

**COUNCIL**  
**13<sup>TH</sup> NOVEMBER 2019**

**Carmarthenshire Rights of Way Improvement Plan (ROWIP)**

**Purpose:** To seek approval of the finalised Carmarthenshire ROWIP 2019 to 2029 for adoption and publication by the Authority.

**Executive Board Recommendations:**

To approve adoption and publication of the 10 year public rights of way policy document - Carmarthenshire ROWIP 2019-2029.

**Reasons:** Under s60 (3) of the Countryside and Rights of Way (CROW) 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 2008 and therefore required review in accordance with the statutory obligation.

A review of the first Carmarthenshire ROWIP was undertaken in accordance with Welsh Government guidance issued in 2016. The decision to produce a new ROWIP was made in 2017 in order to revise the published aims, policies and actions so they are brought up to date and properly steer realistic and achievable PROW management in the County. The new plan should also refer to and link into the aims of new legislation and relevant policies and plans. The new ROWIP has been produced in conjunction with the Local Access Forum, Natural Resources Wales and Brecon Beacons National Park.

All assessments and consultations as required by the guidance have been carried out. 130 individual comments were received during the 12 week consultation on the draft plan and all were given due consideration. Those consultation responses considered to enhance the content of the new ROWIP, strengthen the aims, policies or actions and/or improve the ease of understanding of the document for the public have been implemented; the finalised plan is therefore now ready for adoption and publication by the Authority subject to the relevant approvals.

Relevant scrutiny committee to be consulted N/A Copy circulated to the Scrutiny Committee by email for information.

Exec Board Decision Required	YES
Council Decision Required	YES

**EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:-**

Cllr. Hazel Evans, Executive Board Member for Environment / Cllr Peter Hughes-Griffiths  
Executive Board Member for Culture, Sport & Tourism.

**Directorate:**

Environment / Communities

**Name of Head of Service:**

Stephen G Pilliner / Ian Jones

**Report Author:**

Caroline Ferguson

**Designations:**

Head of Transportation &  
Highways / Head of Leisure

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# EXECUTIVE SUMMARY COUNCIL

## BACKGROUND

The Council's Rights of Way Improvement Plan was published in 2008 and steered the strategic management and development of Carmarthenshire's PRow and access network for 10 years from 2007-2017.

The Countryside and Rights of Way (CROW) Act (2000) states that each Local Authority must review their existing Rights of Way Improvement Plan within 10 years of first publication.

Welsh Government guidance issued in 2016 directed the review process, the diagram below provided in the guidance outlines the processes undertaken in completing the review.

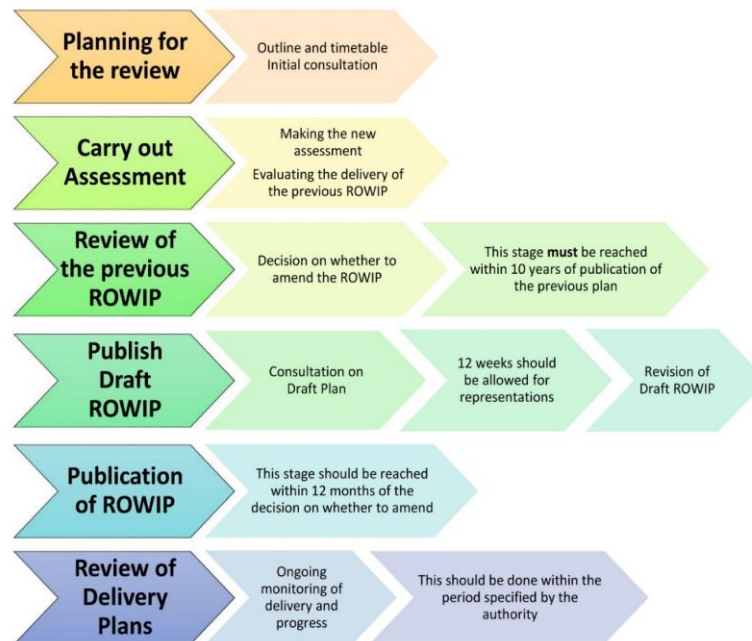


Diagram 1: Summary of the ROWIP process and timetable

The first four stages of the review process have been completed, the draft document which included revised aims, policies and actions was subject to wider public consultation over a twelve week period. The views obtained by the consultation have been considered and the plan updated where appropriate to enable the plan to proceed to the formal approval and publication.

This report is seeking approval to adopt and publish the Carmarthenshire Rights of Way Improvement Plan (ROWIP) 2019 – 2029. A copy of the ROWIP 2019-2029 is attached as Appendix 1 including a summary of the consultation responses.

## **ROWIP Review Process**

The ROWIP review has been undertaken in accordance with the Wales Government guidance 2016. The review has followed the six stage process as set out in the guidance and has been subject to wider consultation with the public and statutory consultees.

The list of consultees in receipt of the draft document can be found in appendix 1 to the final ROWIP (Appendix 1 to this report). In total there were 239 consultees plus notices in the local press and online.

The consultation exercise revealed a great deal of interest in public rights of way and countryside access in Carmarthenshire with 130 individual comments identified from the responses received. A summary of the responses is included at Appendix 5 of the report, and includes comments from the Carmarthenshire Local Access Forum (LAF) who had input into the draft document and provided a response to the 12 week consultation.

