
**MEMBER BRIEFING NOTE: RIGHTS OF WAY IMPROVEMENT PLAN
(ROWIP) 2020-30**

Reason for the Report

1. To provide Members with an opportunity to review the content of the report titled 'Rights of Way Improvement Plan (ROWIP) 2020-30' that is due to be presented at the Cabinet meeting on the 21st November 2019.

Background

2. There was a legal obligation for all Local Authorities to make a 10-year ROWIP under Section 60 (1) of the CROW Act 2000. Cardiff published its first ROWIP in June 2008. Under section 60 (3)-(4) there is a legal obligation to review the first ROWIP and to make a new assessment and decide whether to republish a new ROWIP; this should be done every subsequent decade.
3. There have been many legal and policy changes in the last 10 years; consequently, Welsh Government (WG) issued guidance on what needed to be considered if a new ROWIP were made. Following due consideration of various legislative changes and an appreciation of current economic challenges, it was decided to produce a new Cardiff ROWIP for 2020-30.
4. Cardiff has approximately 200 km/124 miles of Public Rights of Way (PROW) footpaths and bridleways, most are in the north and north-west of Cardiff. Cardiff Council's PROW team is responsible for making sure the Rights of Way network is clearly mapped and the paths are maintained for safe use for the public to enjoy. In the built-up urban areas of the city, most other paths are pavements adjacent to

roads (adopted highway), including shared use or segregated pavements for pedestrians and cyclists.

5. Cardiff's ROWIP 2020-30 sets out how the PROW team will identify, prioritise and plan improvements across the network for the duration. Proposals for managing Cardiff's PROW network are detailed in the Statement of Action Key Strategies and Key Aims (described below). These were identified as a result of the evaluation process and are important for the future management and improvement of Cardiff's PROW network. The Statement of Action sets out what we plan to achieve over the course of 10 years and will help to identify priorities in the Delivery Plan, which will be tailored to available finance and staff resources.
6. The ROWIP is split into five sections:
 - **Section 1** gives an Introduction and background to the ROWIP and the Cardiff Public Rights of Way (PROW) network.
 - **Section 2** gives the reasons for making a new ROWIP for 2020-30.
 - **Section 3** gives details of the **New Assessment**, which looks at 3 main points:
 - Reviewing ROWIP 1: 2008-18;
 - Evaluating the current network; and,
 - Evaluating the public's future needs and opportunities of the network.
 - **Section 4** outlines the Statement of Action for ROWIP 2020-30, which has 5 Key Strategies for the long term aims over the 10-year period as listed below.
 - **Section 5** The Key Aims provide a more detailed plan of the Council's priorities over the next 10 years, as listed below. These will inform the PROW team's Delivery Plan (annual work programme).
7. **Statement of Action – Details of ROWIP Sections 4 & 5:** The Statement of Action (SOA) is an overall 10-year outline plan of what we hope to achieve for Cardiff's PROW network. We considered all the information from the New Assessment; this helped identify the 5 Key Strategies for the ROWIP 2020-30. These strategies inform the 12 Key Aims and tasks for improvements and activities that will be considered over the next 10 years. The Key Aims will inform the Delivery Plan (Annual Work programme), which will have specific tasks that may change during the course of the

year, while other tasks may also be put forward which will be dependent on availability of funding and staff resources.

8. **Key Strategies:** The table below describe the 5 Key Strategies to achieve over the next 10 years, based on outcomes from the New Assessment. A full assessment of each key strategy, SWOT analysis and its links to the New Assessment.

▪ **Table 1 – The ‘5 Key Strategies’**

	Key Strategy	Description
1	Develop a more efficient management system for statutory Rights of Way work	Management of the PROW network will be fully supported by the ongoing development and data input to the Council’s Digital Management System (DMS). It will provide key outputs for managing, maintaining and reporting any issues on the PROW network and its inventory. This includes signage, path clearance, surfacing and any work needed to ensure paths are fully available and fit for purpose. It also includes the need to take into consideration ecosystems and access for all. This strategy is the overarching strategy and will link to strategies 2-5.
2	Increase access for all, through network improvements	This is based on the need to provide the least restrictive access to PROWs and any improvements to the network will have this as a driver for change. For example, existing stiles could be replaced with gates or gaps.
3	Improve and promote the PROW network and outdoor activities	Encourage and support the public to access the PROW network and green spaces across the city, through various promotional materials including electronic, on site information boards and printed leaflets.
4	Preserve and enhance the PROW network and ecosystems	Effectively manage and update the Definitive Map and Statement and any changes to the network such as diversions, extinguishments and creations. Any opportunities to improve the PROW network will be pursued, such as consideration of new projects (e.g. bridleways), strategic links (e.g. cross-border), ways to enhance existing paths (e.g. access for all – see 2 above) and consideration of ecosystems and seasonal work. These will be dependent on funding.

