to keep this record under continual review by processing modification orders and consolidating the map and statement at regular intervals.

There are four types of public right of way recorded on the current Definitive Map and Statement:

Public Footpath	The right of passage is on foot only. A dog is considered as a usual accompaniment, but must be on a lead or under close control at all times. A pram is also considered to be a usual accompaniment, if the surface is suitable. Footpaths may be waymarked with yellow arrows.
Public Bridleway	The right of passage is on foot, bicycle or on horseback. Bridleways may be waymarked with blue arrows.
Byway Open to All Traffic	The right of passage is on foot, bicycle, on horseback or By motor vehicle. Byways may be waymarked with red arrows.
Restricted Byway	The right of passage is on foot, bicycle, on horseback or horse-drawn vehicles. Restricted Byways may be waymarked with burgundy arrows.

The hierarchy setting out the relative importance the Council will attach to public path and definitive map orders falls into seven categories, with ‘Number One’ the highest priority, ‘Number Two’ the second, and so on. It was devised to rank highly those issues that were likely to be most urgent: hence, the highest priority given to paths that are in imminent danger of being ‘lost’ through development and schemes that have been targeted for grant-aid. Also ranking highly are those paths that have been obstructed by long-term residential development. The footpaths may have not been open to the public for many years, but they still legally exist and can act as a blight on any potential property sale.

More consideration will be given to ways that, once opened, will lead to wider improvements to the rights of way by, for example, making a greater length of PROW available to the public or by increasing accessibility for other classes of users, such as horse-riders and cyclists and those with mobility problems.

Priority no.	**Response/ action**
1	Ways that are in danger of being lost through imminent development (i.e. at the planning application stage)
2	Orders affecting ways that are targeted for external funds, whose expenditure is time-limited and where the proposals are achievable within that time frame.
3	Path(s) that are obstructed by housing, which require an order or orders to resolve the situation.
4	Applications for modification orders
5	Mapping anomalies
6	Public path orders that are wholly or primarily in the public's interest
7	Public path orders that are wholly or predominantly for the benefit of private individuals

Anomalies

Policy
Occurrences of error or irregularity on the Definitive Map and Statement will be investigated and a resolution sought which benefits the network and the implementation of the Rights of Way Improvement Plan 2018 – 2028 (ROWIP). However, due to the often complex history of such anomalies, combined with limited staff capacity, this area of work will be given low priority unless linked to other initiatives.

Procedure
Once an anomaly is identified the details will be recorded and entered onto the digital copy of the Definitive Map. The Authority will check these records for possible resolution prior to any Public Path Order or improvement scheme being considered.

Authorising Gates/Stiles

Policy
The Authority will only authorise the installation of gates and stiles for stock control purposes. The Authority takes the view that any gate/stile present at the time of the 100% condition survey of 2010 is authorised. New infrastructure will be recorded on the consolidated Definitive Map and Statement.

Procedure
If the Authority is providing the gate/stile, it will be to the current British Standard. The Authority will issue an approval decision by letter. If the request is approved, the details of the new gate/stile will be recorded on the Countryside Access Management System.

Charges

Policy
The Authority will seek to recover all costs from the Applicants except in exceptional circumstances, such as correcting historical errors or when the landowner provides a series of improvements to the network.

The Policy of the Authority is to make an appropriate charge for certain types of legal orders with a 3% inflation rise each year:

- Temporary closures and extensions by Order. £1,670.00
- Closure by notice. £500.00
- Permanent closures and diversions £1,500.00 plus advert cost
- Follow up Property Search queries £70.00 per request
- Authorisation for Rallies £100.00 per request
- Landowners who require orders to be made which are primarily for their own benefit will be charged the full cost of the order. However If the change to the path in question has significant public benefit, then the Council may decide to share the cost of making the order.

Consolidations

Policy
The Definitive Map and Statement will be reviewed at regular intervals and a Consolidation Order will be made at 10 yearly intervals following the adoption of the ROWIP 2018-2028. The next consolidation process will commence following the adoption of the ROWIP 2018-2028.

Consultation Process

Policy
During the Order-making process the Authority will consult with the Town/Community Council and local Council representative for a 6 week period. This may be extended in exceptional circumstances.

Procedure
The Authority will liaise with the recommended list of statutory consultees prior to the processing of a Public Path Order. Consultation will also be held with user groups, Utility Companies and the Local Access Forum. Where issues relate to cross boundary matters, discussion will be held with the relevant adjoining Authority.

Creation Agreements

Policy
The Authority will only enter into Creation Agreements where there is a significant benefit to the network or where it assists in the implementation of the ROWIP. The landowner/occupier must ensure the route is at an acceptable standard prior to a creation agreement being made.

Procedure
A request to create a Right of Way by agreement will be investigated by officers to determine the suitability of the proposed route. A list of any necessary works will be provided to the landowner to bring the route up to an acceptable standard. Officers will inspect this work prior to the agreement being signed. Once the agreement has been signed, the details will be entered onto the Definitive Map and Statement and waymarked on site.

Creation Orders

Policy
The Authority will only consider the making of a Creation Order when it has been identified that a footpath, bridleway or restricted byway needs to be created to significantly enhance the rights of way network for the benefit of the public at large. A Creation Order will only be considered after it has been determined that this aim cannot be achieved by a Creation Agreement made under Section 25 of the Highways Act, 1980.

Procedure
A request to create a Right of Way by Order, will be investigated by officers to determine the suitability of the proposed route. A list of any necessary works to bring the route up to an acceptable standard will be compiled. If, in the opinion of officers, the addition of the route justifies the cost of the recommended works, the making and advertising of the Order and any compensation payment, the request will be put to the Chief Officer Planning, Environment and Economy. Once the Order has been confirmed, the route will be added to the Definitive Map and Statement and details of the recommended works will be added to the maintenance tasks.

Deposits & Declarations

Policy
A schedule of deposited land and declarations will be maintained regularly and be made available to the public via the Rights of Way pages of the Authority's website.

Procedure
The Authority will compile a digital and hardcopy register of all applications, deposits and declarations affecting the Definitive Map and Statement. This will be systematically updated and available for public inspection via the Authority's website and by e-mail or hardcopy upon request.

Developments

Policy
Where a proposed development affects the rights of way network the Authority will work closely with developers and the Planning Department to ensure routes are not obstructed. The Authority will seek improvements to routes affected by developments.
Where possible, developers will be advised to incorporate the existing route of the right of way into their design, at planning application stage. If a diversion is required to facilitate the development, the landowner is required to divert the route under the Town & Country Planning Act 1990. The application will be processed as a priority. The landowner must assist in any negotiations with consultees or the public, to ensure the legislative process is followed without delay to the development.

Diversions

Policy
An Order to divert a right of way will be considered by the Authority. The Authority will recover the cost of the making and confirmation of the Order from the applicant.

Procedure
Once the administration process commences, the Authority will liaise with the landowner to ensure that the legal requirements for the application are fully met. The applicant must ensure that the proposed new route is of an acceptable standard. Details of the application will be forwarded to the relevant consultees, with a response deadline of 6 weeks. The Authority will discuss any responses from the consultees with the landowner with the aim of satisfying any issues raised. The item will be put to the Access & Natural Environment Manager with a recommendation from the Access Officer. If the Access & Natural Environment Manager resolves to make the Order, Notices will be duly advertised. If there are no objections, Notices will be advertised and a Legal Event Order will be prepared. If there are objections, the matter will be referred to the Chief Officer for Planning, Environment and Economy, who will determine whether to forward the application to the Welsh Government.

Diverting obstructed Routes

Policy
Applications for public path orders relating to diversions will not be considered unless the existing route of the path involved is unobstructed. Exceptions will be considered when it is unreasonable to require the removal of substantial obstructions. A substantial obstruction is defined as a habitable or large agricultural building or an obstruction which, if removed, would result in severe, adverse, economic or environmental consequences.

Extinguishments

Policy
An Order to extinguish a right of way will be considered by the Authority. The Authority will recover the cost of the making and confirmation of the Order from the applicant.

Procedure
Once the administration process commences, the Authority will liaise with the landowner to ensure the legal requirements for the application are fully met. Details of the application will be forwarded to the relevant consultees, with a response deadline of 6 weeks. The Authority will discuss any responses from the consultees with the landowner with the aim of satisfying any issues raised. The item will be put to the Access & Natural Environment Manager with a recommendation from the Access Officer. If the Access & Natural Environment Manager decides to make the Order, Notices will be duly advertised. If there are no objections, Notices will be advertised and a Legal Event Order will be prepared. If there are objections, the matter will be referred back to the Chief Officer for Planning, Environment and Economy, who will determine whether to forward the application to the Welsh Assembly Government.

Local Access Forum

Policy
The Authority is committed to considering the advice and developing the work of the Joint Flintshire/Wrexham Local Access Forum by encouraging an active membership, supporting the need for and publicising the role of the Forum. The Authority will recommend a change of Chair at the end of every term.

Modification Orders (Discovery of Evidence)

Policy
Modification Orders which are required to be made in respect of minor matters, such as the resolution of anomalies between the Definitive Map and the Definitive Statement, shall be pursued by the Access Officers without the need to refer them to the Council for approval.
Modifications to the Definitive Map and Statement by usage will be considered by the Council.

