

## REPORT TO RIGHTS OF WAY AND HIGHWAY LICENSING PANEL

Title: **PUBLIC RIGHTS OF WAY “MILESTONES STATEMENT 2010/2011”**

Date: **15<sup>th</sup> March 2010**

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 2010/11”, 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 2010/11” as attached at Appendix 1.**

What will be different for residents as a result of this decision?
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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.
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### 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 document 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** available for public rights of way work in 2010/11 are provided on page 4 of the Milestones Statement.

**Staffing.** The Council employs 2 full-time and 1 part-time Rights of Way Officers (total 2.7 fte). Administrative support is provided from within the Highways and

Engineering Service, and Legal support is provided by the Council's Legal Services section. Additional support is also provided by the Council's Democratic Services section for administering the borough's statutory Local Access Form.

**Works budgets.** The capital budget for public rights of way works for 2010/11 will rely entirely on external funding. Recently **£19,000** has been allocated from external funding and **£16,000** has been identified from S106 payments relating to North Maidenhead and Ascot. Further S.106 contributions may be added as they become available (*the 2009/10 capital budget was £60,000, plus an additional £25,000 for access improvements to the public footpath crossing over the railway line to the north of Sunnymeads station*) The approved revenue budget for public rights of way work in 2010/11 is **£44,000** (*the 2009/10 revenue budget was £44,000*). Additionally, the Council's in-house Task Force will be available to carry out works to the value of **£10,000** at no cost to the Public Rights of Way budget.

3.1.4 **Targets** and priorities for 2010/11 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, and are subject to confirmation of available funding.

3.1.5 **Key performance indicator (former BVPI 178):** in May and November each year, surveys are carried out on a random sample of the borough's public rights of way using a County Surveyors Society approved methodology (formerly a Best Value Performance Indicator). Details are provided on page 12 of the Milestones Statement. The indicator measures: ***“the percentage of the total length of footpaths and other rights of way which were easy to use by members of the public”***

The indicator result for 2009/10 is **93.4%** this compares favourably with the results reported by other highway authorities in the South East region (see Appendix 2).

## 4. OPTIONS AVAILABLE AND RISK ASSESSMENT

### 4.1 Options

	Option	Comments	Financial Implications
1.	Approve the “Milestones Statement 2010/11” 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 2010/11” 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 2010/11”.		<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 2010/11”:

- 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 it’s meeting on 1<sup>st</sup> December 2009 and made the following comments:

- (i) *Target WM3 (To repair or replace 5 bridges), retain current target level of 5*

Officer comment: This would be a realistic target for 2010/11. (Note: 4 footbridges were repaired or replaced in the first 11 months of 2009/10)

- (ii) *Target WP2 (To assist others to produce effective promotional material), it was suggested by the Forum that local companies could sponsor publications.*

Officer comment: Opportunities for potential sponsorship of publications

will be investigated, in discussion with the Council's External Funding Officer. Any suggestions for potential sponsors would be welcomed.

- (iii) *Target AC2: (To make physical improvements including replacement of 27 stiles with gates or gaps, to facilitate use by those with special needs, the elderly, people with pushchairs etc), **reduce target from 27 to 20.***

Officer comment: This would be a realistic though challenging target for 2010/11. (Note: 12 stiles were replaced with gates in the first 11 months of 2009/10, and over the past 5 years an average of 19 stiles have been replaced with gates each year)

- (iv) *Target EN 1: (To resolve 24 enforcement issues), **increase target from 24 to 40.***

Officer comment: It is considered that **30** would be a realistic though challenging target for 2010/11, but that 40 would not be a realistic target given the level of staff resources available. (Note: 23 enforcement issues were resolved in the first 11 months of 2009/10).

The Forum also requested that the Disabled Ramblers be added to the list of consultees referred to in the Service Standards in Appendix 4 of the Milestones Statement (*this has been done*).

5.1.3 **Hilary Essen**, a member of the Local Access Forum and the East Berks Ramblers, who was unable to attend the LAF meeting on 1<sup>st</sup> December 2009, made the following comments subsequent to the meeting:

- (i) Target AC2: *"It is disappointing that the number of stiles for removal next year is being reduced to from 27 to 19/20. In order to help understand the non-removal of some stiles, would it be possible for RBWM to list for LAF members those that have been deemed not possible and the reason-lack of money/landowner insists on keeping stile/etc. Then the LAF/RA will be in a position to know whether a fund raising exercise would help or not"*

Officer comment: A list of recent examples where stile replacement has been sought but had not been successful will be provided to the Local Access Forum.

