

Community Councils.

Members have considered the revised ROWIP for 2018/19 and at this stage would like to add the following comments to be taken into consideration please:

- Open access/active travel are more important now taking into consideration the latest reports on climate change.
- On active travel the importance of developing the link between the coastal path and the Greenfield Valley along the old railway line for active travel for work, schools, recreation and town centre is a must.
- The importance of developing active travel routes and new open spaces into the final draft of the local development plan.
- Planning should make sure that all adopted sites where appropriate connect to the present network or develop new routes to work, schools etc.
- The importance of new open spaces for example, children's play areas should be developed with safe active travel routes to those open spaces. Finally the present walkway should be improved and maintained.

Response

Please pass on my thanks to your Council Members for their comments, they have been noted and I'm confident the majority will be picked up within the new revised ROWIP. The remainder form part of Active Travel and Safer Routes to Schools, and whilst these are constantly being reviewed by Streetscene, it's something the new Access Team will also be considering to promote Walking for Health.

Incidentally, the Active Travel (Wales) Act 2013 places a duty on Local Authorities to plan for, improve, and promote routes for walking and cycling for every day journeys and this is high on our list of priorities.

Thank you again for taking the time to E-mail your comments.

3.1.3 ease of use- path infrastructure. We assume the low 3.3% failure rate due to surface issues was due to summer time surveying and perhaps this should be clarified.

Action - Update ROWIP page 12 point 3.1.3.1 Current to say:
'From the non-random 2017 survey results.....' This survey was carried out in July 2017 and there may be seasonal variations that impact the results.

3.3 priority of maintenance issues

- We believe that maintenance and repair should also include routes within the AONB as priority 2 (in table 3.3). With the AONB attracting over 700,000 visitors each year then all PROW within the AONB should be promoted and prioritised.

Action - Update ROWIP page 16 table 3.3 to add **AONB** to Priority No. 2 and remove 'Clwydian Way'.

- Should specific consideration on the maintenance for BOATS not be detailed within this table and in the wider policies and protocols?

Comment noted, however it was considered that this is covered in Table 3.3 'Priority of Maintenance Issues' under multi use in Priority No 4, Page 16 of the ROWIP.

- Is there an intention to add specific consideration to the maintenance standard for byways?

It was not considered necessary to give specific consideration to the maintenance standard for byways due to the minimal number of kilometres of byways within the County with varying usage. The maintenance of the byways will therefore be assessed on a case by case basis.

5.1.4 Nannerch CC can confirm that problems with dogs is often reported but as we're in the AONB these complaints are made direct to the AONB wardens. Any assistance for policing and education under this Plan would be welcome.

The Policing aspect is included within the Policy document, it sets out the procedure in relation to dogs impeding the free use of the Public Right of Way and how the Access Team will liaise with North Wales Police.

With regard to education, social media is now used by the Access and Natural Environment Teams to engage with interested parties, sharing information and to promote the work undertaken on the Rights of Way network. The Access Team will post something on social media in an attempt to raise awareness.

However notwithstanding the above, should the Community Council have specific areas of concern that are not necessarily on the PROW network, then they can report these to Streetscene Enforcement. Telephone 01352 701234.

We also believe that opportunities to link footpaths and bridleways should be a priority and explored further. The majority of PROW within Nannerch are parallel with the road network and it is difficult to create circular walks without utilising narrow lanes. Bridleways often terminate at a dead end.

This is covered on Page 51 under 1.4 in the statement of action.

We believe that a small amount of time educating Community Councils into the responsibility of both the County Council and landowners may help report and escalate issues quickly. This should deliver a far greater and accurate report on the state of the county footpaths. The definitive routes are already available on an interactive map. If Community Councils were reminded of this link and asked to locally inspect based on simple criteria or technique (possibly following a half day training event?) then much more of the network could be opened. Nannerch are happy to be part of any trial.

This is in the Statement of Action page 59 5.3.

