

Meeting:	Cabinet
Date:	11th October 2007
Subject:	Rights of Way Improvement Plan
Key Decision: (Executive-side only)	Yes (Advice can be sought from Dem Services)
Responsible Officer:	Andrew Trehern
Portfolio Holder:	Cllr Susan Hall, Environment Services Portfolio Holder
Exempt:	No
Enclosures:	Appendix A: Statement of Action (extracted from proposed ROWIP) Appendix B: Proposed ROWIP

SECTION 1 – SUMMARY AND RECOMMENDATIONS

This report sets out the background to the development of the Rights of Way Improvement Plan (ROWIP).

RECOMMENDATIONS:

Cabinet is asked to:

- Forward the Rights of Way Improvement Plan to Council for approval;
- Agree to the plan being published on Harrow's website;
- Agree to the plan being reassessed within 10 years;
- Delegate authority to the Environmental services Portfolio Holder to amend the timetable for implementation of the Statement of Action based on available funding opportunities;
- Agree to delegate to the Environmental services Portfolio Holder, the development of the programme of work required to implement the Statement of Action taking into account available resources.

REASON:

This is a statutory plan that sets out a borough wide strategy for the future of rights of way in Harrow. The borough is legally required to have published the Plan by November 2007.

SECTION 2 - REPORT

2.1 Corporate Priorities

This report will help the Council meet the following elements of Harrow's vision:

Satisfying our customers
Protecting our Green Belt and Harrow heritage
Promoting vibrant cultural and leisure opportunities

and will help achieve the following corporate priorities:

Increasing our level of customer satisfaction
Increasing opportunities for participation in sports and culture

2.2 Background

The Countryside & Rights of Way (CROW) Act 2000 imposed a new duty on Highway Authorities to prepare a Rights of Way Improvement Plan (ROWIP). ROWIPs are intended to be the prime means by which local highway authorities identify changes to be made to their rights of way network in order to meet the Government's aim of better provision for walkers, cyclists, equestrians and people with mobility problems.

In drawing up the ROWIP, the highway authority is required to assess:

1. The extent to which local rights of way meet the present and likely future needs of the public;
2. The opportunities provided by local rights of way (and in particular by footpaths, cycle tracks, bridleways and restricted byways) for exercise and other forms of open-air recreation and the enjoyment of their area;
3. The accessibility of local rights of way to blind or partially sighted persons and others with mobility problems;

Central to the ROWIP is the need to provide increased opportunities for walking in order to promote health and well-being.

Rights of way improvement plans are also required to include a statement of the action the authority proposes to take for the management of local rights of way and for securing an improved network of local rights of way, with particular regard to the matters dealt within the assessment.

2.3 Current situation

Local Highway Authorities already have statutory duties to maintain and keep the definitive map¹ and statement of public rights of way; and to ensure that ways are adequately signposted, maintained and free from obstruction. Only the duty to prepare an improvement plan is a new duty. Additional Government funding for this duty was provided in 2000/2001 but the money was not ring fenced.

"Local rights of way" in relation to a local highway authority, means:

(a) The footpaths, cycle tracks, bridleways and restricted byways within the authority's area; and

(b) The ways within the authority's area which are shown in a definitive map and statement as restricted byways or byways open to all traffic.

In Harrow, local rights of way consist of footpaths², bridleways³ and byways⁴ only.

There are currently no cycle tracks in the borough as defined by the legislation.

The work leading up to the published Plan must be conducted to a timetable that enables authorities to have published their ROWIPs by November 2007.

1 The definitive map identifies the existing rights of way in the London Borough of Harrow.

2 Footpaths are public rights of way for those on foot only

3 Bridleways are a public right of way for walkers, those leading a horse horse-riders, and invalid carriages. Although not a right, cycling is also permitted along bridleways as long as cyclists give way to walkers and horse-riders.

4 Byways open to all traffic are a type of way shown on the definitive map.

Though motor vehicles are entitled to use them, the predominant use of byways is normally by walkers, horse-riders and cyclists.

Within ten years of publishing a ROWIP, the authority is required to make a new assessment of the issues listed above and review the plan and decide whether to amend it.

