



Executive Summary

Why are we doing it?

Nottinghamshire County Council is required under section 60 of the Countryside and Rights of Way (CROW) Act 2000, to prepare and publish a Rights of Way Improvement Plan (ROWIP) by November 2007. In summary the ROWIP must contain the following:

- ▶ 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 to blind and partially sighted people and others with mobility problems
- ▶ a Statement of Action. This will outline strategic actions the authority proposes to take for the management of rights of way, and for securing improvements to the network.

What does it cover?

This is a new duty for Highway Authorities and takes forward the principles of the Countryside Commission's Milestones Initiative aiming to get the existing, historic public rights of way network into a good and useable condition.

However, the Statutory Guidance also states that the Plan itself should not contain information on site specific assessments but draw broader, general conclusions which will be the focus of a business plan for specific delivery on the ground.

Though undoubtedly a major element of access to the countryside, the local rights of way network alone does not show the full picture. There are many other routes that are used by the general public for informal countryside access that are not legally recorded as definitive public rights of way. This is recognised in the Statutory Guidance and, as a result, this ROWIP also considers the wider network of



permissive routes, public open spaces and countryside sites.

Nottinghamshire's countryside access vision

Rights of way and countryside access have a key role in helping deliver and complement the Council's key priorities in 'All Together Better'. This ROWIP will serve as the over-arching focus for the protection, creation and enhancement of countryside access in Nottinghamshire.

The Authority will develop and manage this 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.

To realise this vision the Authority needs to focus on achieving the following aims through the ROWIP:

1. To protect, maintain and seek to enhance the network for all lawful users
2. To improve access to the network for all, including those with visual impairment and mobility problems, by adopting the principle of the least restrictive option
3. To improve the safety and connectivity of the metalled road network with the rights of way network
4. To increase awareness of accessing the countryside and the understanding of the wider benefits arising from its use, such as leading an active and healthy lifestyle, and making a positive contribution to the local economy
5. To provide a revised and updated definitive map and statement, with particular reference to the resolution of map anomalies and support for the 'Lost Ways' project
6. To enhance and increase community involvement in managing and improving the network.

What have we done?

In undertaking the statutory assessments the County Council has considered national, regional and local research, and best practices from other authorities. National research by the Department for Environment, Food and Rural Affairs (Defra) and the Countryside Agency provided an overview but the Authority quickly established the need for local quantitative and qualitative data on rights of way issues. This data has been supplemented by the County Council's own experience in managing the public rights of way network. The knowledge and experience of Nottinghamshire's Local Access Forum members has also proved to be an invaluable contribution to this Plan.

The draft Plan was subject to a 12-week public consultation from February to May 2007. Over 200 comments were received from 65 individual responses. A summary of the responses are available to view on www.nottinghamshire.gov.uk. The responses were considered by County Council officers and discussed with the Local Access Forum during July and August 2007. The draft Plan was amended accordingly. The ROWIP was formally adopted by the County Council at its meeting on 1st November 2007.

What did we find?

The public consultation process showed that the public rights of way network (PROW) in this county is viewed primarily as a recreational resource but highlighted how important the network is in accessing essential services. The most popular activities are cited as walking and cycling, although horse riding is a popular activity in Nottinghamshire, arguably higher than the national average.

The assessments suggest there is particular demand for circular walks and rides close to where people live. Where people do travel further a field the most popular locations are the honeypot areas of Sherwood Forest and Clumber Park.

Walkers, riders and cyclists are classified as vulnerable road users and their primary requirement is to be

in a 'safe' and traffic free environment. Where the rights of way network meets the road network PROW users usually have to cross at road level with no traffic light controls or refuges, and in rural areas footways and managed verges are sporadic.

Some of the key problems faced by users and land managers of the rights of way network include:

- ▶ Poor waymarking and signage – can cause problems with identifying the status and following the correct line of a public right of way
- ▶ Obstructions – non reinstatement of cross-field paths after ploughing, non removal of crops, overgrown vegetation etc are all deterrents to usage
- ▶ Difficulty in negotiating structures – many stiles and gates are in states of disrepair and gates have latches that are difficult to open
- ▶ Poor connectivity of the network – many potential circular routes involve crossing busy roads or a high percentage of road walking / riding
- ▶ Lack of off-road provision for cyclists and equestrians – limits the possibility of identifying circular rides without the need for riding along busy roads
- ▶ Litter, control of dogs and dog fouling – lack of respect for the countryside and public rights of way network causes concern for landowners and deters users.