Modification Orders (User Evidence)

Policy
Definitive Map Modification Order applications will generally be processed chronologically by order of receipt. However, priority will be given in circumstances:

- where the public will significantly benefit
- where an order is claimed on 20 year use

Where a claimed route is unavailable on the ground for example due to a building or environmental issues the County Council will consider the use of concurrent public path orders to assist with the establishment of the route.

Procedure
When an application to modify the Definitive Map and Statement is submitted under the 20 year rule, officers will investigate the evidence supplied and interview witnesses where appropriate. The Authority will seek the comments of the landowners involved before making a recommendation to the Access & Natural Environment Manager. Applications to add a right of way by usage will only be accepted where there is a clear challenge to public usage.

Motoring Events

Policy
The Authority may co-operate in the administration of sanctioned motoring events in relation to rights of way and an appropriate charge will be made.

Procedure
Motoring event organisers will be required to provide details of the activity at least 3 months prior to it being held. The date and details of the event will be advertised on the Authority's website.
Notices will be erected on site at any location where a right of way needs to be closed for the duration of the event.
The event organisers are required to marshal any location where the route of the event crosses a right of way.

Permissive Path Agreements

Policy
The Authority will enter into Permissive Path Agreements with landowners/occupiers where there is a benefit to users of the network. The maintenance liability and public liability for permissive paths rests by default with the occupier. Permissive Path Agreements may be included as supporting evidence for public path orders.

Procedure
Where a landowner enters into a Permissive Path Agreement, the Authority will provide permissive path way markers. The route, and date of the agreement, will be recorded on the digital version of the Definitive Map. However the landowner has the right to withdraw permission for access.

Statement of Priorities

Policy
Definitive Map issues will be processed chronologically, but if a backlog exists they will be prioritised as follows:

High Priority	Town & Country Planning applications following granting of planning permission Where there is a clear benefit to the public (e.g. crime, claimed routes, erosion) Where it helps to fulfil targets set out in the ROWIP Where there would be a significant cost saving for the Authority
Medium Priority	An additional link, higher status or new route is dedicated which has a significant impact on the network Where there is slight benefit for the public
Low Priority	Where there is only a benefit for the landowner

Temporary Closures

Policy
Temporary Closure Orders will only be made in circumstances where they are necessary for justifiable reasons (e.g. Health and Safety). Where such orders are made, a temporary diversion will also be made, unless this is not possible. Closure times must be kept to a minimum and should not coincide with public or school holidays unless unavoidable.

Procedure
Applications for the temporary closure of a right of way will be processed if adequate notice is given and there is no alternative temporary diversion.
An Access Officer will inspect the site prior to the closure to record the current condition of the route. On completion of the works, the Access Officer will re-inspect the route to ensure it has been reinstated to a satisfactory condition.
Applicants are required to adequately secure the site during the closure period and erect bilingual 'footpath closed' signs at each end of the affected closure.
The Authority will erect Legal notices at each end of the closure and will periodically inspect and replace them as required.
The applicant will be required to cover all reasonable costs incurred.

Widths

Policy
Where there is no defined width recorded in the Definitive Statement, the Authority recommends that there shall be a minimum width of 2 metres for footpaths and 4 metres for Bridleways, Restricted Byways and Byways. This is to be the minimum acceptable width for routes which are created by Public Path Orders or dedications. Widths of new or amended routes will be recorded on the Definitive Statement.

ENFORCEMENT ISSUES

Introduction
Under Section 130 of the Highways Act 1980 Flintshire County Council, as Highway Authority, has a duty to assert and protect the public right to use the highways in its administrative area, and this includes public rights of way. In particular, it has a duty to ensure that public rights of way are not obstructed by the wilful action of landowners or other parties, and there are a number of powers which it can use to secure the removal of obstructions if negotiation fails to resolve the problem.

Flintshire County Council has always regarded the removal of obstructions as a very important statutory duty, and this commitment has been reinforced by amendments to the Highways Act brought in by the CROW Act 2000. Any person may now serve a notice on the Highway Authority to require the removal of some of the more common obstructions, and if the Authority fails to comply with the notice, that person can refer the matter to the Magistrates Court. The Court has the power to order the Authority to remove the obstruction within a reasonable period of time which can be specified in the order.

Obstructions on public rights of way vary greatly in scale and nature, and actions taken by the Authority to open up the paths have to be appropriate to the circumstances in each case. Physical obstructions may take many forms and include broken stiles, fences, encroaching vegetation, warning notices and sometimes buildings.

Aggressive Dogs

Policy
Complaints in relation to a dog impeding the free use of a public right of way by behaving in a threatening manner and frightening users is classed as a public nuisance under common law. It may also be an offence under section 137 of the Highways Act 1980 because it constitutes an obstruction to the highway.

Procedure
Flintshire County Council will visit the location of the complaint to gather any suitable evidence and then inform the police of any reported incidents of dog attacks against users of a public right of way. The Police will issue an Incident Number and an Investigating Officer will be assigned to the report, this will be noted and the Authority will then liaise with the Police. The details of the incident will be retained by the Authority for future reference. It should be noted that Authorities may also consider the powers available to them under the Anti-social Behaviour, Crime and Policing Act 2014 in relation to irresponsible dog ownership.

The Authority's Dog Warden will be informed of any incident regarding intimidating dogs and dog attacks.

Agricultural/environmental Schemes

Policy
The Authority will share information with the Welsh Government on request on issues relating to cross compliance and rights of way to ensure that land managers meet the requirements of the agricultural and environmental schemes.

Barbed Wire

Policy
Flintshire County Council, as Highway Authority, has the power to require the removal of barbed wire adjacent the highway if it causes a danger or nuisance to users.

Procedure
Under Section 164 of the Highways Act 1980 Flintshire County Council may serve notice in writing upon the occupier of land adjoining a highway where barbed wire is likely to injure persons or animals lawfully using the highway. Such a notice should require the occupier to abate the nuisance caused by the barbed wire within a stated time (between one and six months from the date of the notice). If the owner / occupier fails to comply with the order within a reasonable time, the Authority may do whatever is necessary to remove the nuisance and recover all expenses incurred in doing so.

Bulls, including Cattle

Policy
Complaints regarding bulls in a field crossed by a right of way will be investigated within one working day of receipt. Legislation states that it is an offence under section 59 of the Wildlife and Countryside Act 1981 for an occupier to permit a bull to be at large in a field or enclosure crossed by a public right of way except where:

- The bull does not exceed the age of 10 months; or
- The bull is not a recognised dairy breed and is accompanied by cows or heifers.

Procedure
Officers will gather evidence from site and make all reasonable effort to locate the landowner. If the landowner is known, they will be informed of Health and Safety requirements and requested to remove of the bull immediately.
A repeated offence by the owner will result in the information being passed to the Health and Safety Executive without prior communication.

Cattle grids

Policy
The Authority will serve a notice on a landowner where a cattle grid impedes a bridleway. Where a footpath crosses a cattle grid the Authority will liaise with the landowner in order to install an appropriate alternative crossing.

Procedure
When a bridleway is obstructed by a cattle grid, the Authority will request a suitable bypass gate is provided. If, after no more than 2 months, the landowner fails to install a suitable means of crossing the boundary, the Authority will serve a notice on the landowner requiring action to be taken within a specified timescale. Should the cattle grid remain in place without alternative means of crossing, the Authority will employ contractors to fill in the surface of the bridleway and recharge all costs to the landowner.

Dangerous Land adjoining the Highway

Policy
From time to time the Authority encounters unfenced dangers on adjoining land which present hazards to path users. The Authority has a duty to protect path users from such dangers and will in the first instance enter into dialogue with the owner of the adjacent land to urge him or her to remove or adequately fence the danger. The Authority can require the owner of the dangerous land to carry out the necessary works by service of notices. If the owner does not comply with the notice the Authority may carry out the work and recover the costs from the owner.

Procedure
Where the safety of the public is threatened by dangerous land adjoining the highway, the Authority will contact the landowner, if known, and recommend suitable remedies. If, after no more than 3 months, the landowner fails to act upon this advice, the Authority will serve a notice on the landowner requiring action to be taken within a specified timescale. Should the situation remain, the Authority will employ contractors to make the highway safe for the public and recharge all costs to the landowner.

Dangerous Trees

Policy
Flintshire County Council, as Highway Authority, has the power to require the removal of a dangerous tree, hedge or shrub adjacent the highway if it causes a danger or nuisance to users.

Procedure
Under Section 154(2) of the Highways Act 1980, Flintshire County Council may serve notice on a landowner or occupier to remove any hedge, tree or shrub which is dead, diseased, damaged or insecurely rooted that is likely to cause damage to the highway by virtue of its condition. If the landowner or occupier does not comply, the Authority may carry out the work itself and recover from them the cost of doing so.

Electric Fences

Policy
Electric fences across a highway should be appropriately signed with appropriate means of crossing, or an insulated handle to assist passage.

Procedure
Landowners will be advised of the options available to allow free passage. If no action is taken by the landowner within a specified period (no longer than 2 weeks) the Authority will serve a notice on the landowner requiring appropriate action to be taken within a specified timescale. If the issue is not resolved after the specified period, the Authority will undertake the required works and recharge all appropriate costs to the landowner.

