

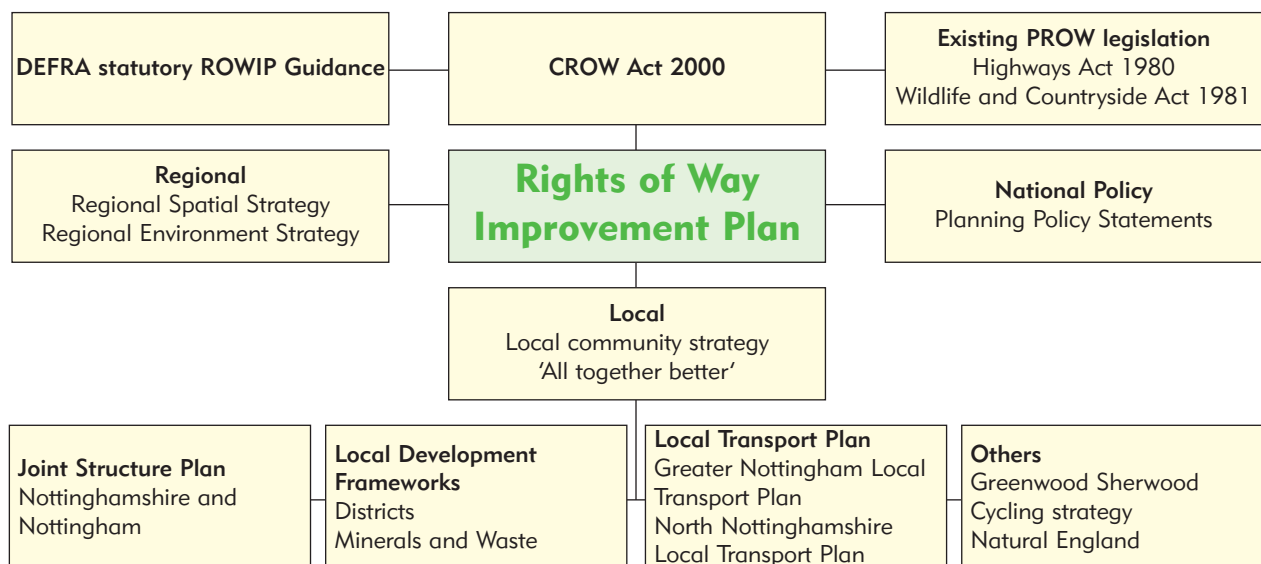


3. Policy Context

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- 3.1 One of the most important considerations in developing the Rights of Way Improvement Plan (ROWIP) for Nottinghamshire is to ensure that it addresses the key themes and complements the aims and objectives of existing plans and strategies significant to the county.
- 3.1.1 Throughout this Plan ROWIP policy statements are quoted, and items in the Statement of Action are attributed to the relevant policy statement, as well linking to the policies of the other relevant plans. Policy statements are related to each of ROWIP's six main aims (prefix's A1, A2, A3, A4, A5, and A6). A full list of ROWIP policies are listed in Appendix 5.
- 3.1.2 There are a number of plans and strategies on a national, regional and local level that relate to the ROWIP which can have an impact on the management of the PROW network and Countryside Access in Nottinghamshire. In addition, previous internal plans and reports from NCC's Countryside Access team have also identified areas for improvement in fulfilling statutory duties and responsibilities in respect of the county's PROW network.

Chart 1 How the ROWIP relates to existing legislation and policy



3.1.3 Identifying and reflecting the policies in other relevant documents will give the ROWIP the best chance of delivery and lend weight to funding bids from both the highway authority and the bodies with complementary aims and objectives. It also provides potential opportunities for partnership working, the pooling of resources and the delivery of Best Value.

