

Report for: Decision
Item Number: 5



<b>Contains Confidential or Exempt Information</b>	No
<b>Title</b>	<b>DRAFT PUBLIC RIGHTS OF WAY MANAGEMENT AND IMPROVEMENT PLAN 2016-2026</b>
<b>Responsible Officer(s)</b>	Anthony Hurst, Principal Rights of Way Officer Ben Smith, Strategic Assets, Service Lead
<b>Contact officer, job title and phone number</b>	Anthony Hurst, Principal Rights of Way Officer 01628-796180
<b>For Consideration By</b>	Rights of Way and Highway Licensing Panel
<b>Date to be Considered</b>	20 <sup>th</sup> July 2015
<b>Implementation Date if Not Called In</b>	2015/16
<b>Affected Wards</b>	All

**Report Summary** This report seeks the Panel's approval to publish the "*Draft Public Rights of Way Management and Improvement Plan 2016-2026*", attached at Appendix 1. All local highway authorities have a statutory duty to publish and review their Public Rights of Way Improvement Plans every ten years. The Royal Borough's current Plan runs from 2005-2015 and the replacement Plan will cover the period 2016-2026. The Plan sets out the Council's strategy for managing and improving the public rights of way network and other accessible routes in the Royal Borough over the next ten years. Following a statutory consultation on the Draft Plan, all representations received will be reported back to the Panel in December 2015, with a view to approving the Final Plan which will come into effect on 1<sup>st</sup> January 2016.

<b>If recommendations are adopted, how will residents benefit?</b>	
<b>Benefits to residents and reasons why they will benefit</b>	<b>Dates by which residents can expect to notice a difference</b>
Adoption of the 10-year Plan will assist in the effective management and improvement of the borough's public rights of way network for the benefit of residents and visitors to the borough.	2016

## 1. Details of Recommendations

**RECOMMENDATION:** That the Panel approve the publication of the "*Draft Public Rights of Way Management and Improvement Plan 2016-2026*" for a 10-week consultation period during August-October, and that all representations

**and comments received are reported back to the Panel at its 7<sup>th</sup> December 2015 meeting.**

**2. Financial Details:** The costs of placing statutory Notices advertising the Draft Plan in two local newspapers will be approximately £1000.00. Adoption of the Plan would not commit the Council to incur any expenditure: funding arrangements for the implementation of any projects listed in the Plan would be subject to funding bids and any other necessary approvals on a case by case basis as/when required.

**3. Legal Implications:** Under Section 60 of the Countryside and Rights of Way Act 2000 local highway authorities are required to prepare and publish Rights of Way Improvement Plans, and to review these Plans every ten years. Under Section 61 of the Act local highway authorities are required to consult with Parish Council's, Local Access Forums and adjoining highway authorities before preparing or reviewing their Plans. Notices advertising the draft or amended Plan must be published in two or more local newspapers circulating in the area, giving details of how the Plan can be obtained or inspected and how representations can be made. The highway authority is then required to consider any representations made in accordance with the Notice.

**4. Value for Money:** Setting clear targets for the Council's Public Rights of Way team and other stakeholders will ensure that good value for money is achieved in delivering agreed objectives.

**5. Sustainability Impact Appraisal:** Effective management of the public rights of way network has a positive impact on sustainable transport by encouraging alternative forms of transport to the car.

**6. Risk Management:** Adoption of a Rights of Way Management and Improvement Plan is an efficient and effective way of planning, prioritising and monitoring public rights of way work. Without such a Plan there is a risk that the quality of service delivery would decline. Additionally, as highway authorities have a statutory duty to produce such Plans, there is a risk of reputational damage if the Council fails to do so.

## **7. Links to Strategic Objectives:**

### **Residents First**

- Improve the environment, economy and transport
- Encourage healthy people and lifestyles

### **Delivering Together**

- Deliver effective services

**8. Equalities, Human Rights and Community Cohesion:** The Draft Plan includes a number of initiatives aimed at improving access for people with disabilities or restricted mobility, the elderly and people with young children or pushchairs.

**9. Staffing/Workforce and Accommodation implications:** N/A

**10. Property and Assets:** N/A

**11. Consultation:** During the period January to May 2015 a number of meetings and discussions about the Plan were held between the Council's Rights of Way team and members of the Local Access Forum, and a Consultation Draft Plan was circulated in May to

all Parish Council's, neighbouring Highway Authorities and Natural England, as required by the legislation.