Encroachment

Policy
The Authority will inspect and enforce encroachment issues according to the severity of the inconvenience to the user. This policy covers things deposited on the highway and overhanging vegetation.

Procedure
When the Authority receives a complaint about encroachment of a path an inspection will be carried out to determine the severity of the case. If the encroachment is slight, Officers will inform the landowner of the complaint and monitor the situation to ensure it does not worsen.

If the encroachment is deemed by officers to hinder the public use of the route, the landowner will be advised of the complaint and asked to resolve the situation. If, after no more than 1 month, the path remains inconvenient, the Authority will serve a notice on the landowner requiring appropriate action to be taken within a specified timescale. If the issue is not resolved after the specified period, the Authority will undertake the required works and recharge all appropriate costs to the landowner.

Enforcement Complaints

Policy
In order for there to be an auditable trail in respect of each alleged obstruction, only written complaints / requests will be considered. These may be in the form of letters or emails. Only in emergency situations will verbal complaints / requests be considered.

Fences

Policy
When a landowner wishes to erect a fence across a right of way it is their responsibility to apply for authorisation for a gate or stile. Once permission has been granted the landowner must, at their own expense, install the structure to an acceptable standard.

Procedure
If the Authority has evidence to suggest the obstruction has been in place during the 2010 condition survey, the Authority will provide materials for a new gate or stile. The landowner must collect the materials from stock and install within a specified period, being no longer than 1 month.
If the landowner fails to collect or install the stile/gate, the Authority will serve the appropriate notice requiring appropriate action to be taken within a specified timescale. If the fence remains impassable after the specified period, the Authority will undertake the works and recharge all reasonable costs to the landowner.

If the Authority does not have evidence to suggest the obstruction has been in place during the 2010 condition survey, the Authority will contact the landowner and request an appropriate crossing is installed within a specified period (being no longer than 1 month). If the issue is not resolved within this period, the Authority will serve the appropriate notice requiring appropriate action to be taken within a specified timescale. If the fence remains impassable after the specified period, the Authority will undertake the works and recharge all reasonable costs to the landowner.

The Authority reserves the right to remove a sufficient section of the obstruction to allow free passage without prior consultation.

Firearms

Policy
The Authority will inform the police of any reported incidents involving firearms on or across public rights of way.

Procedure
If any firearms issues are reported the Authority will advise the complainant to inform the police. Once an Incident Number and Investigating Officer have been assigned to the report, this should be given to the Authority who will then liaise with the Police.
The Authority will visit the location of the complaint to gather any suitable evidence.
The details of the incident will be retained by the Authority for future reference.

Illegal Diversions

Policy
If a route has been diverted without the due legal process being followed, the Authority will, if appropriate to the circumstances, give the landowner the option to apply for a Public Path Diversion Order (at their expense) or to enter into a Permissive Path Agreement.

Procedure
When a landowner alters the route of a public right of way without legal permission, the Authority will request that route (as shown on the Definitive Map) is re-opened. Advice will be provided on alternative routes, by Order (at the landowners cost) or by Agreement. If, after no more than 6 months, the landowner has failed to resolve the issue, or is not in the process of diverting the route, the Authority will serve a notice on the landowner requiring the original route to be re-opened within a specified timescale. If the route remains obstructed after the specified period, the Authority will reinstate the original route and recharge all costs to the landowner.

Failure to resolve the matter to the satisfaction of the Access Officer, will result in the Authority taking enforcement action against the landowner to ensure the public right of way is re-opened.

Intimidation

Policy
Complaints of intimidation will be investigated and the information collated will be given to the Police. Repeated incidents may result in legal action.

Procedure
Intimidating behaviour is also used to deter path users, instances where a landowner (or occupier) challenges a member of the public by shouting or ejecting them from land, effectively deterring or preventing them from using the public right of way, the Authority could be requested to fulfil their duty under section 130 of the Highways Act 1980 to assert and protect the rights of the public to use and enjoy public rights of way. Should this challenging conduct continue, it could be dealt with as an obstruction under section 137.
Where it appears that a public order offence has occurred, or could occur, Authorities should consult their local Police Authority to assist in resolving the issue. However whenever a path is obstructed, the Authority will in the first instance attempt to negotiate with the person responsible, and will only resort to the use of legal powers if this approach fails. Experience has shown that this approach is likely to produce the quickest and most cost effective results.

If a landowner/ occupier commits a further rights of way offence within a three-year period of being contacted by the Rights of Way Team about any rights of way offence on their land, notice may be served without further communication or more serious enforcement action taken.

Landowners

The Authority will make all reasonable attempts to locate the landowner to inform them of the complaint, their obligations, and possible outcome if legal action is pursued.

These may include:
Land Registry search
Town and Community Council
Electoral Register
Planning/Tir Gofal Applications
Notices posted on site

In the event that, following all reasonable attempts, the landowner cannot be identified or located, the Authority will consider appropriate action.

Locked/Tied Gates

Policy
The Authority will serve a notice when a locked gate impedes access to the public. However, in some cases, the Authority may remove the lock without prior warning.
Tied gates which are not easily undone are obstructions will be resolved in the same manner as a locked gate.

Procedure
When a report of a locked gate is received the Authority will make all reasonable effort to locate the offending landowner. If the landowner cannot be determined, a notice will be attached to the gate requesting the removal of the lock. If the gate remains locked after the specified period, no longer than 2 weeks, the Authority will remove the lock.

When a landowner is identified, the Authority will request that either the lock is removed, or an alternative boundary crossing is provided. If, after no more than 1 month, the landowner has failed to remove the lock, or request authorisation for a stile or gate, the Authority will serve a notice on the landowner requiring appropriate action to be taken within a specified timescale. If the gate remains locked after the specified period, the Authority will remove the lock.

The Authority will remove the lock without any notice period on the reoccurrence of the offence. If the landowner continues to impede access to the public, the Authority will seek an injunction.

A complaint about a gate which is not deemed to be easily undone by officers will be resolved by the above procedure.

Misleading Signs/Notices

Policy
Any notice or sign placed on a public right of way containing false or misleading information that is likely to deter people from using a public right of way is an offence under the Highways Act 1980. The Authority has the power and will generally remove misleading signs erected on a public right of way.

Procedure
Officers will seek advice from the Authority's Legal Department to ascertain the legality of the sign/notice.
If the sign/notice is believed to be misleading in any way, the Authority will contact the landowner and request its removal. If, after no more than 1 month, the landowner has failed to remove the sign/notice, the Authority will serve a notice on the landowner requiring appropriate action to be taken within a specified timescale. If the sign/notice remains in place after the specified period, it will be removed by the Authority and any incurred costs will be recovered accordingly.

Obstructions

Policy
The law requires the Highway Authority to ensure that the highway is clear of all unlawful obstructions and encroachments. In many cases a problem can be resolved with a simple request to the landowner to remove the obstruction. However, where co-operation is not forthcoming the Authority has a wide range of powers to secure the removal of the obstruction, and recover any costs incurred in doing so. The Authority may also prosecute in instances of non-compliance.

Examples of obstructions and nuisances are:
- materials deposited on the highway;
- projections from buildings;
- overhanging vegetation;
- restriction by the planting of trees;
- soil being washed onto the path;
- water discharging onto the path;
- barbed wire;
- electric and other fences;
- structures;
- cattle grids.

Ploughing/Cropping

Policy
If a right of way has been ploughed or planted the Authority will seek to resolve the matter in accordance with the timescales set out in the Highways Act 1980.
Where the occupier of land has ploughed or otherwise disturbed the surface of a footpath or bridleway, the path must be reinstated to not less than its minimum width, so as to make it reasonably convenient for the public to use. The line of the path must also be made apparent on the ground in doing so.

Procedure
When a surface offence comes to the attention of the Highway Authority, the Authority will advise the landowner that whilst occupiers of land are permitted under section 134 of the Highways Act 1980 to plough footpaths and bridleways that run across arable land. Byways open to all traffic and restricted byways may not be ploughed, nor may footpaths and bridleways that run along the edges of a field or enclosure (headland paths). The right to plough or otherwise disturb the surface of a path that crosses arable land is subject to the path being reinstated for public use. Furthermore, the right only extends to circumstances where "it is not reasonably convenient in ploughing, or otherwise disturbing the surface of, the land to avoid disturbing the surface of the path or way"

If, after no more than 14 days the route has not been reinstated, the Authority will serve a notice on the landowner requiring appropriate action to be taken within a specified timescale. Failure to act upon the notice will result in the Authority employing contractors to carry out the necessary works. All appropriate costs will be recharged to the landowner.

If the width of the right of way is unrecorded, Schedule 12A of the Highways Act 1980 makes provision for the “minimum width” for reinstatement by the occupier, which varies depending on the circumstances (see below). If the occupier fails to reinstate to the minimum standard and the Authority undertakes the work itself, a maximum width for the reinstated surface is also set by Schedule 12A.
These minimum and maximum widths are:

- **For cross-field paths:**
  - Footpath: minimum width 1 metre and maximum width 1.8 metres.
  - Bridleway: minimum width 2 metres and maximum width 3 metres.
- **For field-edge (headland) paths:**
  - Footpath: minimum width 1.5 metres; maximum width 1.8 metres.
  - Bridleway: width must be 3 metres.
- **For other highways:**
  - Byways, Restricted Byways and others: minimum width 3 metres; maximum width 5 metres.