As and when the Local Transport Plan is rewritten, the actions identified in this ROWIP should be included in the revised plan. In the future, the ROWIP and the Transport Local Implementation Plan should become integrated documents.

2.4 Consultation

2.4.1 Assessment

A requirement of the ROWIP is that it assesses the extent to which the local rights of way meet the present and likely future needs of the public. This assessment has to evaluate opportunities for exercise, open-air recreation and enjoyment. The Act specifically requires authorities to consider the needs of those who are partially sighted or have mobility problems. This therefore requires external consultation.

In producing the ROWIP, the Council undertook several detailed questionnaires on usage and potential usage of Harrow's rights of way. This assessment ran from mid August 2006 to mid September 2006. The main source of information was provided by a questionnaire sent to 526 members of Harrow's Citizens' Panel.

Questionnaires were also sent to:

- All Councillors
- All Schools
- Relevant landowners
- Local heritage groups which was considered to include visitors
- All groups recommended by Natural England, which included ramblers and horseriders etc.
- Various groups representing those with disabilities and sight difficulties

A questionnaire was also posted on the Harrow website and a press release was issued alerting the public to this.

Questionnaires were designed to suit the interests and concerns of the particular group.

Based on the results of the assessment, and after considering relevant legislation and existing Council policy⁵, a draft ROWIP was produced. As required by legislation, the draft ROWIP includes actions to be undertaken to

⁵ Mayor's Transport Strategy, The Mayor's Biodiversity Strategy, The Mayor's Spatial Development Strategy (the London Plan), Harrow's Community Strategy, Harrow's Unitary Development Plan (UDP), Harrow Local Implementation Plan (LIP), Harrow Greenbelt Management Strategy

manage the local rights of way as well as actions required for securing an improved network of local rights of way.

2.4.2 Consultation Results

Consultation on the draft ROWIP ran from April to the end of June 2007. The legislation recommends that the consultation period run for a minimum of 12 weeks.

To facilitate the consultation, a summary document including the majority of the issues identified in the ROWIP Statement of Action was produced and mailed out to the following:

- Groups on the Council stakeholder database (around 12,000)
- All Councillors
- Neighbouring authorities
- Organisations recommended by Natural England

In addition, a further questionnaire based on the Statement of Action was placed on the Harrow website.

The full draft ROWIP was also placed on the Harrow website and attention to the consultation was provided in the May issue of Harrow People.

The overwhelming majority of responses to the consultation were positive. A more detailed summary of responses is provided in Appendix B of the proposed ROWIP. The results of this consultation have been used to help prioritise the suggested timetable in the statement of action.

The response rate to the consultation was as follows:

Leaflets returned:	82
Emails/ letters:	6
Website questionnaire:	4

In addition, some of the suggestions put forward in the consultation fit better in the Council Biodiversity Strategy and will therefore be taken forward in this strategy.

Extending the rights of way

74% of those answering the survey supported **all** actions proposed, with 21% supporting some of the proposals. The most popular response was *supporting the review of the Belmont Trail with a view to making the entire trail a right of way.*

Improving public information and publicity

80% of those answering the survey supported **all** actions proposed with 19% supporting some of the proposals. . The most popular response was *introducing clear and consistent signage throughout.*

Improving overall accessibility

70% of those answering the survey supported **all** actions proposed with 29% supporting some of the proposals. The most popular responses were:

Investigating making a single route highly accessible to those with a mobility or sight difficulties;

Providing detailed information as to the accessibility of routes; and

Subject to resources replacing existing stiles with easy access gates such as hand gates and kissing gates.

As part of the consultation, borough officers also met with Walk London who are acting on behalf of the Mayor of London and Transport for London in extending the Mayor's Strategic routes. At this meeting it was suggested that Walk London would add the Belmont Trail to the routes for auditing, with a view to assessing required improvements. Walk London has also agreed that they will promote the Willow Tree Wander and the Celandine routes in 2008/9. These have now been added to the Statement of Action.

The ROWIP Statement of Action is shown in Appendix A.