Copies of the Consultation Draft Plan were also sent to Maidenhead Civic Society, the National Farmers Union, the Royal East Berks Agricultural Association, and the Royal Forest Agricultural Association.

The following comments were received:

**Wokingham Borough Council:** suggestion that the two Borough's jointly investigate a proposal to provide a new horse riding link between Star Lane (part of the Knowl Hill Bridleway Circuit) and Canhurst Lane (Restricted Byway 40 Wargrave), within Wokingham Borough Council area. (*Officer note: agreed that this would be a desirable network improvement, and could usefully be added to the list of site specific schemes in the Draft Plan*).

**Maidenhead Civic Society:** suggestion that the existing route of the "Millennium Walk" could usefully be shown on the maps contained within the Draft Plan. (*Officer note: there is already a web-link in the text of the Draft Plan that takes readers to the Millennium Walk route map and leaflet, and this is considered sufficient. Adding this or other recreational routes to the map would over-complicate the map and could be confusing to readers*).

1.4 I'd be interested to know who the Ecological Advisor is. (*Officer note: the Council has recently appointed an in-house Ecologist, Rebecca Anderson, who works in the Planning team*).

1.6 Improving transport facilities to allow people access to the countryside is a good idea.

1.8 Quiet Lanes: The Millennium Walk has several sections that constitute quiet lanes i.e. Dungrove Hill Lane, and the combination of Malders Lane/Hindhay Lane and Nightingale Lane. This extra dimension to the Millennium Walk should be mentioned in this section.

1.12 Developing the use of volunteers to achieve path improvements and engaging with community focussed projects and an initiative is an admirable objective. Without Royal Borough involvement, volunteers cleared the path from the Lower Cookham Road to the Thames for six years to allow this missing link in the Millennium Walk to be used for the annual Boundary Walk. The *Make Space for Life* group of volunteers has done many years of conservation work in North Town Moor supervised by the National Trust and the Landscape section of the Royal Borough. However to achieve path improvements more decisive negotiations with landowners will be needed.

2.2 Improving sight lines of paths and ensuring new landscaping is not too close and avoiding the use of hostile plant species is a good idea. Possibly a list of said hostile species should be compiled. This would have prevented the planting *Mahonia* at the base of Crown Lane steps on the Green Way.

2.12 We support the provision of the bridge from the Taplow Paper Mill site to link paths on both sides of the Thames. This bridge will link the Jubilee River network with the Thames Path and hopefully the Millennium Walk and Green Way.

2.13 We support the provision of new links between paths, particularly recreational routes (including the Millennium Walk and Green Way). We hope that 2.13 a) developing links and networks to fill gaps in access and create circular routes, means more effort will be made in this regard. We also support e) the use of permitted paths to fill links in the existing network.

3.1 g) We support the aim of both assisting user groups to develop new leaflets and helping promote/distribute existing leaflets. Most leaflets including the *Green Way* leaflet, now in its fourth edition, published by the Royal Borough, are given away. The *Millennium Walk* leaflet, published by the Civic Society and East Berks Ramblers in 2012, is sold for 50p. The only

place in Maidenhead where this leaflet is available is Maidenhead Library where the leaflet is sold on commission. If LAF knows of any other organisation willing to sell this leaflet please let me know.

3.1 j) We support the aim of working with local newspapers to promote public rights of way by publishing local walks. We would like to know who is going to be responsible for doing this.

3.2 We support the creation of circular walks especially those involving the Thames Path. We wish to point out that the Millennium Walk connects with the Thames Path at both ends, creating a huge circular walk. In addition a path across from Marlow to Malders Lane creates two smaller circular walks.

Perhaps an additional objective could be to ensure that S106 (or whatever replaces it) funding should be sought to complete missing links in the path network especially those involving recreational routes thus improving access.