There is a mechanism for recording complaints on the website and it is working well.

We are beginning to forge closer relationships between the Access Team and Town and Community Councils and we will continue to do so.

Should you wish to discuss any aspect please do get back in touch.

Detailed response to Flintshire County Council's Draft Rights of Way Improvement Plan 2018 – 2028 and accompanying Policies and Procedures Document

The County Council's draft RoWIP for the ten-year period to 2028 was circulated by the Committee at a special meeting held on 7th December 2018. The Committee also considered the accompanying document setting out the Council's rights of way policies and procedures.

The Committee noted that these were thorough and comprehensive documents and paid particular attention to chapter six of the draft RoWIP which provides a detailed evaluation of both future needs and the opportunities and threats which the County Council faces in fulfilling its important legal duties.

The Committee was pleased to see that the Council had engaged consultants to evaluate the effectiveness of the previous RoWIP which had been in place since 2008. It was noted that the consultants had been robust and had identified a number of uncompleted tasks over that period, which were well known to members of the Committee. In fairness, many strengths and completed tasks had also been highlighted which the Committee was happy to acknowledge.

It was noted that a new team structure was now being put in place which would change the way in which the rights of way function would be managed and operated. There was some confidence that the previous reactive approach would be replaced by a far more dynamic way of identifying and solving problems.

In broad terms the Committee was content with the approach outlined in the draft and felt that the policies and procedures document would provide a strong foundation provided it was properly implemented.

There were several more detailed comments and recommendations that emerged from the wider discussions which took place which, it was agreed, should accompany the Committee's broad support for the Programme These are set out as follows -

- The Committee was concerned to emphasise that the most important word in the document should be "improvement". There were many ways in which this could be realised including making currently usable rights of way more accessible for a wider range of users. Most importantly though was the need to bring key parts of the network currently obstructed back into satisfactory condition;
- It was noted that current revised team management arrangements, whilst welcomed, did not provide for a dedicated enforcement role. The Committee remained of the view that this was an essential part of reclaiming long obstructed footpaths and bridleways for public use. It is suggested that the team staffing structure be reviewed after two years of the programme to test the efficacy of the currently agreed arrangements;

Whilst these comments have been noted, enforcement is a key duty within the roles of the team.

- The Committee was conscious that a crucial component of an effective right of way function was access to prompt and professional legal advice, Assurances are sought that this is in place as part of the new arrangements;

See Page 24, 3.4, 3.4.1 Paragraph with regards to legal. An assurance has been given by the Legal Team that legal advice will be available as it is required.

- The Committee welcomed the intention to ensure close “partnership” working with other relevant FCC departments and services, particularly Countryside and Street Scene as well as the Trunk Road Authority. This was important generally and especially in pursuit of important Council objectives such as health and well-being and active travel;
- The importance of collaboration with other user groups such as cyclists and horse riders is supported, especially in relation to improved crossings of the A55/A494;
- The Committee commended the role of FCC’s footpath inspectors and felt that more resources should be made available to direct work in the field whilst recognising the difficulty of achieving this in the present economic climate;
- The Committee sought clarity over who had the lead role on rights of way in that area of Flintshire which fell within the AONB. The AONB does not have a dedicated rights of way team and the Committee is uncertain as to how responsibilities would be exercised in the communities concerned;

See p4 of the ROWIP.

“Denbighshire Countryside Service, takes general responsibility for the day to day management of PRow with the AONB, although Flintshire County 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”.

- The Committee commended the successful implementation of the CAMS system but wished to see further improvements, especially in relation to feedback on registered complaints.

First ROWIP published October 2008 and covered period until end of September 2018
The initial aims were 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.'

