

REPORT TO RIGHTS OF WAY AND HIGHWAY LICENSING PANEL

Title: **PUBLIC RIGHTS OF WAY “MILESTONES STATEMENT 2009/2010”**

Date: **16th March 2009**

Officer Reporting: **Anthony Hurst, Principal Rights of Way Officer**

Wards affected: **All**

1. **SUMMARY**

- 1.1 This report seeks the Panel's approval for the “Milestones Statement and Public Rights of Way Improvement Plan Annual Review 2009/10”, which sets out the Council's objectives, priorities, targets and service standards for public rights of way work in the coming year.

2. **RECOMMENDATION**

That the Panel approve the “Milestones Statement and Public Rights of Way Improvement Plan Annual Review 2009/10” as attached at Appendix 1.

What will be different for residents as a result of this decision?
--

The approved Milestones Statement will ensure that the Council's Public Rights of Way team will have a clear set of objectives, priorities, targets and service standards for the coming year. This will assist in the effective management of the borough's public rights of way network for the benefit of residents and visitors to the borough.

3. **SUPPORTING INFORMATION**

3.1 **Background**

- 3.1.1 The Council produces a “Milestones Statement and Public Rights of Way Improvement Plan annual review”: copies of the Statement are supplied to Parish and Town Councils, the Borough's Local Access Forum and other interested groups. The document is also published on the Borough website and placed in all borough libraries.
- 3.1.2 A key element of the ‘Milestones Statement’ approach is the setting of individual, realistic targets for the completion of tasks, taking into account the available resources, both in terms of staff time and works budgets.
- 3.1.3 **Resources** are discussed on page 4 of the Milestones Statement. The Council employs 2 full-time and 1 part-time Rights of Way Officers (total 2.7 fte). Legal support is provided by the Council's Legal Services section, and administrative support from within the Highways and Engineering Unit. Additional support is also provided from within the Unit for administering the borough's Local Access Form. The

approved capital budget for 2009/10 is £ 60,000 of which £15,000 will be sought from external sources, including developer contributions (however, it should be noted that the source of external funding has not yet been identified). Additionally, £25,000 has been allocated to access improvements at Fleet pedestrian rail crossing. The approved revenue budget for public rights of way maintenance and promotional work in 2009/10 is £ 44,000.

3.1.4 **Targets** and priorities for 2009/10 are listed on page 6 of the Milestones Statement. These targets and priorities will help to programme the work of the public rights of way team during the coming year.

4. OPTIONS AVAILABLE AND RISK ASSESSMENT

4.1 Options

	Option	Comments	Financial Implications
1.	Approve the “Milestones Statement 2009/10” as set out in Appendix 1.	Recommended option	<u>Revenue:</u> See para. 3.1.3 above <u>Capital:</u> See para. 3.1.3 above
2.	Approve the “Milestones Statement 2009/10” as set out in Appendix 1, with any amendments.		<u>Revenue:</u> as above <u>Capital:</u> as above
3.	Do not approve the “Milestones Statement 2009/10”.		<u>Revenue:</u> as above <u>Capital:</u> as above

4.2 Risk assessment

4.2.1 Options 1 and 2: The Milestones Statement approach is an efficient and effective way of planning, prioritising and monitoring public rights of way work. Many other Highway Authorities adopt a similar approach

4.2.2 Option 3: Without an approved set of objectives, priorities, targets and service standards for the coming year there is a risk that the quality of service delivery would decline.

5. CONSULTATIONS CARRIED OUT

5.1.1 The following organisations were consulted on the objectives, priorities, targets and service standards contained in the “Milestones Statement 2009/10”:

- RBWM Local Access Forum
- All Parish and Town Councils in the borough
- Disabled Ramblers
- East Berkshire Ramblers’ Association
- British Horse Society
- British Driving Society

- Cyclists' Touring Club
- Sustrans
- Open Spaces Society
- Thames Path National Trails Office
- Council for the Protection of Rural England
- Crown Estate
- National Trust
- Woodland Trust
- National Farmers' Union
- Country Landowners and Business Association

The following comments were received:

5.1.2 The **Local Access Forum** considered the consultation at its meeting on 20th January 2009 and made the following comments:

(i) Target WM1 (former BVPI Performance Indicator: "to ensure that all public rights of way are easy to use by members of the public"), increase target from 95% to 97%.

Officer comment: This target forms part of the Council's set of performance indicators included in the Local Transport Plan 2006-2011 (LTP2). In order to maintain consistency it is suggested that the target remains unchanged in the Milestones Statement 2009/10, but is reviewed during the preparation of the replacement LTP 3.

(ii) Target LD2 (To resolve a minimum of 10 significant errors in the definitive map), reduce target from 10 to 1.

Officer comment: Agreed. There are known to be a number of historical inaccuracies on the Definitive Map; however, as in most cases these have little impact on users or landowners, officer time would be better spent on addressing higher priority issues.

(iii) Target AC2: (To make physical improvements including replacement of stiles with gates or gaps, to facilitate use by those with special needs, the elderly, people with pushchairs etc), increase target from 25 to 27 stiles removed.

Officer comment: Agreed.

(iv) Proposed new target EN 1: A new target should be introduced "To resolve 24 enforcement issues"

Officer comment: Agreed.

(v) Proposed new priority: a new priority should be introduced "Seek to complete the missing links in the Millennium Walk"

Officer comment: Agreed.

With the exception of point (i) above, all of the recommendations from the Local Access Forum have been incorporated into the draft Milestones Statement attached at Appendix 1.

5.1.3 **White Waltham Parish Council** made the following comments:

(i) Restricted Byway 8 (Woodlands Park Avenue/Snowball Hill) is in need of attention on safety grounds.

