



19 January 2017

Agenda Item: 9

REPORT OF CORPORATE DIRECTOR, PLACE

RIGHTS OF WAY MANAGEMENT PLAN FOR NOTTINGHAMSHIRE

Purpose of the Report

To seek approval to commence public consultation on Nottinghamshire's draft Rights of Way Management Plan (ROWMP).

Information and Advice

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.

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.

The County Council is required, not more than 10 years after the first ROWIP, to review the ROWIP and, if it is to be amended, to publish a revised plan. A revised plan has been drafted (see Appendix 1 for the Executive Summary). The intention is to run this alongside the County's Local Transport Plan until 2026. While the document will be the County Council's ROWIP in legal terms, the actual title of the draft document has changed to Rights of Way Management Plan to reflect a more focused management plan but which is less 'aspirational' (as the inaugural ROWIP was originally required to be by the CROW Act) and therefore has more emphasis on the Authority's core statutory duties. The Authority has consulted and worked

closely with Nottinghamshire Local Access Forum (LAF) during the production of the draft ROWMP. Responses from the LAF were considered and the plan amended accordingly.

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.

Rights of way and countryside access have a key role in helping deliver and complement the Council's key priorities in both the County Council's Strategic Plan (2014-2018) and Local Transport Plan (2011-2026). The ROWMP will serve as the over-arching focus for the protection, creation and enhancement of responsible countryside access in Nottinghamshire.

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. An Equality Impact Assessment (EqIA) will be undertaken during public consultation. The ROWMP recognises the interests of agriculture, forestry and other land occupiers in the management of rights of way.

If approved, public consultation would commence for a period of eight weeks. As well as the general public and local authorities, all rights of way statutory consultees will be consulted e.g. users groups, landowner representatives, utilities and other agencies. Stakeholders will be contacted directly and the draft plan will be available to view at <http://www.nottinghamshire.gov.uk/enjoying/countryside/rights-of-way/improvement-plan> Comments received will be collated and considered by the County Council and a revised plan will be presented to Transport and Highways Committee, and finally for approval at Policy Committee. The final adopted Plan will be reviewed in line with the next Local Transport Plan in 2026.

Reason for Recommendation

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

This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

RECOMMENDATION

It is recommended that:

- a) the commencement of an eight week public consultation on Nottinghamshire's draft Rights of Way Management Plan (ROWMP) be approved
- b) the revised Plan be presented to a future meeting of the Transport and Highways Committee with final approval by the Policy Committee.

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For any enquiries about this report please contact:

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Constitutional Comments (SLB 23/12/2016)

Transport and Highways Committee is the appropriate body to consider the content of this report.

Financial Comments (SES 23/12/16)

There are no specific financial implications arising directly from this report.

Background Papers and Published Documents

- Nottinghamshire's Rights of Way Improvement Plan 2007
- Draft Nottinghamshire Rights of Way Management Plan 2017 - 2026

Electoral Division(s) and Member(s) Affected

- All