### **Bisham Parish Council:**

The Plan was discussed at the last meeting of the Parish Council and the comments were as follows:

Some of the Rights of Way noted in Bisham are dead ends (*Officer note: with the exception of Footpath 16, which ends at the Thames riverside - it is likely that historically a ferry operated from this point- all public rights of way in the Parish connect with other public rights of way or public roads at each end, although it is acknowledged that in some cases these are major roads, such as the A404 or the A308.*)

1.2 The Parish Council welcome the association of Development Control with Rights of Way

1.13 The Parish Council welcome the Borough's assistance with Historic Rights of Way matters

3.3 The Parish Council suggested that point 3.3 in Objectives should include Horse Riding

Site specific schemes:

Items 1 and 3 reference areas that are in Bisham, not Hurley. (*Officer note: these items were referred to in error as being within Hurley rather than Bisham, and these errors will be corrected in the next version of the Plan.*)

Item 22 The Parish Council would welcome any further information about a potential river crossing at Bisham Church

### **Wraysbury Parish Council**

Wraysbury Parish Council's initial response is as set out below:

All existing permitted paths should be shown on the consultation maps. Currently the path from the B376 Staines to the end of Hythe End Road where it joins the permitted path along the river on the Ankerwyke estate is not marked although there is a proper sign on the verge in the Staines Road opposite No. 104 Staines Road. (*Officer note: the permitted path described above was omitted from the consultation maps in error, and will be added to the updated version of the maps*)

The Buckinghamshire & Berkshire County Council Definitive Maps should be checked as this Parish believes that Magna Carta Lane is a Public Footpath. It does not appear as such on the current Definitive Map and that the appropriate steps should be taken to rectify the current Definitive Map. (*Officer note: this will require further research*)

The Borough Council should actively pursue the current Footpath claims within this Parish, in particular those relating to Thames Field. The Parish Council supports these claims. (*Officer note: these footpath claims are currently being investigated in discussion with the Council's legal team*)

Those possible paths identified within the document as a possible “wish list” and that have a real chance of being recognised as Public Rights of Way are given active attention. In particular the path that runs from the Village centre car park along the back of the properties on the eastern side of the B376 Staines Road to the path at the front of the properties in Broadwater Close and then continues beyond to link with Magna Carta Lane, the permitted path at the side of 104 Staines Road and Wraysbury FP No. 4 and the path from Station Road along the Colne to FP No. 4.

**The Local Access Forum** considered the Consultation Draft Plan at its meeting on 24<sup>th</sup> June, and the following comments were made:

The Forum endorses the Draft Rights of Way Management and Improvement Plan 2016-2026, with the following suggested amendments:

1.8 The Local Access Forum considers that this section should be removed. Quiet Lane schemes that have been attempted in neighbouring authorities have not been successful in achieving their stated aims and have been shown to raise objections from local residents. In addition to this different schemes such as off-road shared use paths may be more desirable.

1.12 The Local Access Forum consider that businesses, schools and the Community Payback scheme should be added to the lists of volunteers.

3.3 The Local Access Forum agreed with Bisham Parish Council that the health benefits of Horse Riding should also be added to this list.

**12. Timetable for Implementation:** The statutory public consultation on the Draft Plan is proposed to run from August to October 2015. Any representations received will be reported to the Local Access Forum on 11<sup>th</sup> November for comment, and then to the Rights of Way and Highways Licensing Panel on 7<sup>th</sup> December for approval. It is proposed that the “*Rights of Way Management and Improvement Plan 2016-2026*” will come into effect on 1<sup>st</sup> January 2016.

### 13. Appendices

Appendix 1: “*Draft Public Rights of Way Management and Improvement Plan 2016-2026*”

The maps can be accessed via the attached link: <https://db.tt/w3pzdlj7>

**Background Information:** none

#### Consultation

Name of consultee	Post held and Department	Date sent	Date received	See comments in paragraph:
<b>Internal</b>				
Cllr Maureen Hunt	Panel Chairman	15/06/15	25/06/15 briefing	Throughout report
Ben Smith	Service Lead, Highways & Transport	15/06/15		

Mark Lampard	Finance Partner	15/06/15		
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## Report History

<b>Decision type:</b>	<b>Urgency item?</b>
Key decision	No

Full name of report author(s)	Job title	Full contact no:
Anthony Hurst	Principal Officer – Rights of Way	01628 796180

## Schedule for writing and reviewing report

Stages in the life of the report (not all will apply)	Date to complete
1. Officer writes report	16/06/15
2. To Chairman's briefing	25/06/15
3. To Panel	20/07/15