

ENVIRONMENT AND ECONOMY OVERVIEW & SCRUTINY

Date of Meeting	Wednesday 12 th May 2021
Report Subject	Rights of Way Performance 2019-2021
Cabinet Member	Carolyn Thomas, Cabinet Member for Streetscene & Countryside
Report Author	Andrew Farrow, Chief Officer Planning Environment and Economy
Type of Report	Operational

EXECUTIVE SUMMARY

The Rights of Way function within Flintshire was reviewed and restructured and a new team put in place for 2018 and formed part of a more integrated Access & Natural Environment Service.

A new statutory Rights of Way Improvement Plan and policy booklet was produced in 2018 and set the strategic direction of the new team.

The report details measures of performance over 2019/20 and 2020/21 in particular looking at how the Access Team have responded during the Covid-19 pandemic and adapted to the network needs during the lockdowns.

RECOMMENDATIONS

1	That members note the content of this report and support the good work the Access Team in managing, maintaining and developing Flintshire's Right of Way network
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REPORT DETAILS

1.00	EXPLAINING THE REPORT
1.01	The Public Rights of Way (PRoW) network is a priceless asset providing the principal means of access to the countryside for all 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.
1.02	The management, maintenance, protection and recording of the PRoW network is a complex area of work for Local Authorities. The provision of the PRoW 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. A new statutory Rights of Way Improvement Plan and Policy booklet was produced in 2018 and sets the strategic direction of the new team for the period 2018-2028: https://www.flintshire.gov.uk/cy/PDFFiles/Countryside--Coast/RIGHTS-OF-WAY-IMPROVEMENT-PLAN-2018.pdf
1.03	The Rights of Way function within Flintshire was reviewed and restructured and a new team put in place for 2018 forming part of a more integrated Access and Natural Environment Service. The Access Team consists of an Access Team Leader, 2 x Access Officers (& Enforcement), 1 x Technician and 2 x Rights of Way Inspectors. (Appendix .1 - Structure Chart).
1.04	While the Access team are responsible for the bulk of the PRoW work carried out, the network also benefits from a degree of input from the Rangers. The Rangers report to the Sites Team Leader, who alongside the Access Team Leader, form part of the Service Management Team and thus enables the two teams to work closely together and support each other on shared Service objectives. This is especially so with respect to the Wales Coast Path and maintenance of the promoted routes.
1.04	The pandemic has seen unprecedented increases in members of the public accessing PRoW networks. Whilst encouraging and vindicating the position that outdoor access is beneficial for health and well-being, active travel, rural economies and social value, it also comes with an increased impact on the network and increased workload for the Access Team. Between April and June in 2020 there were 217 issues logged, compared with 137 issues logged for the same period in 2019. The team had to work from home from March 2020 for 4 months during the first lockdown, this put the team under significant pressure to catch up with outstanding maintenance and complaints raised such as obstructions, overgrown paths or health and safety issues such as a broken stile. This was highlighted as a portfolio risk.
1.05	Since the first lockdown was introduced, there was also a noticeable increase in advice enquiries, particularly from landowners wary of Covid transmission due to the increased numbers of people using the network. Welsh Government introduced new legislation to give authorities the power

to close PRowS if there was a significant risk to transmission. The Access Team devised a scoring matrix to be able to judge the risk level against the defined criteria for path closures. As a result, eight Public Footpath closures were put in place under the emergency Covid legislation. In addition, 12 cases of illegal closure by landowners concerned with virus transmission required some sort of enforcement action/negotiation to open up routes.

1.06 The Council Plan 2021-22, under the Green Environment Theme looks to improve public access to the natural environment under the following objectives:

- Provide opportunities for increasing levels of walking and cycling (active travel) and enable access to other alternative and sustainable methods of travel.
- The promotion, good management and protection of our green spaces to deliver multiple benefits to the environment and our residents and visitors
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The Joint Flintshire and Wrexham Public Service Board (PSB) also recognised the benefits of our PRow and greenspace network in facilitating access to the outdoors. The Environment Theme looks to improve the quality, provision, usage, accessibility to and promotion of our green spaces.

1.07 The length of Flintshire's PRow network is 1088km.

Status	Size	Difference over the 2 years
Footpaths	961km	+6km
Bridleways	115.38km	+1km
Byway Open to All Traffic	11.9km	0

There has been a positive increase in the overall length of the network, providing more opportunity for the public to access the countryside

1.08 The following table details the number of assets across the network.

Item	2010	2018	2021	Change
Stiles	3310	3316	3240	-78
Kissing Gates	493	506	586	+82
Gaps	185	186	187	+1
Gates (<1.2m)	155	152	158	+6
Roadside signs	1938	1992	2011	+19
Sleeper Bridges	58	58	58	0
Other bridges	245	336	339	+3
All gates (excluding Kissing gates)	1494	1501	1496	-7
235km of network surveyed since 2019 by the Access Team				