The proposed ROWIP is shown in Appendix B.

2.5 Legal Implications

The Council is obliged to prepare the ROWIP under Sections 60 - 62 of the Countryside and Rights of Way Act 2000. The Council must also adhere to the guidance issued by the Secretary of State in this regard. Failure to produce a ROWIP can lead to a Judicial Review. The legal requirement is to produce a ROWIP but there is no legal requirement to implement the ROWIP.

2.6 Equality Impact

The action points identified in the ROWIP are beneficial to all, but particularly to those with mobility difficulties and vulnerable groups who are most concerned with safety issues.

2.7 Financial Implications and resources

It is intended to seek funding for the actions identified from a variety of sources but particularly from Transport for London. Many of the issues identified in the Statement of Action are of low cost and can be dealt with within existing staff resources and are therefore quick wins for the Authority. At this stage costings and timeframes shown in Appendix A have been estimated. These will be subject to further investigations / negotiations with TfL and Walk London and decisions will be taken by the Portfolio Holder. This is reflected in the recommendations.

2.8 Crime and Disorder

Although there are no significant crime and disorder issues arising from this proposal, the ROWIP is likely to have a positive impact as increased usage and better maintained rights of ways will act as a deterrent.

2.9 Performance Issues

The following indicators contribute to the Comprehensive Performance Assessment for February 2008 and February 2009 and the results should improve following implementation of the Statement of Action identified in this report:

1. Percentage population that volunteers in sport (volunteering to lead cycling groups, walking groups etc)
2. Percentage adults participating in sport (this can include walking, cycling, light exercise)
3. Resident satisfaction with parks and open spaces

The delivery of key actions depends on external funding such as TfL and Walk London. Once this funding has been agreed, we will be able to produce measurable performance indicators to quantify measures of success in line with the corporate priorities. These performance measures will be considered by the Portfolio Holder when developing the programmes of works required to implement the statement of action.

The greatest benefit is expected to be in resident satisfaction with parks and open spaces.

If all of the activities in the Statement of Action are achieved to the suggested timetable, then

Awareness of the possibilities for outdoors in Harrow will increase

This will be measured by:

- 1 The number of those participating in promoted walks;
- 2 The number of hits on Harrow's website regarding activities and opportunities identified in the Statement of Action
- 3 The increase in the number of people with mobility impairment using the rights of way
- 4 The number of requests for new maps and factsheets identified in the Statement of Action

SECTION 3 - STATUTORY OFFICER CLEARANCE

Name: ...SHEELA THAKRAR

on behalf of the
Chief Financial
Officer

Date: 23rd August 2007

Name: ADEKUNLA AMISU

on behalf of the
Monitoring
Officer

Date: 10th August 2007

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Ann Fine, Transport Policy Consultant, 020 84241496

Background Papers:

Full Draft ROWIP can be downloaded from:

http://www.harrow.gov.uk/downloads/Draft_Full_ROWIP.pdf

Summary ROWIP consultation leaflet - available from Ann Fine but has been sent to all Councillors

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	YES

Appendix A

ROWIP Statement of Action

Extend the rights of way network to include new routes

Action	Potential Sources of Funding	Indicative Costing **	Indicative Timeframe
Audit Belmont Trail including links up to Capital Ring and London Loop to identify extent of works required to increase usage with a view to making the entire trail a right of way.	TfL, Walk London	Less than £10k	2007/08-2010/11
Audit the extension of the Celandine route linking to the London Loop	TfL, Walk London	Less than £10k	2008/09
* Investigate providing an additional right of way in Harrow Weald Common to link Banksfield Cottage to the eastern part of Harrow Weald Common going around the north side of Grim's Dyke House hotel.	TfL	Less than £10k	2012/13 to 2017/18
* Carry out a feasibility study to improve pedestrian and cycle access between Pinner Park and Copse Farm pastures.	TfL	Less than £10k	2009/10 to 2012/13
* Introduce new permissive footpaths in Stanmore from the Shia Mosque at Springbok House to the Country Park extension.	TfL	Less than £10k	2012/13 to 2017/18
* Undertake a feasibility study to look at the options of linking Pinner Park Farm to Headstone Manor.	TfL	Less than £10k	2009/10 to 2012/13
* Undertake an impact assessment on the extension of the bridleway network in Stanmore Common, including measures to restrict access by motorcycles.		Less than £10k	2009/10 to 2012/13