Officer comment: Surface improvements at Snowball Hill are scheduled to be carried out in March 2009.

(ii) Suggests that the Royal East Berks Agricultural Association, and the Borough Council's Rural Forum should be included in the consultation list for the Milestones Statement annual reviews.

Officer comment: Both of the above had been added to the consultation list for future annual reviews of the Milestones Statement.

5.1.4 **SUSTRANS** made the following comments on schemes listed in Appendix 7 of the Milestones Statement (site-specific proposals)

(i) Ref. 1.2: This bridge is heavily used by cyclists on National Cycle Route 4. I believe that the original consent to install the gravel conveyor of the Rowing Lake workings implied long-term availability of the bridge to public access.

Officer comment: The planning consent for the gravel conveyor does include a requirement that following cessation of use of the conveyor the footpath-cycleway bridge is dedicated as a public highway.

(ii) Ref. 2.5 and 2.8 are supported.

Officer comment: noted.

(iii) Ref. 2.10: This development will invite use by cyclists, whether permitted or not. Is there not therefore a case for dual use and an appropriate design?

Officer comment: The potential use of this section of the Thames Path by cyclists (permitted or not) will be considered as part of feasibility studies into possible access improvements.

(iv) Ref. 2.15 (b), (c), (d): These schemes have important cycling implications. Please may we be consulted?

Officer comment: Sustrans will be consulted on any future investigations into these schemes.

(v) Ref. 2.22: Major potential gain.

Officer comment: noted

5.1.5 The **East Berks Ramblers Association** made the following comments:

(i) Milestones Targets for 2009/10: As the existing staff resources and funding is so inadequate, we do not believe it is reasonable to impose higher target levels which cannot be met, or might interfere with the progress of more productive work.

Officer comment: As noted in 5.1.2 above some adjustments to Targets are proposed in response to comments received from the Local Access Forum.

(ii) Improving access and connectivity (AC1): To avoid ambiguity, this should be changed to: "To achieve 1 new route from Rights of Way Improvement Plan projects".

Officer comment: Agreed.

(iii) Resources: We wish the Statement to include the actual Revenue and Capital budget for the current year in addition to the estimated figures for 2009/10. In view of the current financial crisis and likely cut back in external funding and S. 106 money, we need to know the exact amount obtained from this source out of the £55,000 predicted. We also wish to see how and where this money has been spent, e.g. as shown in the Milestone Statement 2000/01.

Officer comment: The actual revenue and capital budget for 2008/09 and the approved revenue and capital works budgets for 2009/10 are shown on page 4 of the Milestones Statement. Projects completed in 2008/09, funded from the rights of way budget, are shown in Appendix 6 of the Milestones Statement.

(iv) Appendix 6: It would be helpful to specify the type of kissing gates installed, so that it is clear whether BS guidelines are being implemented. This was being done some time ago but the practice appears to have been dropped. It was to help us log where radar gates were being installed which would need oiling maintenance on a regular basis.

Officer comment: The types of gates have been specified as requested. All gates installed during this 6-month period comply with the current British Standard, and none require radar keys.

(v) Appendix 7 - Rights of Way Improvement Plan:

1) There should be an extra column showing the date the project was proposed, date last actioned and date of abandonment, as well as the reason.

Officer comment: All of the proposals in this list were put forward during 2004/05 as part of the consultation process that preceded publication of the Plan in 2005. As noted in the list, some of the proposals were carried forward from previous or existing Plans. It may be possible to establish whether other proposals had been put forward previously (i.e. pre-dating the 2004/05 consultation). However, this would require detailed background research, file reviews, and consultations, which would not be an effective use of officer time and would interfere with more productive work.

2) Star ratings should be given to identify those schemes which provide maximum user benefit, or essential improvements to the Thames Path National Trail.

3) All schemes designed to avoid roadside footway use, or dangerous road crossings should be printed in red.

Officer comment: Adding star ratings and/or colour coding to the proposals listed in the Appendix would serve little if any purpose: proposals need to be assessed realistically on their individual merits on a case-by-case basis.

4) Implement recommendations in The Local Transport Plan for 2006-2011, which states: “ Detailed plans and costed and timetabled targets on individual schemes will be set out in the Council’s annual Milestones Statements throughout the 10 year period of the Plan”.

Officer comment: Relevant updates have been added to site-specific proposals listed in Appendix 7. However, as noted in the LTP 2006-2011, in most cases feasibility studies and third party consents will be required in respect of new routes or links.

(vi) Ref 2.24: “Upgrade Kinghorn Lane (Maidenhead FP 30) to a cycle route”. For greater clarity, this should be altered to “Reinstate the definitive width of Kinghorn Lane (Maidenhead FP 30) to provide segregated route for cyclists”.

Officer comment: The original proposal in 2.24 cannot be re-written retrospectively, however the additional wording suggested above has been added as 2.24 (b).

6. IMPLICATIONS

6.1.1 The following implications have been addressed where indicated below.

Financial	Legal	Human Rights Act	Planning	Sustainable Development	Diversity & Equality
✓	N/A	N/A	N/A	✓	✓

6.1.2 Financial: Resources for public rights of way work are discussed in para. 3.1.3 above and on page 4 of the Milestones Statement.

6.1.3 Sustainable development: Effective management of the rights of way network has a positive impact on sustainable transport by encouraging alternative forms of transport to the car, and a positive impact on health by encouraging walking and cycling.

6.1.4 Diversity and Equality: An Equality Impact Assessment has been carried out on the recommendations in this report. The Milestones Statement includes a number of initiatives aimed at improving access to the countryside for people with disabilities or restricted mobility, the elderly and people with young children or pushchairs.

Background Papers: Milestones Statement 2008/09,
Consultation responses