5	Be responsive to new legislation, revised local plans and strategies and emerging land developments	Over the next 10-year period there will likely be unforeseen events that affect the PROW network. These will be addressed through the Delivery Plans to ensure the network is maintained and managed responsively to changes in legislation, plans and strategies. Particular attention will be paid to PROWs affected by new land developments to ensure they are preserved and enhanced.
---	--	--

9. **Key Aims:** The Key Aims provide a more detailed plan of how Key Strategies will be achieved over the next 10 years. These Key Aims have been specifically developed to inform the PROW team’s Delivery Plan (annual work programme), which will have specific tasks and have sufficient flexibility to change during the course of the year depending on availability of funding and staff resources or changes in policy.

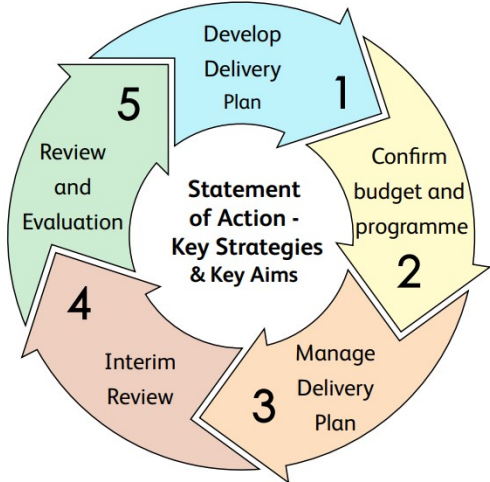
▪ **Table 2 – The ‘Key Aims’**

No.	Key Aims
1	Improved management and ongoing maintenance of the PROW network
2	Maintain an up-to-date Definitive Map and process Legal Orders
3	Enhance Cardiff’s ecosystems along PROW routes
4	Install waymarking across the PROW network to help the public find their way
5	Support the Cardiff Local Access Forum and work in partnership with interest groups and volunteers
6	Identify and improve strategic links and accessibility of the network
7	Improve and increase the bridleway network
8	Protect and enhance paths within new developments and on private land
9	Publicise information online to help the public ‘Report a Problem’ on the path network
10	Maintain and improve the Wales Coast Path (WCP), liaise with NRW
11	Improve information about trails, places to visit, outdoor activities and events
12	Promote Codes of Conduct for the public to respect the environment and other path users

10. **Delivery Plans:** The Delivery Plan sets out short, medium and long term projects and work tasks which demonstrate how we will apply the **Key Strategies** and **Key Aims** over a specified period of time. These plans will complement the Statement of Action and Key Aims in order to allow the new ROWIP to be more responsive to changing circumstances (staff resource, funding, etc.) without losing sight of the Council’s commitments. **Diagram 1** below shows how projects will follow an annual

cycle of development, delivery and review. It is proposed that the first full delivery plan will be compiled and published for the 2020-21 period.

▪ **Diagram 1 – Statement of Action: Key Strategies & Key Aims**



- 11. If approved by Cabinet, the ROWIP 2020-30 will be published and publicly available in December 2019. Professionally printed hard copies of the document will be available for review at community hubs and other Council buildings. Electronic copies will be freely available to download from the Council website, with photocopy prints at a nominal fee upon request.

Issues

- 12. The first 10-year ROWIP was published in 2008. Welsh Government issued guidance in summer 2016 to Local Authorities to advise them about whether (and how) to make a new ROWIP. Cardiff Council’s Public Rights of Way team took the view that the 1st ROWIP 2008-18 would need to be reviewed and a new ROWIP planned, however due to limited existing levels of staffing an additional temporary officer was required to undertake the task. The ROWIP officer was appointed in autumn 2017. The process of delivering the final ROWIP has progressed through several stages, resulting in publication of the ROWIP for the period 2020-30.
- 13. The ROWIP will provide a defined methodology for delivering PROW functions for the period 2020-30. As described above, the ROWIP has been designed using the New Assessment to inform Key Strategies and Key Aims that provide a framework to

establish annual Delivery Plans. However, as proposed the delivery plans will flex to suit the availability of funding and resource. At present the PROW team has two Officers managing and undertaking day to day tasks and two operatives delivering cyclic maintenance and repairs. For the 2019-20 period there are two main revenue budgets:

- i. **£10,600** – to maintain the Taff Trail, Rhymney Trail and Ely Trail for shared use with cyclists.
- ii. **£6,770** – to maintain the PROW network (footpaths & bridleways) and carry out any improvement works.

