

ENVIRONMENT AND PUBLIC PROTECTION SCRUTINY COMMITTEE

2ND OCTOBER, 2017

CARMARTHENSHIRE RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)

Purpose:

To note progress on the statutory ten year review of Carmarthenshire's ROWIP in accordance with the Countryside and Rights of Way Act (2000) and associated Welsh Government Guidance.

Recommendations:

Scrutiny Committee is requested to note progress on the revision and amendments proposed to the existing ten year policy document -Carmarthenshire ROWIP 2007-2017.

Reasons:

Under s60 (3) of the Countryside and Rights of Way Act (2000) all Local Authorities in Wales are expected to undergo a statutory review of their present ROWIP not more than ten years after first publishing.

Carmarthenshire's ROWIP 2007-2017 was published in 2007 and therefore requires review. In Order to comply with the statutory requirements and with the relevant guidance, publication of a revised ROWIP for the County should be achieved by January 2018.

An assessment of the current plan has been carried out in accordance with Wales Government guidance. It has been concluded that revisions to the actions and policies contained within the current plan are necessary to keep the document up to date and properly steer PROW management in the County.

Relevant scrutiny committee to be consulted: Yes

Environment and Public Protection Scrutiny Committee, 3rd October,2017

Exec Board Decision Required: Yes

Council Decision Required: Not Applicable

Executive Board Member Portfolio Holder:- Councillor H. A. L. Evans, Environment

Directorate : Environment

Name of Head of Service:

S.G. Pilliner

Report Author: S.G. Pilliner

Designations:

Head of Transportation
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EXECUTIVE SUMMARY

ENVIRONMENT AND PUBLIC PROTECTION SCRUTINY COMMITTEE

2ND OCTOBER, 2017

CARMARTHENSHIRE RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)

The Countryside and Rights of Way Act (2000) requires that each Local Authority must review their existing Rights of Way Improvement Plan. The first three stages of Carmarthenshire's review, as identified in the Wales Government guidance, have been completed.

The review has progressed to a statutory 12 week consultation, as outlined in the guidance. The consultation will serve to obtain the views of the wider public and varied stakeholders in respect of the draft content produced so far.

The consultation has run from July through until the end of September. Following the consultation period, revisions to the draft document may be made during October and November, in readiness for publication of the final document in January 2018.

Given the statutory requirement to undertake a 10 year review of the Carmarthenshire ROWIP and as the content of the original plan was out of date and it did not acknowledge new and relevant legislation such as the Well-being of Future Generations (Wales) Act (2015) or the Environment Act (2016), the County Council has followed the Wales Government Guidance to assess and review the current Rights of Way Improvement Plan.

DETAILED REPORT ATTACHED ?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: S.G.Pilliner

Head of Transportation and Highways

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
NO	YES	YES	NO	NO	YES	NO

2. Legal

- 1) Carmarthenshire County Council, as the relevant Highway Authority, has a statutory obligation to undertake a 10 year review of the Carmarthenshire ROWIP 2007-2017.

Under s60(3) of the Countryside and Rights of Way (CROW) Act (2000) this statutory review of the present ROWIP must be undertaken not more than ten years after first publishing.

Carmarthenshire's ROWIP was published in 2007 and therefore the review process must be completed by December 2017.

Guidance issued by the Welsh Government in July 2016 outlines the processes that should be undertaken in completing the review. This guidance has been the basis for the brief provided to Capita who are acting as Consultants for Carmarthenshire in completing the review process.

1. Finance

The costs for undertaking the review are funded through capital and revenue expenditure with the Public rights of Way budgets.

There are potential budget pressures created by proposed actions and policies within the revised ROWIP once it is in force and these have been included as a Departmental budget pressure for consideration.

Specific to the Countryside Access service within Environment, this pressure arises from the Enforcement and Definitive Map sections of the revised document.

Within the Enforcement section there are actions relating to use of an enforcement protocol and an enforcement scoring matrix for prioritisation. These methods will standardise our approach in respect of enforcement.

Within the Definitive Map section there is a quantified action relating to Orders produced per annum of 40. With the present cost of processing an Order averaging £1000.

This pressure can vary greatly annually due to the varied complexity of the Orders being processed.

7. Staffing Implications

It is proposed that the current staffing structure will support the implementation of the ROWIP.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: S.G.Pilliner

Head of Transportation and Highways

1. Scrutiny Committee

2. Local Member(s)

3. Community / Town Council

See appended list

4. Relevant Partners

See appended list

5. Staff Side Representatives and other Organisations

See appended list

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THESE ARE DETAILED BELOW

Title of Document	File Ref No.	Locations that the papers are available for public inspection
Guidance for Local Authorities on Rights of Way Improvement Plans July 2016	N/A	http://gov.wales/docs/desh/publications/160711rights-of-way-improvement-plans-en.pdf Countryside Access Unit, Mynydd Mawr Woodland Park, Tumble. SA14 6HU