A clear and comprehensive ROWIP that provides the Executive Summary to the first ROWIP 2008 in Annexe A providing an open overview of both the issues and positives which include

- funding costs
- resources – staffing/finances
- review of management and performance
- partnership working
- improving accessibility
- continued development of Wales coast programme
- policies and procedures – management and protection of ROW
- removing obstructions backlog with regular inspections/increased provision of sign and waymarks/annual performance indicator
- publication of an annual report

In second ROWIP priority areas will be identified and there will be new style Statement of Actions

Thoughts individual to respond and therefore open to question and challenge

The document is excellent in terms of its detail and information and the open and transparent review of the initial ROWIP very laudable

Outlined below are both general and specific observations taken from the report that may/may not give rise to concern

Q: How much of the Plan, realistically, is achievable? Certainly a document that aims high but referencing first Plan where 7/22 aims completed should this be narrowed down?

Whilst the Plan is comprehensive and aspirational, its aim is to try to capture everything that is achievable and can be prioritised. However it is a dynamic document and will inevitably be subject to change during its 10 year lifespan.

Q: Given the current Flintshire budget- with continued cutbacks, austerity how will this be financed?

Annually evaluate the budget.

Seek help from Town/Community Councils.

Flexibly working in partnership.

Investigate and develop opportunities for sourcing external funding.

Utilising volunteers for maintenance and improvement works.

Create and implement a volunteering strategy, including considering collaborative opportunities.

The ROW network comprises footpaths, bridleways, boats and look at Ease of Use/
Infrastructure

Page 11 onward – “there is no longer routine monitoring of network. Based on accurate record keeping of Countryside Access Management System (CAMS) with occasional baseline surveys of all or part of the network.”

A full network survey of furniture ie: stiles, signs, kissing gates, gaps, gates, bridges undertaken 2010 with a further one in 2017 when a 33 percent of areas surveyed. This did not cover Penyffordd

2016 policies adopted by Flintshire to guide priorities given re maintenance issues – Table Page 13 High, Medium, Low

Q: Who determines this and what, if any, is the input from the public using these ROW

The public can raise issues on CAMS and then the Access Officer will decide whether it is a high, medium or low priority, based on the hierarchy as set out for maintenance, repair or enforcement within the ROWIP. However should there be a need for an overall decision then this can be taken by the Team Leader for Access.

See Page 16.

A similar approach used with enforcement issues and note made that “the approach adopted will vary from officer to officer and case to case.” “enforcement remains subject to individual approaches and therefore inconsistencies.”

See table on page 17 (Priority of enforcement issues)

Q: Definitive Map and Statements Page 24 of the ROW (documents that define the legal existence of ROW highlight this as a changing resource that is subject to continuous review – modification, change of routes and requires additional staffing to resource this area effectively. What priority is being given to this important area again given the budget constraints of the Authority?

Equal consideration will be given on each case in hand.

Page 27 3:5 Promotion and Information

There has been NO active promotion of new routes by Flintshire Council since the Rural Walks in Flintshire book published in 2006 – an excellent book supporting and encouraging public usage of the network

Page 28 3.5.5 Active Travel Routes

Flintshire has published a series of 16 Active Travel existing Route maps (ERM)- this includes Penyffordd and has an Active Travel Integrated Network Map – a 15 year vision to improve infrastructure for walkers and cyclists across the County. Show links between communities and provides opportunities for improvements to ROW – footpaths, bridleways and cyclepaths. Will be an early priority

Q: All of the above is positive and welcome information but would query future development of local routes. Will there be the opportunity to link more closely/collaborate with local developers as shown in wepre Park/David Wilson published route map? 15 maps

Should the Authority receive a planning application for a residential development, then the Access Team will investigate opportunities for improvements to the Public Rights of Way network in and around the development site to improve access, possibly through the developer undertaking the improvement work or by securing Section 106 money.

Improvement works to upgrade routes for Active Travel will be down to what grant money we receive in the next three years.