14. In addition to the revenue funding mentioned above, the following grant funded projects exist:

- £40k – Aftercare funding to realign the Wales Coast Path (WCP) near the coast through Lamby Way landfill site (additional funding would be required to install a pedestrian crossing on Lamby Way Road to link to Parc Tredelerch and the onward route).
- £4,366 (includes 25% Council contribution) – WCP Grant to clearly waymark the route and for general maintenance.
- £40k Green Trails Bridle & Bike Network Project – A partnership project between 5 neighbouring local authority areas (Bridgend, Vale of Glamorgan, Cardiff, Rhondda Cynon Taff & Merthyr). Currently at the feasibility study stage; its aim is to produce a plan for the delivery of long distance horse and mountain bike trails linking bridleways and access across the five Local Authorities.
- Approx. £60k Living Levels – A partnership project between PROW, Parks and other organisations (e.g. Bug Life, RSPB and Plant Life) to implement various projects to enhance biodiversity & habitats, access and education information.

Local Member Consultation – Consultee & Public Consultations:

15. The ROWIP Officer has attended regular Local Access Forum (LAF) meetings, informing them of progress regarding the ROWIP process. The LAF is a statutory advisory body created under the CROW Act 2000 (s 94-95). This is a group of appointed volunteers with a variety of interests in the PROW network, usually meeting quarterly. A ROWIP Sub-Group (with several members of the LAF and

neighbouring LAs) has been involved regularly. Various stakeholder groups and organisations were engaged during the ROWIP process as consultees, including current Councillors at key stages of the process.

16. **Initial Consultation (issued 27/10/17):** this was to inform consultees of our intention to review the current Rights of Way and to outline the process of delivering the new ROWIP. The Next Stages phase of ROWIP (sent 16.08.18), included:

i. **Review of 1st ROWIP**

ii. **ROWIP Survey;** this was conducted between 10/04/18 to 14/10/18 and had 1,018 responses (Compared to 673 in ROWIP 1 in 2005). It was sent to:

- Consultees;
- ROWIP web page;
- Ask Cardiff web page;
- Outdoor Cardiff web page;
- On social media;
- Internal face-to-face discussions;
- Hard copies available in Hubs and Libraries.

Lots of useful feedback was received; whilst there were pick lists for most answers, open questions were also asked where responders could comment freely. Comment topics included: maintaining paths; clearing vegetation; clear signage; and more information on routes. There were also several, often negative comments about shared use paths, most of which are not PROW; these have been discussed and shared with Transportation team for their consideration in future projects.

iii. The **New Assessment Report** links to ROWIP Survey and addresses the issues listed above in the 'Key Strategies' & 'Key Aims' in the ROWIP 2020-30.

17. **Draft ROWIP 2020-30:** This required a 12-week statutory consultation period, undertaken between 18/07/19 to 14/10/19 comprising of:

- Consultees were sent the draft on 18/07/19;
- Public Notices (Echo & Western Mail) on 22/07/19;

- On website (ROWIP, PROW & Outdoor Cardiff);
- Internal posts (Staff Info, Digigov, Intranet);
- Social Media campaign from 22/07/19;
- Sent to 380 people who requested updates (from the ROWIP Survey);
- Reminders were sent to consultees on 13/09/19. The consultation closed 14/10/19 and a press release (Echo & Western Mail) to remind people to respond was published approximately one week prior to this closing date.

18. **Website:** Background information and reports featured on our ROWIP page (and linked to PROW page), also Outdoor Cardiff.

19. **Social Media:** we have had regular posts at key stages on Twitter, Facebook & Instagram. We also conducted an Instagram photo competition with prize (organised by Comms); terms & conditions stated that submitted photos could be used on Cardiff Council publications and many will be featured in the ROWIP 2020-30.

Cabinet Report Recommendations

20. It is anticipated that the Cabinet report will recommend to:

- *Approve the Rights of Way Improvement Plan (ROWIP) 2020-30 for publication and as the service delivery template to manage and improve Cardiff's Public Right of Way network over the next 10 years.*

Way Forward

21. Members are to note the contents of the Member Briefing Note.

Legal Implications

22. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct legal implications. However, legal implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any legal implications arising from those recommendations. All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement

imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. Scrutiny Procedure Rules; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

Financial Implications

23. The Scrutiny Committee is empowered to enquire, consider, review and recommend but not to make policy decisions. As the recommendations in this report are to consider and review matters there are no direct financial implications at this stage in relation to any of the work programme. However, financial implications may arise if and when the matters under review are implemented with or without any modifications. Any report with recommendations for decision that goes to Cabinet/Council will set out any financial implications arising from those recommendations.

RECOMMENDATION

The Committee is recommended to:

- i. Note the content of this Member briefing note.

DAVINA FIORE

Director of Governance & Legal Services

14th November 2019