The minimum width is the absolute minimum acceptable for path users. For crops such as oil seed rape, which are prone to collapse across a cleared way as they reach maturity, it will be necessary to clear the plants to a greater width than the minimum to ensure convenient passage. These minimum widths only apply in relation to the reinstatement of a public right of way following ploughing or disturbance and are not general widths to be applied in other circumstances.

Priorities for Enforcement

Policy
All enforcement issues will be prioritised according to a combination of the path category (1-8) and the level of danger presented to the public by the obstruction. In addressing an enforcement issue, priority will then be given to addressing any other enforcement / maintenance issues on the same right of way.

Prosecution

Policy
The Authority may take legal action where there is a realistic prospect of a conviction and such action can be shown to be in the public interest.

Protection of Identity

Policy
The personal details of customers will be protected under the Data Protection Act 1998. GDPR

Recovery of costs

Policy
The Authority will always aim to remove obstructions, in the first instance, by informal discussions with the landowner/occupier. If the obstruction is not removed within a satisfactory timescale, formal legal notice will be served. After this time the Authority will arrange for the removal of the obstruction and recover reasonable costs where default enforcement action is carried out.
Repeat offenders will be served enforcement notices without prior warning and may face prosecution.

Procedure
Appropriate costs will be recovered and the Enforcement Officer will record:

Officer time -	preparation of paperwork, attendance on site.
Travel -	time and mileage to and from the location of the obstruction. Mileage charged at the Authority's standard rate for casual car use.
Contractors -	All costs.
Materials -	All costs.
Administration -	Relevant administration costs.

Section 63 of the CROW Act 2000

Information
Section 63 CROW Act 2000 is a section of legislation which enables members of the public to serve Notices on the Authority enforcing the duty to prevent obstructions. The procedure for dealing with a S.63 notice is clearly laid out in the Welsh Assembly Government guidance notes dated 2004.

MAINTENANCE ISSUES

Introduction
Most public rights of way are “maintainable at the public expense”. It is the duty of the Highway Authority to maintain the surface of rights of way to a suitable standard for ordinary use. To fulfil this duty, the Highway Authority must ensure that surface vegetation is under control, the route is adequately signposted and waymarked, and that any Authority-owned structures (walls, bridges, ditch crossings, handrails and barriers) are in an acceptable condition.

The landowner is responsible for maintaining any structure that exists purely for their benefit, i.e. gates, stiles, some bridges and ditch crossings, walls and fences. The landowner is also responsible for ensuring that overhanging vegetation does not impede with the public enjoyment of the right of way.

3rd Party Maintenance Schemes

Policy
Flintshire County Council has an obligation to maintain the rights of way network within the County, and partnership-working will be developed further including working with other internal departments, Town and Community Councils, Ramblers Association etc. to formulate action plans, improve local maintenance regimes and pursue maintenance agreements with landowning organisations.

Procedure
The Authority will liaise with the relevant groups to discuss potential works. Once the proposal and estimate have been agreed by the Authority, work may be undertaken. The Authority may pay for materials or, on completion, and on receipt of the appropriate invoice and work details, the Authority may arrange payment for works. The Authority will undertake random inspections throughout the year to ensure that work is being carried out to an acceptable standard.

If quotation / estimate approval has not been received prior to work, or work is carried out on routes not shown on the Definitive Map or work is substandard, the Authority reserves the right to refuse to accept responsibility for payment.

Access for All

Policy
In managing and developing the Public Rights of Way network, the needs of all sectors of the community will be considered. In particular the principle of least restrictive access will be implemented, whereby consideration will be given, as appropriate, to replacing stiles with gates, or removing furniture altogether in favour of gaps.

Bridges, Culverts & Structures

Policy
The highway authority is normally responsible for bridges crossing natural features such as rivers and streams. Bridges over man-made features, such as drainage ditches etc may be maintainable by the landowner.
Where a landowner creates a new ditch that crosses an existing right of way he/she must provide a suitable bridge or structure which can accommodate all legitimate users safely and without restriction.

Drainage & Flood Alleviation

Policy
Problems relating to natural watercourses and flooding will be monitored as and when necessary.

Procedure
Environmental issues and best value will help determine what course of action will be taken.

Maintenance of Stiles/Gates

Policy
The law requires stiles and gates on footpaths and bridleways to be maintained by the landowner in a safe and usable condition, unless an agreement to the contrary exists. Landowners are entitled to claim at least 25% of the maintenance of stiles and gates from the Highway Authority. However, many Authorities either provide materials in lieu of this contribution or extend funding to 100% by doing the work themselves. This is the case in Flintshire, where stile kits are provided free of charge, but the landowner is normally expected to install them.
If an owner/occupier of land wishes to install additional stiles and gates they must apply for permission to do so. The Highway Authority can only grant such permission if the gate or stile is on land in use for agriculture, forestry or the keeping of horses, and necessary in order to prevent ingress or egress of animals.

Public Rights of Way Maintenance Priority for Works

Policy
High priority will be given to signposting of rights of way where they leave a metalled road, and where they are passable.
All other maintenance works will be prioritised according to a combination of the path Priority (1-8) and the level of danger presented to the public by the problem. In addressing a maintenance issue, priority will then be given to addressing any other enforcement / maintenance issues on the same right of way.

Repair of Byways

Policy
Public rights of way are all highways, and Flintshire County Council (FCC) as Highway Authority has a duty to maintain them in a suitable condition for the public to use, whilst also protecting the rights of the public to their use and enjoyment. Below is a list of types of public right of way and their legal uses. Although these are the legal users, the location of a right of way means that the level and purpose of use will vary.

- Public footpaths – used by pedestrians.
- Public bridleways – used by pedestrians, horse riders and cyclists.
- Restricted byways – used by pedestrians, horse riders, cyclists and carriage-drivers.
- Byways open to all traffic – used by pedestrians, horse riders, cyclists, carriage-drivers and motorised vehicles.

There are over 672 miles of public rights of way in Flintshire County Council, the vast majority being pathways in rural locations. FCC's maintenance budget is limited and must be spread across this large network.

Public rights of way serving as access to private property or land

Where a public right of way forms the access to properties or adjacent land, there may be a relatively large amount of wear and tear on the surface as a result of these additional uses. FCC's responsibility remains the same, however, and it will be obliged to ensure that the surface of the right of way is safe and suitable for the public users. Most of these rights of way are rural tracks (or form easy access to rural areas), and so the standard of maintenance would be very basic:- ensuring they are safe whilst at the same time protecting the rights of the public to enjoy a rural environment.

It is important to note that FCC has a responsibility towards public users only. It therefore has no duty to provide suitable access for any users of a right of way which are not listed above. For instance, if a public footpath or bridleway forms part of a vehicular access to land or property, FCC has no duty to ensure it is suitable for vehicles, because a public footpath or bridleway carries no public vehicular rights.

In such instances, residents or landowners possessing private rights of vehicular access are entitled to make this access useable for their purposes, but all works must be approved in advance by FCC, and only suitable contractors may be used, because the right of way is a highway. Many residents / landowners accept they have a responsibility towards upkeep and may actually prefer the access to remain fairly rough, as this reduces speeding and is rural in character. Some public rights of way are also 'private streets', which are public highways which must be maintained privately, i.e. by the residents.

Procedure for repair and maintenance

Should a complaint be received about the condition of the surface of a right of way used as access to land or property, FCC will inspect the right of way and assess its safety and suitability for the public users. Should the assessment deem that work is required, then basic repairs will take place – for instance, basic regrading of the surface or filling of potholes. Where wear and tear is clearly primarily as a result of vehicular access to property or land, the residents will be asked for a contribution but there is no legal obligation to pay.

Should residents / landowners request a higher standard of maintenance, then this will have to be provided at their own cost. Because rights of way are highways, the County Council may have to stipulate certain specification details which are suitable for public highways. FCC will contribute to work only where it would have been obliged to carry out basic repairs itself, and the amount of this contribution will equate to the cost of such basic repairs.

Residents / landowners may be asked to source a quotation themselves from suitable contractors, but FCC must approve the quotation and proposed specification prior to work taking place (this also has the added benefit that FCC can check that the quoted rates are reasonable). If approved, FCC will then authorise the repair and request that residents/ landowners obtain from the contractor an invoice to FCC for FCC's proportion of the contribution. Alternatively, FCC may order the works and invoice a representative of the residents/ landowners, who may then in turn recoup the other contributions.

FCC must inspect and certify the work on completion, in order to avoid any future liabilities resting on residents/landowners. The contractor must have **£5m** public liability insurance and be registered on the Streetworks Qualifications Register, if they are to work on a public highway. Risk Assessments, method statement and traffic management proposals must also be submitted and approved by FCC in advance of the works being undertaken. For works up £10K, the minimum requirement is one verbal or written quotation, although where practical competition is required. Where only one quote is requested, the manager still has a responsibility to ensure and be able to demonstrate that value for money has been obtained.