Budget Page 30 Investment from Flintshire remains high - £397698

ROW Volunteer scheme invites/encourages users to this Page 31 through range of schemes Strategies overview of PROW network and policies Page 33 provides clear feedback from all stakeholders and provides comprehensive view of continuing challenges

Page 36 outlines legislation since first ROWIP that impact on the Plan

-The Well Being of Future Generations Act – 2015 The Planning Act (Wales) - 2015

The Environment Act 2016

and shows clearly the links between the Flintshire Council Plan and Local Development Plan . Pages 36 – 43 show comprehensively the link to the bigger picture and are commendable and provide a clear insight

Q: Some of the above are from Government Acts (WAG) Does the Authority and ultimately ROW receive additional funding to address these

The Access Team doesn't receive additional money as a matter of course, however the Access Team will always try to source extra funding to carry out work on the network.

Of particular note is the Countryside and Rights of way act 2000 (CROW) – a measure designed to provide landowners with surety that they will not face unexpected claims for newly discovered rights of way based on historical evidence, that is evidence from before 1949. When and if passed by WAG the measure would effectively extinguish any unrecorded historical rights on

1st January 2026 when it comes into force or a date up to five years later

Q: Are we in danger of losing historic routes and if surveys have not been undertaken how are do we ensure these routes have been noted?

Yes, there is a possibility that historic routes could be lost as we wouldn't necessarily know about them until we are informed. There is guidance on the Welsh Government website on how to make a claim on a footpath.

Q: what funding again will be put in place to cover additional workload

None. Unless the Welsh Assembly Government make provisions for this work, there is no additional funding available.

Page 45 – 48 Section 6 Evaluation of future needs and opportunities – the nitty gritty of the document provides a summary of the key points from assessment of ROWIP 1 delivery and stakeholder perceptions.

A plan, do, review approach which is heartening and encouraging in informing the second plan.

Page 49 – end of document highlights the new version of the ROWIP Action Table and notes each aspect under the headings

-What have we got?

-What do we want?

-How can we achieve it?

-Priority given to aspect of High, Medium or Low

Interestingly the Action Table looks at the specifics aspect, the actions and how these can be achieved but does not, probably cannot, define resources to support this or provide a timescale It is encouraging that out of 34 aspects (on paper should be 35 but 5:5 of Strategic Working is missing from Plan)

17 are highlighted High priority

9 as Medium

8 as Low

Within those noted as Low whilst there are understandable reasons why they are noted as such. Nevertheless there are some important issues. For example Section 2:1 A Definitive Map and Statement, 2:2 anomalies across the network – is this not a crucial element?

Q: What is the plan for those areas given less priority? Will we see as with ROWIP 1 these marked as not completed?

Yes, there is a possibility that some of the areas given less priority will not be completed and it is impossible to predict what will be achieved of this plan within the 10 years. However the priorities will be periodically evaluated during the course of the Plan to ensure that the level of prioritisation is appropriate and some priorities may go up and some might go down.

Perhaps a clearer definition of the priority areas would be useful

Thanks should be extended to all involved in the production of so comprehensive, detailed and useful document that will inform future plans for the continued use and enjoyed across the Flintshire Rights of Way Network.

At the Northop C.C. meeting earlier this month members considered a response to the consultation on the Improvement Plan and Policies Booklet and agreed to comment as follows:

- Northop Community Council support the Plan.
- The statistics show a steady improvement in provision and actions over the past few years.
- The priorities of maintenance and responsiveness were hard to fault and it was felt that by and large the current Plan is on target.
- If the aims of the Plan can be delivered it will be significant benefit.

There were no adverse comments.

Comments from scrutiny;

Request for different colours on the tables in the documents as it is not clear to people who are colour blind.

The colours in the table have been altered, however if they are still difficult for people who are colour blind to distinguish between, then they can be altered again.

Issues raised on CAMS.

The CAMS upgrade is now complete, and a member of the Access Team can offer training if it's required.

More working relationships with different Authorities such as Cheshire.

This is something the Access Team intend to do particularly when it's considered that liaisons would benefit the Authorities.