3.1.4 The following strategies and documents have been considered in the course of the development of the ROWIP:

- National Planning Policy Guidance 17 (2002)
- National Planning Policy Guidance 13 (2001)
- National Planning Policy Statement 7 (2004)
- Regional Spatial Strategy 8 (RSS8) (2005)
- Regional Environment Strategy (2002/2003)
- Greater Nottingham Local Transport Plan (2006/07 to 2010/11)
- North Nottinghamshire Local Transport Plan (2006/07 to 2010/11)
- Nottinghamshire and Nottingham Joint Structure Plan (2006)
- Nottinghamshire's Community Strategy (2005 to 2009)
- Nottinghamshire Minerals Local Plan (2005)
- Nottinghamshire and Nottingham Waste Local Plan (2002)
- Newark and Sherwood Local Plan (1999-2006)
- Bassetlaw Local Plan Deposit Draft (2001)
- Mansfield District Local Plan (1998)
- Ashfield Local Plan Review (2002)
- Gedling Borough Replacement Local Plan (2005)
- Broxtowe Borough Local Plan (2004)
- Rushcliffe Borough non statutory Replacement Local Plan (2006)
- District Local Development Frameworks (in progress).

3.2 National

3.2.1 National policies and guidance that are relevant to the ROWIP are:

- Planning Policy Guidance 13 (PPG13) – Transport
- Planning Policy Guidance 17 (PPG17) – Planning for Open Space, Sport and Recreation
- Planning Policy Statement 7 (PPS7) – Sustainable Development in Rural Areas.

3.2.2 National planning policy is reflected in regional and local plan policies. The main considerations at national level are the effect of developments on public rights of way, the promotion and development of sustainable transport options and the benefits of recreation to health and communities.

3.2.3 The core objectives of PPG13 are to integrate planning and transport at all levels in order to reduce car usage, promote more sustainable transport choices and to promote accessibility to jobs, shopping, leisure facilities and services by public transport, walking and cycling. Each of these is intrinsically linked to the aims and objectives of the ROWIP.

3.2.4 Paragraph 32 of PPG17 states *'rights of way are an important recreational facility, which local authorities should protect and enhance. Local authorities should seek opportunities to provide better facilities for walkers, cyclists and horse-riders, for example by adding links to existing rights of way networks'*. This statement supports the statutory duty placed on Highway Authorities by government legislation and outlines the shift towards ROWIP's and general improvements to the PROW network.

- 3.2.5 Numerous sections of PPS7 are relevant to the ROWIP. Paragraph 26 relates to the countryside around urban areas and states that *'planning authorities should aim to secure environmental improvements and maximise a range of beneficial uses of this land....this should include improvement of public access'*.
- 3.2.6 Paragraph 32 encourages LPAs to set out policies regarding equine enterprises, which also links indirectly to the need to recognise the importance, in many instances, of farm diversification into non-agricultural activities (Paragraph 30). Whilst this does not relate directly to the ROWIP it should be noted that this support of such schemes could increase the potential of negotiating permissive off-road routes in order to provide more recreational opportunities and increased connectivity of the PROW network.
- 3.2.7 Paragraph 34 highlights the importance of tourism and leisure activities for many rural economies and suggests Local Planning Authorities (LPAs) should support developments that may benefit this in their policies, where appropriate.

3.3 Regional

- 3.3.1 In line with Government policy, regional policy focuses on the promotion of more environmentally friendly travel methods and the facilitation of this through the promotion of the health benefits of walking, cycling and riding, and the increase and improvement of current access provision.
- 3.3.2 Regional Spatial Strategy 8 (the East Midlands Regional Plan) provides a long-term development strategy for the East Midlands region up to 2021. Delivery of the ROWIP can positively impact upon the delivery of the following Regional Core Objectives detailed in Policy 1 of the Draft Regional Plan (consulted upon September-December 2006):
- The reduction of social exclusion
 - The improvement in health of the regions residents
 - Improvement in accessibility to jobs, homes and services.
- 3.3.3 Policy 45 recognises the need for behavioural change in order to meet traffic reduction targets with the guidance suggesting Local Transport Plans, Local Development Frameworks and Development Plans should *'include measures to encourage an increase in cycling and walking'*, including the provision of safe routes.
- 3.3.4 Policy ENV 4 of the Regional Environment Strategy (August 2003) again focuses on the health benefits of outdoor exercise and aims *'to ensure all East Midlands people have sustainable access to a diverse, well managed environment'*. It identifies the key means of achieving the policy aims as the completion of rights of way improvement plans, development of access to open country and the promotion of local wildlife rich green spaces and the environmental benefits and health gains that can be derived from Health Initiatives.

3.4 Local

- 3.4.1 The objectives of the national and regional legislation and Government guidance are delivered through the series of strategies detailed below.