Sometimes, residents / landowners wish to repair the surface physically themselves. They will not be liable whilst work is taking place, but FCC must inspect and certify the work on completion, in order to avoid any future liabilities resting on residents / landowners. Another method of dealing with repairs is for FCC to order materials and arrange for the aggregate company to deposit them on site, at a location to suit the residents/ landowners, and FCC's financial outlay is restricted to the purchase and delivery of the material. The residents /landowners then arrange to lay the material, but such an arrangement should be restricted to a temporary filing of potholes, because residents /landowners would rarely possess the machinery required to incorporate and compact the material across the whole surface. In both cases, the proposed work must be approved in advance by FCC.

If residents /landowners are able to set up an association, it is possible to enter into a legal agreement with the County Council under Section 278 of the Highways Act

1980, whereby the Council carries out agreed works and the association reimburses an agreed sum to the Council.

Notes on suitable materials and specifications

When ordering the materials, it is necessary to be sensitive to the local conditions e.g. sandy aggregate is more appropriate than limestone for acid areas such as commons. Limestone is suitable for chalk areas.

FCC will only authorise a surface which is consistent with its duty under Section 130 of the Highways Act 1980: “it is the duty of the Highway Authority to assert and protect the rights of the public to the use and enjoyment of any highway for which it is Highway Authority”. In practice, this means that the County Council will need to consider both the amenity value and the ease of use the public right of way. A hard sealed surface such a tarmacadam is usually considered inappropriate in most circumstances, especially where there are public equestrian rights of way. Such sealed surfaces can be very costly to maintain once they begin to break up, and may produce hazardous hard edges when deteriorating. The best alternative would be a graded aggregate, suitably shaped to shed water, and compacted, because this is much more easily re-worked to restore a suitable surface. Sometimes, all that is needed to restore an old potholed aggregate surface is a redistribution of the surface material. However if the proposal is to tarmac a bridleway, then stone mastic asphalt (SMA) is not to be used and the Authority should take safety implications and the enjoyment of current users, including riders, into consideration.

Routine Inspections

Policy
The Authority will undertake a 33% inspection of the rights of way network each year consistent with staff levels and will consider input of partners and volunteers. In addition to this, reported issues will be inspected.

Procedure
When Officers undertake inspections of rights of way, the whole route will be inspected where possible. The date of this inspection will be recorded together with any defects found on the inspection.

Section 56 Highways Act 1980

Information
Section 56 HA1980 is a section of legislation which enables members of the public to serve Notices on the Authority enforcing the duty to maintain. The procedure for dealing with a S.56 notice is clearly laid out in the Welsh Government guidance for Local Authorities on Public Rights of Way dated 2016.

Signposting and Waymarking

Policy
The Highway Authority is required to signpost all rights of way where they leave a metalled road. The sign must indicate the status of the right of way, i.e. whether it is a footpath, bridleway etc. Signs may also include a destination and/ or a distance.

Authorities are also required to place signs, such as waymarkers, at other locations where they consider it necessary to assist people that are unfamiliar with the locality.

Procedure
Authorities need not erect signposts at the junction of a way with a metalled road where the town or community council has been consulted and agrees that it is not necessary
Way marking will be kept to a reasonable minimum. Newly installed stiles and gates will be way marked. Permissive way markers will be provided for agreed permissive routes. The provision of destination signage will also be considered in appropriate circumstances.

Vegetation

Policy
A strimming contract will be undertaken on paths listed on the Authority's strimming schedule. Additional routes may be added to the schedule where there are regular complaints of overgrowth. Town and Community Councils will be encouraged to undertake local management of vegetation through the Community Maintenance Scheme.

Glossary of Terms

ROWIP	Rights of Way Improvement Plan
ROW	Right(s) of Way
DMMO	Definitive Map Modification Order
PPO	Public Path Order
HA1980	Highways Act 1980
CROW 2000	Countryside & Rights of Way Act 2000
WCA1981	Wildlife & Countryside Act 1981
TCPA1990	Town & Country Planning Act 1990
LAF	Local Access Forum

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Tuesday 27 November 2018
Report Subject	Environmental Enforcement
Cabinet Member	Cabinet Member for Streetscene and Countryside
Report Author	Chief Officer (Streetscene & Transportation)
Type of Report	Operational

EXECUTIVE SUMMARY

In July 2018, Cabinet resolved that the contractual arrangement in place with Kingdom for the provision of environmental enforcement should not be extended beyond December 2018. It also agreed that other business models should be considered and evaluated to allow a preferred option for the future delivery of the enforcement service in the County to be established.

Since that date Kingdom have taken the decision to withdraw their services from Flintshire with effect from the end of August 2018 and the residual in-house enforcement officer team are currently undertaking all enforcement activities in the County.

This report identifies four possible options for delivering county wide enforcement of its environmental policies

RECOMMENDATIONS	
1	That Scrutiny review and consider the options presented in Appendix 1 and approve Option 2 – 'An enhanced in-house enforcement provision' - for the future delivery of the environmental and car parking enforcement service within the County.
2.	That Scrutiny notes the request for officers to commence discussions with neighbouring Authorities with the aim of moving towards Option 3 of the proposals.

REPORT DETAILS

1.00	EXPLAINING THE ENVIRONMENTAL AND PARKING ENFORCEMENT LEGISLATION
1.01	Local Authorities are empowered under the Environmental Protection Act 1990 (Section 87/88), Clean Neighbourhoods and Environmental Act 2005 (Sections 55-60) and the Anti-social Behaviour, Crime and Policing Act 2014

	to issue Fixed Penalty Notices (FPN's) for dealing quickly and effectively with low level environmental offending, such as littering and dog control/fouling offences.
1.02	On the formation of the Streetscene and Transportation portfolio in April 2015, two areas of the service (parking management and environmental crime) were merged to create the Civil Parking and Environmental Enforcement team. There were a total of 7 officers, whose roles were combined to deliver enforcement activity for environmental crimes such as littering, dog fouling, abandoned vehicles and fly tipping as well as civil parking enforcement. Currently 2 of these posts are vacant due to staff members leaving the service.
1.03	Following the roll out of the car park strategy across Flintshire, the demand for patrolling and enforcement activities significantly increased. This was also at a time when the Council had introduced a Zero Tolerance policy on littering, dog fouling and fly tipping, which also required additional enforcement resources.
1.04	In May 2016, in order to address this shortfall in resources, Cabinet approved a formal contract with a specialist private partner (Kingdom) to undertake low level environmental enforcement activity in the County on a 12 month pilot basis. This contract was introduced to complement the activities of the Council's own enforcement officers who were employed to continue to carry out all other enforcement activities in Flintshire. The pilot was subsequently extended to allow a full assessment of the future service delivery options to be made.
1.05	Despite the fact that the vast majority of FPN's issued by the organisation on behalf of the Council were paid and uncontested, there was a number of high profile cases where the circumstances behind the issuing of tickets was considered contentious. These small number of cases undermined the reputation of the both the company and the Authority and the arrangement was seen as 'heavy handed' by many people. A number of Town Councils also requested that Kingdom were not employed on enforcement activities in their own areas.
1.06	The regional lobby against the company developed significantly and Environment Overview and Scrutiny subsequently requested an update report, which was presented to the committee in June 2018. The Scrutiny Committee recommended that the contracted arrangement with Kingdom should end and that all enforcement activity should in future be carried out by the Council's own in-house staff. Cabinet approved the recommendation in July 2018 and subsequently Kingdom made the decision not to continue with their operations, serving the required notice period to end the contractual arrangement with the Council. The contract ended on 31st August 2018.
1.07	Following the recommendation to terminate the contract with Kingdom and explore different service delivery models, all Authorities in North Wales have been approached to gauge opinion and determine if a collaborative model service would be feasible. Like Flintshire, neighbouring Authorities are currently undergoing a review of their enforcement services, with all options still open for consideration.

1.08	The options available for the future service delivery models are shown in Appendix 1, together with a brief options appraisal and impact assessment of each.
1.09	The success of any revised approach to enforcement will be measured against the Local Environmental Audit and Management System (LEAMS). This independent survey takes place by Keep Wales Tidy and records the cleanliness of streets in Wales. This will enable the Authority to establish an accurate indication as to how successful the proposed service operates.

2.00	**RESOURCE IMPLICATIONS**
2.01	The impact on service budgets is included in the Options Appraisal (Appendix 1)

3.00	**CONSULTATIONS REQUIRED / CARRIED OUT**
3.01	With Cabinet Member
3.02	Required with – Environment Overview and Scrutiny Committee
3.03	Required with – Town and Community Councils

4.00	**RISK MANAGEMENT**
4.01	Current arrangements for the enforcement services will remain in place until the new arrangements have been confirmed.
4.02	A full EIA will be completed on the chosen option before introducing the new arrangements

5.00	**APPENDICES**
5.01	Appendix 1 – Enforcement Options Appraisal

6.00	**LIST OF ACCESSIBLE BACKGROUND DOCUMENTS**
6.01	**Contact Officer:** Stephen O Jones **Telephone:** 01352 704700 **E-mail:** stephen.o.jones@flintshire.gov.uk

7.00	**GLOSSARY OF TERMS**
7.01	FPN - Fixed Penalty Notices PCN- Penalty Charge Notice

Mae'r dudalen hon yn wag yn bwrpasol

Environmental Enforcement - Future Service Delivery Models

Options Appraisal

Option 1 – In-house service maintained at the current resource level.