Key issues

There are various pressures and changes which contribute in trying to manage a modern day rights of way network, for example, changes to farming practices, increased residential and business development, an increasing number of definitive paths and an increasing population. Because of these pressures there is a need to manage the existing network more efficiently, pro-actively and objectively. The County Council needs to prioritise its limited resources and work more strategically to provide long term improvements.

At the heart of the document is the desire to provide 'access for all'. The assessments found a number of barriers, both perceptual and physical to people with disabilities. Some of these barriers are due to the geology and topography of the county and are very difficult to remove. However, there are a number of local, 'simple' tasks which can be achieved, such as replacing stiles with kissing gates. Any 'accessibility' improvements to the network equates to better access for everyone regardless of their needs.

The ROWIP highlights the high number of applications for definitive map modification orders (DMMO) i.e. adding new routes or recording higher rights over paths already included in the definitive map and statement. Also the CROW Act 2000 sets a deadline of 1st January 2026 for applicants to claim rights of way created before 1949 using documentary evidence (this includes all applications submitted as a result of the Lost Ways project¹). Therefore this cut-off date means the number of DMMO applications is going to grow significantly. Additionally within the definitive map there are an estimated 700 'map anomalies' to be resolved. The ROWIP sets out procedures to deal with the high number of applications and discusses the need for further resources.

Rights of way often are affected by planning and development. It has been found that planners and developers do not always fully consult or take into consideration the needs of all PROW users. Often users end up with a token number of badly designed paths when development takes place. The Plan points to the need for Access for All, 'designing out' crime and nuisance and providing an attractive path, certainly not any less convenient than the original line of the path.

There are a number of sites and routes across the county offering informal recreational opportunities over and above the definitive rights of way network. The type of access varies from large 'Open Access' sites designated as Open Country (CROW Act 2000) to small routes owned by private landowners.

¹ The CROW Act 2000 set a deadline of 1st January 2026 to register forgotten 'historic' rights of way on the definitive map. By historic it means those that were in existence before 1949. The Government gave the job of co-ordinating this work to the Countryside Agency (now Natural England).

Permissive routes can be beneficial to all users in providing missing links in the PROW network, offering recreation in the County's large forestry areas for families and groups and providing safe routes away from the busy road network. However, the Plan found that there is a general lack of information as to where these permissive routes and sites are.

The wider community plays an important role in helping the County Council achieve its aims and objectives in managing Nottinghamshire's rights of way network. The Authority works with a number of organisations and individuals on the Parish Partnership Scheme, Farm Partnership Scheme and general voluntary tasks improving rights of way. Benefits are wide ranging and it is an effective way of assisting both the Council with its responsibilities and helping farmers and landowners with theirs.

Clearly rights of way maintenance and an up-to-date definitive map are fundamental in 'keeping paths open and available for the public to enjoy'. Nevertheless, the Plan recognises that the promotion of the network is essential in highlighting the opportunities, increasing usage and maximising the potential of rights of way for both recreational and utility type journeys.

Policy and procedures

One of the most important considerations in developing the ROWIP for Nottinghamshire is to ensure that it addresses key themes and complements the aims and objectives of existing county plans and strategies. As with other local level strategies, the aims and objectives of the ROWIP have been designed to assist delivery of core national and regional policies identified in Planning Policy Guidance and Regional Spatial Strategy. The ROWIP complements Nottinghamshire's Local Transport Plans (LTPs) and it is the intention to fully integrate the ROWIP with the LTP by 2011.

The preparation of the ROWIP has also offered an opportunity for the Authority to prepare and present a summary of the key rights of way issues taking into account both established and new legislation and working practices. These are supplemented by a series of policies relating to network improvement, community and partnership working, definitive map and planning and development. They will guide the Authority, land managers and all stakeholders in the maintenance and management of public rights of way in the county.

What happens next?

Under the CROW Act 2000, the Authority has a statutory duty to prepare and publish a Rights of Way Improvement Plan, but not to implement it. Accordingly, no additional funds have as yet been allocated to Highway Authorities for this purpose.

The Statutory Guidance makes reference to the concept that the ROWIP will become a distinct chapter of the Local Transport Plan. The aims, objectives and actions of the ROWIP will contribute to those of the LTP and will form the basis of the work funded through the LTP's Integrated Transport Measures programme.

The Statement of Action will become critical in business planning to which specific improvement works can be attached.

The County Council will report progress through annual progress reports and work with the Nottinghamshire Local Access Forum in identifying key issues and priorities.

The actions in the Plan are ambitious and challenging but with the backing of national and local government, key organisations and agencies, land managers and the general public they are attainable. Many of the actions are dependent on further resources and funding. However, by encompassing the ethos of the Rights of Way Improvement Plan, by providing best value, many of these actions are achievable.