	There are less stiles on the network as the team have the strategic objective of making the network as barrier-free as possible to encourage all users to access the countryside.												
1.09	<p>The following table details issues raised by the public through our online reporting portal – CAMs. It demonstrates that there are more issues logged each year, possibly due to more usage. The low number of issues resolved in 2020/21 was due to the team working from home for 4 months.</p> <table border="1"> <thead> <tr> <th>Year</th> <th>Issues logged</th> <th>Issues resolved</th> </tr> </thead> <tbody> <tr> <td>2020/21</td> <td>599</td> <td>264</td> </tr> <tr> <td>2019/20</td> <td>450</td> <td>435</td> </tr> <tr> <td>2018/19</td> <td>459</td> <td>382</td> </tr> </tbody> </table>	Year	Issues logged	Issues resolved	2020/21	599	264	2019/20	450	435	2018/19	459	382
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1.10	A key target for 2020/21 was to consolidate the definitive map. This is a process whereby the definitive map is reviewed and all the changes made by Modification Orders etc. are incorporated. This brings the document up to date with a new 'relevant date'. Officers are at the final checking stage now and hopefully will go to consultation on the new map in early summer												
1.11	<p>The Access Team have increased their profile significantly to raise awareness of the network and provide information to the public. The Public Rights of Way web page has been improved: https://www.flintshire.gov.uk/en/Resident/Streetscene/Public-rights-of-way.aspx</p> <p>The number of page views increased; 2020-2021 - 12,779 2019-2020 - 3992 2018-2019 – 2352</p>												
1.12	<p>The Access Team are also active users of social media: Countryside and Coast Facebook followers have grown by 27% this last year (1241-1702). Instagram Rights of Way - 13 Access posts for 2020-2021 received 399 likes and 6099 impressions. 931 follow Countryside and Coast progress on twitter.</p>												
1.13	<p>Let's Get Moving North Wales is a collaboration of organisations such as Public Health Wales, Local Authorities, environmental third sector groups and Universities, working together to improve the health and wellbeing of the population of North Wales, through increasing opportunities for people to move more. Flintshire Council was the first Local Government Organisation to become a partner for this initiative. The collaboration is to support, influence and advocate for the development of settings and environments to enable people to move more.</p> <p>The Access Team took the lead to devise walks for staff as part of the relocation to Ty Dewi Sant and before Covid-19, worked with three communities to provide a guided walks. We hope to continue this work as restrictions relax.</p>												
1.14	The Access Team developed the 'Greenways Project' with RDP funding												

	<p>through Cadwyn Clwyd. The core of the project was the development of on the job local training facilities within the rural skills and habitat/environmental management sector. The Team worked in partnership with Groundwork Wales to undertake the development of a 'Greenteam' in Flintshire.</p> <p>The aim was to provide a route to paid work experience, offering a mechanism to deliver improvements on the rural rights of way network over and above the Local Authorities statutory duty with multiple benefits to local communities. The project was paused due to the pandemic and has a further year to run with a focus on encouraging communities to actively volunteer to be involved in improving their local paths.</p>
1.15	<p>Other notable statistics for the team include:</p> <ul style="list-style-type: none"> - Responded to 159 planning applications in 2019/2020 and 120 in 2020/2021. - Currently, the team receive, on average, over 90 phone calls a week and over 60 emails a week to the general Rights of Way contact number and address. - 77 miles / 124 km of high profile promoted walks and rides - 2,805 sq mtrs of leaf fall removed from the PRoW network each year. - 378 Individual sites listed on the PRoW strimming schedule - 651,342 sq. mtrs of vegetation cut per growing season - 307 bags of concrete

2.00	RESOURCE IMPLICATIONS								
2.01	<p>The Rights of Way budget for 2019/2020</p> <table> <tr> <td>Expenditure</td> <td>£131,303</td> </tr> <tr> <td>Income</td> <td>£16,373</td> </tr> </table> <p>The Rights of Way budget for 2020/2021</p> <table> <tr> <td>Expenditure</td> <td>£213,521</td> </tr> <tr> <td>Income</td> <td>£97,875</td> </tr> </table> <p>A Network Condition Assessment carried out as part of the first Rights of Way Improvement Plan 2008 – 2018, identified that there was an estimated shortfall then of £97,000 per annum just to maintain the network at its current standard (38% of paths being easy to use). In addition to this, a further £167,000 per annum, over 10 years, would be needed to bring the network up to an acceptable standard.</p> <p>The Access Team pursues sources of additional funding whenever possible and a programme of access improvements to the network was developed and a Grant for £67,613 was secured from Welsh Government for 2020/2021 and we are hoping to secure a further Grant of £74,197 for 2021/2022.</p>	Expenditure	£131,303	Income	£16,373	Expenditure	£213,521	Income	£97,875
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3.00	CONSULTATIONS REQUIRED / CARRIED OUT
3.01	<p>Six monthly liaison meetings are ongoing with the Ramblers Association. The Flintshire committee have quoted:</p> <p>“Ramblers Flintshire enjoys an excellent relationship with the revitalised FCC rights of way team and feels that real improvement has been achieved since key changes in management and personnel have been introduced. The County Council is to be congratulated on maintaining a well serviced rights of way function at a time when resources are scarce. The wisdom of this has been underscored by the current public health emergency when many more people have needed to stay local and have relied heavily on the rights of way network for their physical and mental well-being. Rights of Way will always be an area of activity where much will remain to be both improved and achieved but we look forward to continuing to work closely with the FCC team to fulfil our mutual objective of a safe and accessible rights of way network.”</p>

4.00	RISK MANAGEMENT
4.01	With the size of the PRow network and number of assets such as stiles or gates, there is risk to the users and Council if there is not adequate provision for maintenance not a robust prioritisation system to undertake remedial works as they arise.
4.02	Walking is the most popular pastime in the UK and since the pandemic Officers have noted a significant increase in users of the network. Whilst this is positive, it increases a level of risk if works to make the network safe are not maintained.
4.03	As part of the 2018 Policy document, there is a prioritisation of maintenance and reactive works; Health and Safety is the number one priority. The Access team are securing additional external funds and looking to keep the maintenance schedules on track through initiatives such as using volunteers, however with a small team it is becoming increasingly challenging to ensure the risks associated with walking the network are kept low.

5.00	APPENDICES
5.01	Access & Natural Environment Service Structure Chart

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

7.00	GLOSSARY OF TERMS
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7.01

Definitive Map

The Definitive Map and Statement is a legal document and records the line and legal status of all recorded public rights of way. 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.