3.5 Nottinghamshire's Community Strategy – All Together Better 2005-2009

- 3.5.1 The strategy was adopted in September 2005 and was written in partnership with over 70 key organisations within the county, including the emergency services, District and Borough Councils, Primary Care Trusts and the Community Sector. It sets out a number of measurable targets in order to deliver its five key objectives (see overleaf).

Targets include:

- Reducing the number of deaths and serious accidents on Nottinghamshire's roads, particularly those involving children
- Work to ensure that all children and young people have opportunities to enjoy themselves, broaden their experience, and improve their health and wellbeing
- Increase participation of all age groups, particularly older people, in sport, leisure, culture and physical activity
- Work to ensure that schools are at the centre of local communities
- Conserve and enhance the County's outdoor environment, countryside and wildlife
- Widen transport choice in public transport, cycling and walking and improve the major bus stations that serve our communities.

Table 2 ROWIP contribution to Community Strategy Objectives

Community Strategy objectives	ROWIP Contribution
Safer and stronger – Reduce the number of road deaths and serious accidents on Nottinghamshire's roads, particularly those involving children. Improve community facilities and resources. Enrich people's lives and our community's culture and heritage.	Assist with delivery of traffic reduction targets through promotion, development and where possible creation of off-road routes to local facilities and schools using PROW and the wider access network. Consultation with communities at the early stages of development proposals affecting the existing and potential PROW network. Promotion and improved maintenance of routes encompassing cultural and heritage features and facilities. PROWs enable users to access and understand both the built and natural environment, culture and heritage.
Healthier – Increase participation by older people in sport, learning and leisure activities. Reduce health inequalities and improve life expectancy. Work to ensure that all children and young people have opportunities to enjoy themselves, broaden their experience, and improve their health and wellbeing.	Enhancement and improved maintenance of the existing PROW network will improve access to services and facilitate increased demand for recreation. Pay particular attention to provision of barrier free routes and delivering the least restrictive option. The promotion of exercise through riding, cycling and walking schemes such as the Guided Walks and the Rural Ride Programmes. Also the continued development of promoted routes and promotional publications such as 'Exploring Nottinghamshire on Horseback' and 'Exploring the Robin Hood Line'. PROWs provide opportunities for a whole range of sporting activities, from jogging, access to water based activities, cycling, climbing and horse riding to motor sport.
Learning and earning – Work to ensure that schools are at the centre of local communities.	Accessibility improvements on links to schools and further education establishments. Work with partners to deliver 'safer routes to schools' projects identified in LTP. PROWs provide excellent opportunities to study the built and natural environment and are themselves an important part of our history and heritage.

Cleaner and greener – Improve the physical environment in local communities. Conserve and enhance the County's outdoor environment, countryside and wildlife.	Identify more efficient working practises to deliver better quality service and improve Best Value performance. Improved communication with LPAs to reduce the impact of planning applications on existing and potential PROW network. Rights of way link users with the natural environment, while the network itself provides a green corridor and refuge for flora and fauna. Seek to establish links with landscape, conservation and reclamation sections of NCC with a view to improving best value in the delivery of landscaping works.
Travel and access – Work to tackle congestion and its associated pollution. Widen transport choice in public transport, cycling and walking and improve the major bus stations that serve our communities.	Continue to seek funding that has been allocated for the improvement and promotion of cycling and walking. Continuous development of the National Cycle Network. Improve existing links and seek to create new links with public transport provision.

3.5.2 Delivery of these targets can be assisted directly through the implementation of the ROWIP and its own aims and objectives (specifically detailed in the table on the previous page), which have been formulated from the National and Regional planning guidance detailed earlier in this chapter, and specific ROWIP guidance from Defra and the PROW Good Practice Guide.