The current in-house service will continue to enforce environmental offences, car parking and dog fouling offences. Education and campaigns will be introduced to raise awareness and promote responsible behaviours within communities in relation to littering and no specific patrols will be undertaken for this offence.

The Authority currently employs 1 Enforcement Supervisor, and 7 Enforcement Officers (2 vacant posts). This resource level will be maintained with the back office tasks controlled by the Supervisor, with the support of the Streetscene Administration team.

Education and campaigns will be used as an effective way of raising awareness and promoting responsible behaviours within communities. For example - It is evident that cigarette related offences continues to be the predominant littering type in the County and it is widely considered that smokers do not consider cigarettes ends to be classed as litter. In this case preventative strategies will be developed with local public house and club owners, which specifically address local issues for the purpose of behavioural change for their customers.

The working rota of the Officers will be changed to provide a more flexible approach, this will include a 6am and 7pm shift each day of the week. The purpose of this is to ensure a sufficient level of presence is available to manage dog control and other PSPO enforcement types, as well as addressing the needs of local communities.

Cost Impact	Benefit	Risk
Cost Neutral - The service has budget for the existing level of Enforcement Officers. All revenue generated through FPN's and PCN's will be retained by the Authority, although limited revenue will be generated from littering offences.	Public perception – Low level in-house operations will not receive the level of criticism received by the Business Partner. The promotion of campaigns rather than enforcement will been seen as a proactive means to tackle littering. Community engagement with T&CC's and local County Councillors will be beneficial.	The effectiveness of the education campaign will not be supplemented with enforcement and the move away from a zero tolerance approach could see an increase in littering offences. This could potentially affect the scale and cost of other services, such as litter picking and managing complaints. Regional campaigns will focus on the advantages to clean neighbourhoods, as well as the likely penalties for non-compliance. The ending to Zero Tolerance in Flintshire will mean that the Authority will need to develop its own campaigns. HR issues - There are clear differences with managing a contract with a private Business Partner, and

		managing a contract of employment with leave and sickness absences creating service delivery problems. Maintaining a consistent presence throughout the year may prove problematic in some instances. Lack of resilience in respect of the back office work. Increased littering on the street if the deterrent and risk of fine is removed.

Option 2 – Enhanced in-house service provision

All low level environmental enforcement such as dog fouling and littering, will be undertaken by Officers employed by Flintshire County Council, in addition to the activities currently undertaken by the service. This will include the back office support required to deal with the administration of the FPN's, including collecting the payments, building prosecution packs, complaints and dealing with appeals.

The Authority currently employs 1 Enforcement Supervisor, and 7 Enforcement Officers (2 vacant posts) and the service would appointment a minimum of 2 further Enforcement Officers to deliver a service which will cover the whole County with some level of consistency. The back office tasks will be controlled by the Supervisor, with the support of the Streetscene Administration Team.

Clear guidelines will be issued to Officers to specify the principles on which the service will operate. This will include a requirement for a minimum level of service for all enforcement activities. An improvement in the relationship between communities and the Enforcement Service will be formed, officers will be required to attend local Environmental Visual Audits to focus and target enforcement around the concerns and needs of the local community.

The focus of the previous Business Partner was to concentrate predominantly on the enforcement of littering offences. The need to continue enforcing against this behaviour has been identified, however the Authorities in-house Officers will be responsible for a number of other enforcement activities, and the level of presence for littering offences alone cannot be maintained, even with the enhanced number of officers. Officers will be empowered to issue an FPN should they witness any littering thus maintaining the 'Zero Tolerance' principals in this area. The Authority will engage with other North Wales Authorities to develop regional education campaigns, developing preventative strategies to ensure a consistent approach across the region.

The officer working rota will provide a more flexible approach to the times when enforcement officers are patrolling, this will include a 6am and 7pm shift each day of the week. The purpose of this is to ensure a sufficient level of presence is available to manage dog control and PSPO enforcement types, as well as addressing the needs of local communities.

Cost Impact	Benefit	Risk
Cost Negative - A further £60,000 per annum will be required for the additional team members although it is expected that £30,000 of this will be recovered through the additional revenue generated by FPN's. All revenue generated through FPN's and PCN's will be retained by the Authority.	Public perception – The In-house operations will unlikely receive the level of criticism the service has previously received. Further control over patrolled areas, confidence that appropriate levels of presence will be maintained across the county, rather than a focus on vulnerable areas. Improved control over working processes in relation to legislation amendments, which will be difficult to manage within a fixed contract. Community engagement through T&CC'S and local County Councillors.	Confrontational aspect of the role could make it difficult to recruit and retain officers. HR issues - There are clear differences with managing a contract with a private partner and managing a contract of employment, with leave, sickness absences needing to be covered. Maintaining a consistent presence throughout will may prove problematic. Increased littering on the street if the deterrent and risk of fine is removed.

Option 3 – Collaboration with neighbouring Authorities (regionally or sub- regionally) to undertake all enforcement activities on a regional basis, utilising in-house Officers.

<u>This option involves the Councils working with other Local Authorities to deliver all of the environmental enforcement services including car parking with in-house enforcement officers.</u>

The option of a collaborative approach to enforcement will be presented to all six Authorities in North Wales, including the option to join the partnership at a later date. All enforcement activities including environmental and car parking will be undertaken by the collaborating Authorities, with an alignment of policies to ensure a consistent approach across the region.

The option provides the opportunity to move to alternative deliver model (e.g. TECKEL) at some point in the future, if a robust business case can be established.

Option for flexibility to move Officers across the region in the event of high level of absence or special events in particular areas would be provided by this option.

Cost Impact	Benefit	Risk

Cost neutral assuming no increase in the number of enforcement officers. Shared investment in the procurement of latest software require to deliver service.	Joint approach will ensure consistency in approach to enforcement activities across the region. The number of officers available to deliver service across the region will ensure resilience in high profile areas in the event of high profile campaigns. Option to hear appeals by independent Authority staff.	The alignment of policies across different Authorities, particularly in relation to such a contentious subject matter will be challenging. Likely heavy presence in high profile areas could see a lack of enforcement in rural areas. A number of Authorities operate their enforcement services across different portfolios, with car parking services manged through their Streetscene service and environment crime through Public Protection. The collaborative may require service restructures from other Authorities. Public perception – Authorities are likely to face criticism if officers from neighbouring Authorities are patrolling within other Counties.

Option 4 – Engage a Business Partner to undertake all low level environmental enforcement activities.

The procurement of a single Business Partner to undertake the enforcement of low level environmental crime on behalf of the Council. A small residual team of Council employees will remain to deal with car parking, side waste and other more significant and time challenging environmental crime.

The contract will be tendered on a basis of a 'no fee' financial model, with all costs associated with the provision of the service met from the income generated by the issuing and collection of FPN's. The Authority would possibly retain a small percentage of all revenue generated through the FPN charging schemes.

The appointed contractor will be responsible for the back office systems required to deliver the service, including collecting the payments and building prosecution packs in readiness for formal action against those people who choose not to pay the FPN.

The contract will be structured so that a percentage of the revenue generated will be used to fund local education campaigns and additional dog fouling patrols. Strict control measures will be introduced to allow the Authority to control the level of patrols within certain areas.

The Authority currently employs 1 Enforcement Supervisor, and 7 Enforcement officers (2 vacant posts). The service would retain the Supervisor and 5 Enforcement Officers, who will be responsible for side waste, car parking and high level environmental enforcement. The

Cost	Benefit	Risk
Cost Positive - Reduction in staffing numbers will see a £60,000 saving per annum which would be used to generate more dog fouling patrols by the Business Partner. Zero cost contract would have no financial burden of the Authority. Estimated revenue generated per year - £20k-30k which would again be used to generate more dog fouling patrols by the Business Partner.	HR issues - There are clear differences with managing a contract with a private partner, and managing a contract of employment, with leave, sickness absences covered, enabling a consistent presence through the terms of the contract. Despite the recent departure of the previous Business Partner, this approach has had a beneficial impact on the cleanliness of our town centres and open spaces, with a reduction in incidences of littering and dog fouling. Confidence that contentious and confrontational elements of the service will be undertaken with consistency across the County.	Current criticism and campaigns against the Authority and any prospective Business Partner may continue in the new contractual arrangements. The need to introduce controls within the contract has been recognised however, a contractor will inevitably focus towards areas with high offence rates, controlling this could prove problematic.

appointed contractor would be responsible for the enforcement of littering and dog control/dog fouling offences.

Option 5 – Engage a regional/sub-regional Business Partner to undertake all low level environmental enforcement activities.

The procurement of a single Business Partner to undertake the enforcement of low level environmental crime on behalf of the Sub-region or the wider North Wales region. A small residual team of Council employees will remain to deal with car parking, side waste and other more significant and time challenging environmental crime.

The contract will be tendered on a basis of a 'no fee' financial model, with all costs associated with the provision of the service met from the income generated by the issuing and collection of FPN's. The Authority would possibly retain a small percentage of all revenue generated through the FPN charging schemes.

The appointed contractor will be responsible for the back office systems required to deliver the service, including collecting the payments and building prosecution packs in readiness for formal action against those people who choose not to pay the FPN.