* Brought forward from the Greenbelt Management Strategy

** It is not possible to estimate costs accurately at this stage but costs shown are the maximum anticipated

Improve information and publicity to the public about the rights of way

Action	Potential Sources of Funding	Indicative Costing **	Timeframe
Work with Harrow Nature Conservation Forum and Agenda 21 in developing a local factsheet regarding flora and fauna in the borough and promote on Harrow website.	Harrow Nature Conservation Forum Agenda 21	Can be undertaken within existing staff resources	2007/8 to 2009/10
Promote and co-ordinate guided walks identified in Harrow Biodiversity Action Plan, health walks and nature walks as well as other walking activities in Harrow.			2007/8 to 2009/10
Promote the London Loop, the Capital Ring and the Belmont Trail identifying links to public transport	TfL, Walk London		2007/8 to 2009/10
Ensure that publicity and promotional material is regularly reviewed and placed on the Internet, in libraries, GP surgeries, etc.			2007/8 to 2009/10
Promote existing walking routes in the borough on a single webpage on Harrow Website.			2007/8 to 2009/10
Provide a dedicated and free webpage on Harrow's Internet for publicising local activities in the Countryside. Ensure this is available to all appropriate groups.			2007/8 to 2009/10
Promote reporting of defects of the rights of way network on the Internet.			2007/8 to 2009/10
Increase the availability of both the definitive map and the definitive statement.			2007/8 to 2009/10
Promote the Celandine walk and the Willow Tree Wander walks	TfL, Walk London		2008/09
* Promote the Pinn Walk as an alternative link into the Greenbelt from Pinner.			2007/8 to 2009/10
* Introduce clear and consistent signage throughout.			2007/8 to 2009/10
* Develop a signing proposal to improve access for Stanmore Country Park and to include the potential inclusion of Wood Farm.			

* Brought forward from the Greenbelt Management Strategy

** It is not possible to estimate costs accurately at this stage but costs shown are the maximum anticipated

Improve the overall accessibility of the network to all but giving particular consideration to those with mobility difficulties

Action	Potential Sources of Funding	Indicative Costing **	Timeframe
In conjunction with neighbouring boroughs, investigate TfL funding and other sources of funding for work required to improve the London Loop and Capital Ring.	TfL, Walk London	Can be undertaken within existing staff resources	2007/8 to 2009/10
Review the maintenance regime for all promoted routes with the intention of introducing improvements			2007/8 to 2009/10
Investigate making a single route to be highly accessible to those with mobility or sight difficulties regarding the width of the route, facilities available along the route and signage. (This should include researching potential additional funding sources)	TfL, Walk London	Less than £10k	2009/10 to 2012/13
Provide detailed information as to the accessibility of routes.		Can be undertaken within existing staff resources	2009/10 to 2012/13
Identify key volunteers who can provide general accessibility information on rights of ways and provide regular information to show any existing problems on the Internet.			2007/8 to 2009/10
Review pedestrian road crossing locations on all promoted walks	TfL, Walk London	Less than £10k	2007/8 to 2009/10
Develop a programme for installing seating along all appropriate routes though particularly for long paths and hilly areas subject to landowner and legal advice ¹ .		Can be undertaken within existing staff resources	2007/8 to 2009/10
Subject to resources replace existing stiles with easy access gates such as kissing gates. Stiles should only be used in exceptional circumstances.			2007/8 to 2009/10
* Investigate gate options and required locations for DDA compliant access into Bentley Priory Wooded Slopes in partnership with English Heritage.			2007/8 to 2009/10

* Brought forward from the Greenbelt Management Strategy

** It is not possible to estimate costs accurately at this stage but costs shown are the maximum anticipated

¹ In many locations it is inappropriate to encourage those using the rights of way to stop mid route.