

## **REPORT OF THE CORPORATE DIRECTOR, PLACE**

### **RIGHTS OF WAY MANAGEMENT PLAN FOR NOTTINGHAMSHIRE (2018-2026)**

#### **Purpose of Report**

1. To approve Nottinghamshire's Rights of Way Management Plan (2018-2026).

#### **Information**

2. Under Section 60 of the Countryside and Rights of Way Act 2000 (the CROW Act), all highway authorities had to prepare and publish a statutory Rights of Way Improvement Plan (ROWIP) by November 2007. On the 1st November 2007 Nottinghamshire County Council adopted its inaugural ROWIP.
3. The CROW Act states that a ROWIP must contain:
  - An assessment of the extent to which local rights of way meet the present and likely future needs of the public,
  - an assessment of the opportunities provided by local rights of way for exercise and other forms of open air recreation and enjoyment of the authority's area,
  - an assessment of the accessibility of local rights of way for blind and partially sighted people and others with mobility problems,
  - a statement of action. This outlines strategic actions an authority will take for the management of rights of way and for securing improvements to the network, taking into account issues identified in the network assessments.
4. The County Council is required, in exercising functions under the Highways Act, to have regard to provisions within its ROWIP. It is also required to revisit its ROWIP at intervals not longer than every 10 years and, if it is to be amended, to publish a revised plan.
5. While the document will be the County Council's ROWIP in legal terms, the actual title of the document has changed to Rights of Way Management Plan (ROWMP) to reflect a plan more focused on the management of the network rather than the focus on more 'aspirational' improvements contained within the inaugural ROWIP.
6. Following approval by the Authority's Communities and Place Committee on 7<sup>th</sup> December 2017, Nottinghamshire's draft ROWMP was placed on public deposit for a 12-week period between 18<sup>th</sup> January and 12<sup>th</sup> April 2018. A report was presented and approved to that

Committee on 19<sup>th</sup> July 2018 highlighting suggested changes to the Plan and seeking approval to present the Plan to a future Policy Committee for final approval and adoption. The draft Plan and the results of the consultation were also presented to the Planning and Licensing Committee on the 17<sup>th</sup> July 2018 in their capacity as the regulatory committee for rights of way functions.

### **Nottinghamshire's ROWMP**

7. The ROWMP will provide the Authority with a statutory and strategic plan outlining the Council's aims and objectives for the management of a modern and changing rights of way network and it recognises the interests of agriculture, forestry and other land occupiers in the management of rights of way.
8. Public rights of way and countryside access have a key role in helping deliver and complement the Council's key priorities in the County Council's Strategic Plan (2017-2021), the Place Department Strategy and the Local Transport Plan (2011-2026). The ROWMP will serve as the over-arching focus for the protection, creation and, where possible, enhancement of responsible countryside access in Nottinghamshire.
9. The Authority will develop and manage the countryside network for all, enabling opportunities for the widest possible type and number of users contributing to Nottinghamshire's economy, health, social well-being and environment.
10. See Appendix 1 for the full ROWMP including the executive summary.

### **What happens next?**

11. If approved, the Plan will be published in November 2018. The adopted Plan will be available to view on the County Council's website and hard copies will be made available for public inspection.
12. An annual report will be produced highlighting the progress of the actions as set out in the Plan's Statement of Action.
13. The Rights of Way Management Plan covers an eight year period up to 2026 and will be reviewed in line with the next Nottinghamshire Local Transport Plan (2026).

### **Other Options Considered**

14. None – the County Council is required by law to hold and to revise its ROWMP.

### **Reason/s for Recommendation/s**

15. The review of the County Council's Rights of Way Improvement Plan is a statutory duty under Section 60 of the Countryside and Rights of Way Act 2000.

### **Statutory and Policy Implications**

16. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty,

safeguarding of children and adults at risk, service users, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

### **Public Sector Equality Duty implications**

17. The ROWMP embraces the principals of access for all and seeks to ensure a public rights of way network as accessible as possible to all members of the community. The inaugural Rights of Way Improvement Plan's Equality Impact Assessment (EqIA) is being updated and will be available for public inspection alongside the adopted ROWMP (2018-2026) and on the County Council's EqIA web pages.

### **Implications for Sustainability and the Environment**

18. Public rights of way and wider countryside access can play a key and important role in providing access to both essential services and recreational facilities providing wider physical and mental health benefits.

## **RECOMMENDATIONS**

It is recommended that Committee:

- 1) Approve the Nottinghamshire Rights of Way Management Plan for adoption.

**Adrian Smith**  
**Corporate Director, Place**

**For any enquiries about this report please contact:** Neil Lewis, Team Manager Countryside Access, Tel: 0115 9773169

### **Constitutional Comments [SLB 26/10/2018]**

19. Policy Committee is the appropriate body to consider the content of this report.

### **Financial Comments [RWK 16/10/2018]**

20. There are no specific financial implications arising directly from the report.

### **Background Papers and Published Documents**

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Nottinghamshire's Rights of Way Improvement Plan 2007

Nottinghamshire Rights of Way Management Plan 2018 – 2026

Report to Communities and Place Committee – Rights of Way Management Plan 07 December 2017

Report to Planning and Licensing Committee – Rights of Way Management Plan 17 July 2018

Report to Communities and Place Committee – Rights of Way Management Plan 19 July 2018

**Electoral Division(s) and Member(s) Affected**

- All