The contract will be structured so that a percentage of the revenue generated will be used to fund regional education campaigns. Strict control measures will be introduced to allow the Authority to control the level of presence within certain areas.

The Authority currently employs 1 Enforcement Supervisor, and 7 Enforcement officers (2 vacant posts). The service would retain the Supervisor and 5 Enforcement Officers, who will be responsible for side waste, car parking and high level environmental enforcement. The appointed contractor would be responsible for the enforcement of littering and dog control/dog fouling offences.

Cost	Benefit	Risk
Cost Positive - Reduction in staffing numbers will see a £60,000 saving per annum which would be used to generate more dog fouling patrols by the Business Partner. Zero cost contract would have no financial burden of the Authority. Estimated revenue generated per year - £20k-30k which would again be used to generate more dog fouling patrols by the Business Partner.	HR issues - There are clear differences with managing a contract with a private partner, and managing a contract of employment, with leave, sickness absences covered, enabling a consistent presence through the terms of the contract. Despite the recent departure of the previous Business Partner, this approach has had a beneficial impact on the cleanliness of our town centres and open spaces, with a reduction in incidences of littering and dog fouling. Confidence that contentious and confrontational elements of the service will be undertaken with consistency across the region. Consistency of approach to enforcement activity across region.	Current criticism and campaigns against the Authority and any prospective Business Partner may continue in the new contractual arrangements. The need to introduce controls within the contract has been recognised however, a contractor will inevitably focus towards areas with high offence rates, controlling this could prove problematic. Other Local Authorities may not wish to work in this manner.

ENVIRONMENT OVERVIEW AND SCRUTINY COMMITTEE

Date of Meeting	Tuesday 27 November 2018
Report Subject	Local Toilets Strategy
Cabinet Member	Cabinet Member for Streetscene and Countryside
Report Author	Chief Officer (Streetscene & Transportation)
Type of Report	Strategic

EXECUTIVE SUMMARY

In July 2017, the Public Health (Wales) Act 2017 received Royal Assent. The Act brings together a range of practical actions for improving and protecting public health in Wales. Part 8 of the Act covers the provision of toilets and specifically the requirement for each Authority in Wales to produce its own Local Toilets Strategy.

The production of the Strategy will require a consultation process to be undertaken with all relevant stakeholders to help understand local demand and the local need for the service, which will subsequently inform the Council's Strategy going forward.

RECOMMENDATIONS	
1	To seek Scrutiny's comments on the formal public consultation exercise required to deliver the Council's Local Toilets Strategy
2.	That Scrutiny requests a further report at the end of the consultation process providing feedback on the comments received and containing a draft Local Toilets Strategy for further scrutiny by the Committee.

REPORT DETAILS

1.00	BACKGROUND TO THE PUBLIC CONVENIENCE STRATEGY
1.01	The Public Health (Wales) Act 2017 ('the Act') received Royal Assent on the 3 July 2017. The Act brings together a range of practical actions for improving and protecting health in Wales.
1.02	The introduction of Part 8 of the Public Health (Wales) Act 2017 places a

	duty on Local Authorities (as defined in section 124 of the Public Health (Wales) Act 2017) to prepare and publish a Local Toilets Strategy for its area. The Authority is required to conform to the requirement of the Act by having adopted a Local Toilets Strategy by the end of May 2018.
1.03	The Equality Act 2010 requires every Authority to consult with appropriate groups and individuals on any proposed changes to service provision and in addition, a full EIA will be required on any proposals contained within the Local Toilets Strategy, which will emerge as a result of the consultation. In order to achieve this outcome, the Authority will also be required to develop a 'Needs Assessment Questionnaire' and consult publically across the area.
1.04	It is intended that consultation is predominantly undertaken through an electronic online survey, but alternate methods will be available for those with special requirements or without access to internet services. The Council needs to ensure that it has reached all those sections of the community who may wish to respond to this consultation and it is proposed that we provide a full 12 week period for the consultation, as set out in guidance by Welsh Government, any less would leave the Council open to criticism.
1.05	In addition to the on-line survey, the following efforts will be made to assess the needs of the local community. • It is proposed that all Town & Community Councils will be invited to make comment on the demand for public toilets within their own individual community area and their expectations on the responsibility to provide such facilities. • Direct contact with organisations, representing specific groups or interested parties e.g. elderly support groups.
1.06	Whilst the consultation needs to ascertain the location, access, facilities provided, frequency of use and quality of existing sites it must also determine whether additional or fewer sites balance the demand and need against the deteriorating budget position and the wider challenges being faced by the Council. The final Strategy and proposals will need to be sustainable, without significantly increasing the financial pressure on the Council.
1.07	The outcome of the consultation, together with the recommended Public Toilet Strategy will be presented to Cabinet for approval in April 2019 and will be presented to Overview and Scrutiny for their comments before this date. This will allow the Council to have the Strategy in place for May 2019.

2.00	**RESOURCE IMPLICATIONS**
2.01	No implication on resources due to this report however the final Strategy may place internal and external challenges on budgets.

3.00	**CONSULTATIONS REQUIRED / CARRIED OUT**

3.01	With Cabinet Member.
3.02	Invitation to submit comments will be provided to T&CC.
3.03	Broad consultation across the County to ensure that includes any disadvantaged or vulnerable groups of individuals.

4.00	**RISK MANAGEMENT**
4.01	Ensure the anonymity is maintained where appropriate, and consent is obtain where necessary.
4.02	GDPR risk assessment for data gathered from participants in the consultation.
4.03	Equalities Impact Assessment to be carried out before the strategy is presented to Cabinet.

5.00	**APPENDICES**
5.01	None.

6.00	**LIST OF ACCESSIBLE BACKGROUND DOCUMENTS**
6.01	**Contact Officer:** Stephen O Jones – Chief Officer (Streetscene & Transportation) **Telephone:** 01352 704700 **E-mail:** stephen.o.jones@flintshire.gov.uk

7.00	**GLOSSARY OF TERMS**
7.01	(1) **Toilet(s):** we use this to mean a toilet facility that the general public can use that may be in public or private ownership, within a variety of premises and which does not require the user to be a customer or make a purchase. (2) **Traditional public toilet(s):** by this we mean a purpose-built toilet facility in Local Authority ownership or control provided for use by the public. Some quotes in the text from legislation etc. use the term 'public toilet', and in these cases we have not included the word 'traditional'. (3) **Gender neutral toilet(s):** we use this expression in this document to mean a toilet that is not designated for exclusively male or female use, but

	can be used by anyone. This type of toilet may previously have been termed ‘unisex’. (4) **Changing Place(s):** these are fully accessible toilets with a height adjustable changing bench, a hoisting system, a peninsular toilet, and enough space for a person with a disability, his/her wheelchair and two carers. (5) **Standard accessible toilet(s):** these are specially designed cubicles in separate-sex toilets or a self-contained gender neutral toilet. These may also be known as ‘disabled toilets’.

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Tuesday, 27th November 2018
Report Subject	School Transport – Concessionary Spare Seats
Cabinet Member	Cabinet Member for Streetscene and Countryside
Report Author	Chief Officer (Streetscene and Transportation)
Type of Report	Strategic and Operational

EXECUTIVE SUMMARY

A report was presented to the Council's Environment Overview and Scrutiny Committee in July 2018 to identify options for managing several non-statutory transport arrangements (referred to as transport anomalies) identified by the Integrated Transport Unit as part of its route optimisation and procurement exercise completed in September 2017.

Details of the proposed charges for concessionary spare seats were outlined in the report and the Environment Overview and Scrutiny Committee were requested to consider the pricing options to reach full cost recovery. The Committee recommended the adoption of Option 2 (i.e. £100.00 per term) as its preferred pricing structure for a concessionary bus pass for the current school year (2018/19), with a review to be carried out on the impact of the increased cost in order that the level could be set for future years.

RECOMMENDATIONS	
1.	That the Environment Overview & Scrutiny Committee note the information provided on revenue projections from the various options for concessionary fare prices
2.	That the Environment Overview & Scrutiny Committee recommend Option 2 £450 per year (£150 per term) as the preferred rate for concessionary seats in 2019/20.