3.6 Nottinghamshire and Nottingham Joint Structure Plan (Adopted February 2006)

- 3.6.1 The Joint Structure Plan sets out the strategic land use policies to guide the scale and location of development in Nottinghamshire and the City of Nottingham. The key policies within the plan that link to the ROWIP are as follows:
- 3.6.2 Policy 1/3 Planning contributions – Requires developer contributions to meet planning obligations, including open space provision, sport and recreational facilities and other infrastructure.
- 3.6.3 Policy 2/6 Wildlife habitat creation – Seeks opportunities to make provision for (sustainable) public access and recreation to areas of nature conservation value where appropriate.
- 3.6.4 Policy 2/13 River corridors – Seeks to maintain and enhance the multi-functional importance of river corridors, including recreational opportunities and landscape character.
- 3.6.5 Policy 5/4 Measures to assist cyclists, pedestrians and people with restricted mobility– Requires developments to incorporate measures to improve accessibility for people with restricted mobility and to improve facilities for cyclists and pedestrians.
- 3.6.6 Policy 5/5 Linear routes – Protects disused railway lines, canals and other linear features from development where it is considered appropriate to do so.
- 3.6.7 Policy 6/3 Recreational routes – 'Public rights of way and other recreational routes will be provided, maintained and where possible improved. Where such facilities are provided as a result of development the developers will be required to make provision for their ongoing maintenance. Where development results in the loss of a public right of way, an alternative route of an appropriate character will be required. Priority will be given to developing routes linking urban areas to the countryside and the reuse of former railway lines and other transport features such as canals'.

3.6.8 The new Structure Plan will be replaced in due course by the Regional Spatial Strategy

3.7 Local Transport Plans for Greater Nottingham (2006-2011) and North Nottinghamshire (2006-2011)

3.7.1 The Local Transport Plans (LTPs) that cover Nottinghamshire have the key objectives of:

- Reducing congestion
- Improving accessibility
- Improving road safety
- Improving air quality and increasing environmental protection
- Regeneration
- Improving quality of life
- Improved maintenance of the existing highway network.

3.7.2 Implementation of the ROWIP can clearly assist in the delivery of each of these key objectives to varying degrees through improvements to and better management of the existing PROW network, increasing opportunities for access and further development of promotional programmes and material encouraging walking, riding and cycling.

3.7.3 To assist with implementing the ROWIP parallel with the LTP, the LTP provides a funding contribution to the annual budget for PROW work to assist with delivering specific projects. Following the submission of a ROWIP progress report in the LTPs for Greater Nottingham and North Nottinghamshire, it is the intention to fully integrate the ROWIP into both plans at the end of the existing LTP 5-year period in 2011.

Table 3 ROWIP contribution to LTP2 objectives

LTP2 objectives	ROWIP Contribution
A. Better manage and where possible reduce the problems of congestion.	The LTP has a major focus on reducing traffic growth and encouraging use of alternative transport. Clearly improvements to the PROW network, particularly in the urban fringe will encourage greater use and provide an alternative option and thus reduce the need to travel by private motorised vehicles.
B. Improve accessibility and social inclusion.	Public rights of way are available to use for all, they are free to use and link all members of the community with friends, relatives, essential services and leisure facilities. It is important to develop policies to increase access to the network for people with disabilities and to encourage people from different ethnic and social backgrounds which are traditionally under represented in usage of the PROW network.
C. Improve road safety.	The PROW network can offer a viable and more pleasurable alternative to the metalled road network. However, the fragmented PROW network means users often need to walk, ride or cycle along busy roads in order to find a continuous route. The ROWIP will look at road crossings and roadside verge improvements to provide safer links between PROW's.
D. Better air quality and protection of the environment.	Air pollution can be reduced by encouraging alternative modes of travel and transport. The PROW network provides a sustainable and less intrusive alternative to private motorised vehicles (walking, cycling and riding) with obvious environmental benefits.
E. Support regeneration and or neighbourhood the renewal.	Public rights of way are at the heart of regeneration. Improvements to the PROW and wider access network, for example the creation of new routes along former railway lines creation of countryside sites on former colliery land, will enhance regeneration areas by attracting external investment and wider interest – thus helping them become more accessible and attractive to live, work and play.

F. Enhance people's quality of life.	Work to maintain and enhance public rights of way can lead to improvements in health and well being, particularly in areas on the urban fringe through providing access to services, recreation, education, history, biodiversity and sporting activities. Improved interpretation and promotion of the PROW network and the related user programmes (rural rides, guided walks etc) can help to increase people's quality of experience and overall usage of the PROW network and the wider access provision in the county.
G. More efficient and effective maintenance.	As with wider transport and highway infrastructure the ROW network will be maintained following the same principles of best value – in a cost effective and efficient manner.