Analysis of the responses revealed that in general there was support for the draft plan and what the aims policies and actions it contained were working towards. Multiple comments were raised in respect of funding, equestrian access, disabled access and digital mapping. Each of these topics were addressed to some degree in the draft ROWIP illustrating that the plan will steer future public rights of way management in a direction that is important to our partners, stakeholders and the public.

Each comment that suggested that some sort of amendment to the draft was considered in terms of whether it will potentially enhance the final plan whilst being:

1. Within the scope of the ROWIP
2. Reasonable
3. Align with Council policy
4. Support compliance with relevant legislation
5. Not change the plan to such an extent that would require further consultation.

The suggested amendments which met the criteria above and would therefore enhance the final plan have been integrated into the final version document appended to this report (appendix 1). It is clear within the plan that parts of the ROWIP are aspirational and will be constrained by level of resources that will be available during the life of the plan. The Council will also explore new ways of working to help deliver the aspirations set out in the plan. This information should manage expectations in terms of delivery when the plan is adopted and published.

As the ROWIP is a public facing document the formatting and design will be reviewed by the Media and Marketing team before being translated in readiness for publication. We want to ensure that the final plan is useful to both the Authority and its partners, stakeholders and the public.

## **Conclusions**

Carmarthenshire now has a draft ROWIP for 2019 to 2029 which reflects the significant changes in legislation and in Local Government since the inception of the first ROWIP. It is a document that will direct the strategic management and development of Carmarthenshire's public rights of way and access network for the next 10 years, containing policies, aims and actions which incorporate our statutory duties, powers, ideals and aspirations.

Undertaking the review process and developing the new ROWIP has highlighted the challenges faced in meeting demand for maintenance, enforcement and improvement of the public rights of way and access network within the constraints of resources available.

It has however, also illustrated opportunities for alternative ways of delivering the service such as collaborative working and has highlighted where the countryside access service can contribute to the Authority's wider obligations such as Active Travel and Carmarthenshire's Wellbeing objectives.

Establishing alternative methods of managing and improving the public rights of way network, such as using volunteer groups, as identified in the ROWIP action plan will play a large part in delivering the ROWIP.

Additionally, continually exploring for sources of funding to enable completion of some of the ROWIP actions which are currently not achievable within available resources will be vital to the successful delivery of the plan.

The final stage of the ROWIP review process as detailed in the WG guidance is the Review of the Delivery Plan. A delivery plan will be developed once the new ROWIP is adopted and published. A two yearly review of ROWIP delivery has been identified in the plan and the delivery plan will be developed in accordance with that timescale.

## **Recommendation**

To approve the Rights of Way Improvement Plan 2019-2029 for Carmarthenshire to enable formal publication by 1<sup>st</sup> December 2019.

<b>DETAILED REPORT ATTACHED?</b>	<b>Yes</b>
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## 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 Pilliner / I Jones**

Head of Transport & Highways / Head of Leisure

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
<b>NONE</b>	<b>YES</b>	<b>YES /</b>	<b>NONE</b>	<b>NONE</b>	<b>YES)</b>	<b>NONE</b>

### . Legal

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

The Carmarthenshire ROWIP 2019- 2029 has been drafted in close liaison with Natural Resources Wales who are overseeing ROWIP reviews across Wales.

### Finance

The ROWIP sets out the broader policies and context of the rights of way network in Carmarthenshire and how the guiding principles of how they should develop in future.

Issues such as maintenance and resources are discussed within the Plan and an Action Plan is also included which identifies projects to be promoted subject to available funding.

Previously funding for ROWIPs was available from Welsh Government which is unfortunately no longer the case. Consequently it is intended to investigate alternative funding options to take projects forward and to work with partners and volunteers to maintain and develop the Public Right Of Way network.

The ROWIP clearly sets out that the actions and ambitions will be constrained by the level of resources available.

## Staffing Implications

The delivery of the ROWIP will not have any direct staffing implications however, it is planned to work more closely with other partner organisations including Town and Community Councils and volunteers to maintain, improve and promote our public rights of way network.

## CONSULTATIONS

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

Signed: S Pilliner / I Jones

Head of Transport & Highways / Head of Leisure

### 1. Scrutiny Committee

Yes – The Environment and Public Protection Scrutiny Committee were consulted on the draft ROWIP on 2<sup>nd</sup> October 2017.

### 2. Local Member(s)

See appendix 1 within the final ROWIP (Appendix 1 to this report)

### 3. Community / Town Council

See appendix 1 within the final ROWIP (Appendix 1 to this report)

### 4. Relevant Partners

See appendix 1 within the final ROWIP (Appendix 1 to this report)

### 5. Staff Side Representatives and other Organisations

See appendix 1 within the final ROWIP (Appendix 1 to this report)

**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	<b>N/A</b>	<a href="http://gov.wales/docs/desh/publications/160711rights-of-way-improvement-plans-en.pdf">http://gov.wales/docs/desh/publications/160711rights-of-way-improvement-plans-en.pdf</a> Countryside Access Unit, Mynydd Mawr Woodland Park, Tumble. SA14 6HU
Carmarthenshire Draft Rights of Way Improvement Plan 2019	<b>N/A</b>	Countryside Access Unit, Mynydd Mawr Woodland Park, Tumble. SA14 6HU