REPORT DETAILS

1.00	BACKGROUND TO THE PROPOSALS
1.01	The Learner Travel (Wales) Measure 2008 (as amended) ('the Measure') sets out the legal framework specifically related to travel and transport provisions for

	learners travelling from home to school in Wales. Under the legislation, the Local Authority must provide free home to school transport for learners of compulsory school age attending secondary school who live 3 miles or further from their nearest suitable school (2.5 miles if the family are receipt of benefit) and 2 miles or further for primary school.
1.02	Additionally, Flintshire County Council's Home to School Transport Policy reflects the statutory provisions of the Measure and stipulates that free transport for children of compulsory school age is provided where a child receiving secondary education lives over 3 miles from the nearest appropriate school and 2 miles or further for primary school. To do this, coaches, minibuses and taxis are procured especially for school transport and the transport network is designed to run in the most cost-effective way to serve pupils entitled to free transport. Where subsidised transport is provided by the local authority and parents want to use this service, but their children do not qualify, the local authority can, by law, charge for this provision and any spare seats on the transport can be sold to pupils who are not entitled to free travel. These places are called Concessionary Spare Seats.
1.03	Concessionary seats are not guaranteed. They can be withdrawn (and a refund given) if the seat is later needed for a pupil entitled to a free seat. The transport network is not designed so that spare seats can be created to meet demand; transport services are reviewed regularly and services can be withdrawn if there are not enough numbers of entitled children travelling. Concessionary seats on contract vehicles are limited, so if an entitled child needs that seat in the future, a child may have their concessionary seat withdrawn at short notice. Parents are expected to make their own arrangements for ensuring that their child travels to and from school and needs to ensure they have other plans in place if their concessionary seat is withdrawn or if they are not able to obtain a concessionary seat when they do not qualify for free school transport.
1.04	Additionally, as part of the County wide bus network review, the Council is also reviewing the subsidies it provides to commercial bus operators. This will result in some subsidised bus services, which are used by non-eligible pupils to travel to school, ceasing to operate. In these cases and where pupils who are directly affected by the cessation of these services can be identified, they will be offered concessionary seats on the school buses to travel to the schools affected. The capacity on these buses will be expanded to cater for the additional demand; however, the offer of concessionary travel will only continue until the end of the summer term in 2020, when it is expected that parents will make alternative arrangements for transporting their children to school each day.
1.05	Reports were presented to the Council's Environment Overview and Scrutiny Committee and Cabinet in July 2018, when the Committee recommended the adoption of Option 2 (£300 per year or £100.00 per term) as its preferred pricing structure for a concessionary bus pass for 2018/19, with a review to be carried out on the impact of the increased cost after one year. The rate is still less than 50% of the full cost of providing concessionary seats and this creates financial pressures for the Authority at a time of austerity and when difficult decisions are being made on wider budget issues. The Council's high level aim is to maximise revenue generation with full cost recovery wherever possible.

	Appendix 1 details other Local Authorities current concessionary fare charges.
1.06	The impact of the increase in the cost of the concessionary seats has not had a detrimental impact on the numbers requesting the service however, the number of pupils purchasing concessionary seats are historically low in number. The greatest impact will be on those moving to the school buses from the publicly supported bus serves, when the routes end (Para 1.04). These pupils will be faced with a higher cost of concessionary fares however it should be remembered that they are currently paying fares on the public services and the recommended charge for concessionary passes represents reasonable value, when set against the current charging levels for journeys to school on the public bus services. The options for future concessionary seat charges are shown in Appendix 1.
1.07	Whilst the long term aim would be full cost recovery for the service, it is considered unfair to raise the charges to this level in such a short period of time and therefore options 1 and 3 are not recommended at this point in time. Option 2 - £450 per year (£150 per term) provides a balance position against full cost recovery and the affordability of the scheme for parents, particularly those with a number of children travelling to school on these services and is therefore recommended for 2019/20.
1.08	The charge will be introduced from September 2019 and will in future form part of the annual review of charges across all Council services.

2.00	**RESOURCE IMPLICATIONS**
2.01	Staff resources will be required in the short term to administer the charges and process payments for concessionary fares for those pupils affected by the withdrawal of the subsidised public transport routes.

3.00	**CONSULTATIONS REQUIRED / CARRIED OUT**
3.01	With Cabinet Member (Streetscene and Countryside)
3.02	Consultation will be required with Schools and officers will be attending the Head Teacher Federation meetings to brief Head Teachers on the changes to concessionary fares.

4.00	**RISK MANAGEMENT**
4.01	A Local Authority could be at risk of challenge by way of judicial review or complaints to the Public Services Ombudsman for Wales if the school transport policy is not applied consistently and fairly in all cases. This risk can be mitigated by applying the school transport policy in full and addressing any historical anomalies highlighted.

5.00	APPENDICES
5.01	Appendix 1 – Details of concessionary spare seat charges for other LAs
5.02	Appendix 2 – Pricing options for concessionary seats

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	**Contact Officer:** Stephen O Jones, Chief Officer, Streetscene and Transportation **Telephone:** 01352 704700 **E-mail:** stephen.o.jones@flintshire.gov.uk

7.00	GLOSSARY OF TERMS
7.01	None

Appendix 1

The following charges for concessionary spare seats currently apply in neighbouring Local Authorities (2018/19)

Cheshire West & Chester:	£880.00 per academic year
Denbighshire:	£150.00 per academic year
Wrexham:	£150.00 per academic year
Conwy:	£210.00 per academic year

Appendix 2

Options for concessionary fare rates

	Option 1	**Option 2**	**Option 3**
	Full Cost Recovery	Partial cost recovery	Full Cost Recovery
2018/19 - current	£300 (£100 / term)	£300 (£100 / term)	£300 (£100 / term)
2019/20	£717 (£239 / term)	£450 (£150 / term)	£450 (£150 / term)
2020/21	£717 (£239 / term)	Subject to annual review	£575 (£192 / term)
2021/22	£717 (£239 / term)	Subject to annual review	£717 (£239 / term)
2022/23	£717 (£239 / term)	Subject to annual review	£717 (£239 / term)

Mae'r dudalen hon yn wag yn bwrpasol

ENVIRONMENT OVERVIEW & SCRUTINY COMMITTEE

Date of Meeting	Tuesday, 27th November 2018
Report Subject	Forward Work Programme
Cabinet Member	Not applicable
Report Author	Environment Overview & Scrutiny Facilitator
Type of Report	Operational

EXECUTIVE SUMMARY

Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work programme of the Committee of which they are Members. By reviewing and prioritising the Forward Work Programme Members are able to ensure it is Member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

The Committee is asked to consider, and amend where necessary, the Forward Work Programme for the Environment Overview & Scrutiny Committee.

RECOMMENDATION	
1	That the Committee considers the draft Forward Work Programme and approve/amend as necessary.
2	That the Facilitator, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings, as the need arises.

REPORT DETAILS

1.00	EXPLAINING THE FORWARD WORK PROGRAMME
1.01	Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council or Chief Officers. Other possible items are identified from the Cabinet Work Programme and the Improvement Plan.
1.02	In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows: 1. Will the review contribute to the Council's priorities and/or objectives? 2. Is it an area of major change or risk? 3. Are there issues of concern in performance? 4. Is there new Government guidance of legislation? 5. Is it prompted by the work carried out by Regulators/Internal Audit?

2.00	RESOURCE IMPLICATIONS
2.01	None as a result of this report.

3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	Publication of this report constitutes consultation.

4.00	RISK MANAGEMENT
4.01	None as a result of this report.

5.00	APPENDICES
5.01	Appendix 1 – Draft Forward Work Programme

6.00	LIST OF ACCESSIBLE BACKGROUND DOCUMENTS
6.01	None. **Contact Officer:** Margaret Parry-Jones Overview & Scrutiny Facilitator **Telephone:** 01352 702427 **E-mail:** margaret.parry-jones@flintshire.gov.uk

7.00	**GLOSSARY OF TERMS**
7.01	**Improvement Plan:** the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Improvement Objectives and publish an Improvement Plan.

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ENVIRONMENT OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

DRAFT

Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
11/12/2018 at 9.00 am	Car Parking Charges Update	To receive an update following the review of car parking charges	Performance monitoring	Chief Officer Streetscene and Transportation.	
	Charging Points for Electronic Cars	To consider the draft strategy	Policy development	Chief Officer Streetscene and Transportation	
	North East Wales Metro	To update Scrutiny on the progress of the North East Wales Metro Project, including the latest bids to Welsh Government for funding.	Update	Chief Officer Streetscene and Transportation	
	Planning guidance for Houses of Multiple Occupancy	To consider the draft guidance.	Assurance	Chief Officer Planning, Environment and Economy.	
	Garden Waste Services	To review and receive an update following the introduction of charges for Garden Waste collection services.	Assurance	Chief Officer Streetscene and Transportation	
Tuesday 15th January 10.00 am **Wepre (to be confirmed)**	Fleet Contract – Update	To provide Scrutiny with an update on the progress of the countywide Fleet Contract two years after implementation.	Assurance	Chief Officer Streetscene and Transportation	
	School Transport – Hazardous Routes	To inform Scrutiny of the criteria for defining a school hazardous route and define the hazardous routes to school within the County.	Policy review	Chief Officer Streetscene and Transportation	

ENVIRONMENT OVERVIEW & SCRUTINY FORWARD WORK PROGRAMME

Date of Meeting	Subject	Purpose of Report/Presentation	Scrutiny Focus	Responsible/Contact Officer	Submission Deadline
	Mid Year Monitoring report	To enable members to fulfil their scrutiny role in relation to performance monitoring.			
Tuesday 26th February 10.00 am	Q3 Council Plan Monitoring	To enable members to fulfil their scrutiny role in relation to performance monitoring.	Performance monitoring/ assurance	Facilitator	
Tuesday 9th April 10.00 am	Greenfield Valley Heritage park Public Convenience Strategy	To receive a 12 month progress report To consider the draft strategy	Assurance Policy development	Chief Officer Planning Environment and Economy Chief Officer Streetscene and Transportation	
Tuesday 21st May 10.00 am					
Tuesday 16th July 2pm	Year-end Reporting & Council Plan Monitoring	To enable members to fulfil their scrutiny role in relation to performance monitoring	Performance monitoring/ assurance	Facilitator	

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