3.8 Nottinghamshire Minerals and Waste Development Framework

3.8.1 The Planning and Compulsory Purchase Act 2004 requires all local planning authorities to have substantially replaced their Local Plans with Local Development Frameworks (LDFs) by 2008. For the County Council this will mean replacing its Minerals and Waste Local Plans with new minerals and waste Development Plan Documents. Separate documents will be produced for minerals and waste and will cover the following areas:

- core strategy
- development control policies
- site specific allocations
- proposals map.

3.8.2 Supplementary Planning Documents may also be produced. These new documents will all guide future minerals and waste development in the county.

3.8.3 The current status of the Local Plans and progress in the preparation of the new documents are as follows:

3.8.4 Nottinghamshire Minerals Local Plan (Adopted December 2005) & The Nottinghamshire and Nottingham Waste Local Plan (Adopted January 2002)

3.8.5 The above plans set out the County Council's approach towards mineral extraction and waste management within the county (the Waste Local Plan also covers Nottingham City). They include a comprehensive range of general environmental protection along with policies outlining future provisions.

3.8.6 Minerals

3.8.7 Policy M3.26 of the Minerals Local Plan relates specifically to Public Access. It states that 'planning permission will not be granted for minerals development which would temporarily or permanently disrupt public rights of way unless alternative routes of at least equivalent interest and quality are available'.

3.8.8 The sub-section on public access also encourages Mineral operators, where possible, to enhance the public rights of way network through their developments.

3.8.9 Preparation of new minerals Development Plan Documents is due to commence in 2007.

3.8.10 Waste

3.8.11 Policy W3.26 of the Waste Local Plan relates specifically to public access. It states that 'planning permission for a waste management facility which would temporally or permanently disrupt public rights of way will not be granted unless alternative routes of at least equivalent interest or quality are available'.

3.8.12 This policy approach is the same as applies to mineral extraction as set out above in Policy M3.26.

3.8.13 Preparation of a new joint County and City Waste Core Strategy and development control policy

documents is underway and general public consultation on issues and options began in October 2006. Preparation of a Site Specific Document will follow.

3.9 Local Development Frameworks

- 3.9.1 As noted above all local planning authorities will have substantially replaced their District Local Plans with new documents prepared under the new Local Development Frameworks (LDFs) by 2008. A significant change in this transition is the introduction of a more pro-active role for LDFs in shaping the way developments take place, with considerable emphasis placed on community involvement from the earliest stages in the planning of new developments.
- 3.9.2 Each of the seven District Authorities within Nottinghamshire are in the process of producing LDFs. There appears to be a general recognition at District level of the importance of the PROW network and wider access provision as a recreational resource, and a realisation of how protection and enhancement of this can assist greatly in delivering other targets such as healthier lifestyles and reduction of traffic levels.
- 3.9.3 This can only help in improving links and partnership working with District Authorities in respect of planning applications and the granting of planning permission for developments affecting existing and potential public rights of way.

3.10 Other Initiatives and Strategies

- 3.10.1 In line with Nottinghamshire's Community Strategy – 'All Together Better', detailed above, there are a number of other initiatives and strategies that link to key aims of the ROWIP.
- 3.10.2 The Strategic Plan for Greenwood Community Forest (September 2000) outlines ten specific Countryside Access Proposals, all of which are directly supported by policies, proposals or themes within the ROWIP.
- 3.10.3 The Nottinghamshire Cycling Strategy (2006/07 – 2010/11) includes objectives such as the promotion of cycling for health benefits, identification of cycle routes in rural areas and improvement of accessibility in areas where there are low levels of car ownership or high levels of congestion.
- 3.10.4 The East Midlands Public Health Network offers guidance and support in the promotion of improving health through becoming more physically active with their 'emphasis on physical activity'.
- 3.10.5 Natural England is currently preparing an 'outdoor recreation strategy' with a view to producing a consultation paper in 2007. The strategy will cover the following areas:
 - promotion, and marketing the outdoors
 - providing information
 - healthy lifestyles
 - monitoring use of outdoor space
 - planning and transport
 - tourism and leisure
 - managing the land to improve and extend access
 - engaging the interest of young people
 - providing for disabled groups, and
 - other matters which are influenced by or impacted on by outdoor recreation.
- 3.10.6 Aspects of the ROWIP also link to Natural England's ⁴ 'Walking the Way to Health' initiative, which encourages more walking for health reasons, and the 'Diversity Review', which investigates social inclusion and equal opportunities in countryside access.

⁴ For further information visit www.naturalengland.org.uk