- (ii) Target EN 1: *"It is most encouraging to see that the target for enforcement issues has been increased from 24 to 40"*

Officer comment: See comment in paragraph 5.1.2 (iv) above.

- (iii) Appendix 7 (*Public Rights of Way Improvement Plan: site specific proposals*): *"I assume the finished/dead ones will now be deleted or filed elsewhere."*

Officer comment: The site-specific proposals that have been closed are retained in the list, but are crossed through with an indication why it has been closed.

*“Presentation of data. In appendix 7 would it be possible for the proposals to be grouped according to whether it is a FP, BW or cycle improvement or for wheel chairs. I know that some proposals cover both. If you do not think this possible then possibly grouping them together according to Parish. Either way, I think that it would make it more readable.”*

Officer comment: The list of proposals is taken from the published Public Rights of Way Improvement Plan and already identifies each proposal by category order and then by parish. Listing by type of path or by type of improvement would mean that the proposals would need to be re-ordered and duplicated where proposals meet the needs of more than one type of user, and this would over-complicate and lengthen the list.

*“Other Possibilities. “To create, and publish, a circular route, suitable for walking for health users, around the centre of Maidenhead” This should be 1-2 miles in total. I note that for other parishes are listed in section 2.18.*

Officer comment: This suggestion has been passed on to the Council’s Walking for Health scheme co-ordinator, based at the Magnet Leisure Centre for their comments.

#### 5.1.4

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

**Resources:** *In view of the large amounts of money being received via S.106 contributions, we feel that greater effort should be made to secure more S.106 funding for rights of way projects. Details of projects or paths in receipt of S.106 funding should be shown on annual basis.*

Officer comment: Resources for public rights of way works, including S.106 funding, are given in section 1.4 of the Milestones Statement.

**Targets:** WM1, WM2, WM3, LD1, LD2, WP1, and WP2: keep targets at same level as 2009/10

Target AC1 (*To achieve 1 new route from the Rights of Way Improvement Plan projects*): *As we are now approaching the halfway point in the ROWIP 10 year scheme we suggest this target should be raised to 2 with funding from S.106 sources.*

Officer comment: Creating new rights of way is partially dependent upon opportunities that may arise, for example through development proposals, and such opportunities are difficult to predict. However, an aspirational target of 2 new routes could be included in the Milestones Statement, as the East Berks Ramblers propose.

Target AC2 (*To make physical improvements including replacement of 27 stiles with gates or gaps, to facilitate use by those with special needs, the elderly, people with pushchairs etc*): *With increasing numbers of aged people wishing to remain active and exhorted to do so by the government, we recommend the target to remove stile obstructions be **increased to 35**. We suggest this could be achieved by adopting the sponsorship schemes*

*operating in the Chilterns and West Berkshire. Promotion could be done via "Around the Royal Borough" and through the PPI scheme. NB Costs should be reduced by adhering more strictly to BS for Gaps and Gates, and supplying basic structures to meet justified existing need. Taxpayers should not be paying for powder coated finishes which flake off and sheep meshing where such animals do not exist, or likely to be kept. Funding should not be provided for perceived future needs or problems. Where stock control is needed, funding should be limited to BS accessible stock proof gates. Any additional security measures should be funded by the landowner. Where landowners receive funding from DEFRA (Cross Compliance Single Payment Scheme/GAEC 8) for maintenance of paths and furniture, additional funding should be kept to a minimum.*

Officer comment: The Chiltern Society has been invited to give a presentation on their "Donate a Gate" scheme to the next meeting of the Local Access Forum. However, as noted in 5.1.2 above, the officers consider that removal of 20 stiles in 2010/11, as recommended by the Local Access Forum, would be a challenging though realistic target. A target of 35 stile removals (nearly three times the number removed in the first 11 months of 2009/10) is simply unrealistic.

Target EN1 (To resolve 24 enforcement issues): **Increase target to 30**

Officer comment: Agreed that resolving **30** enforcement issues would be a realistic though challenging target for 2010/11.

In second column under heading "Resolved" indicate "Reported to Rural Payment Agency" where relevant.

Officer comment This information has been added to Appendix 6 as requested.

## 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 2009/10  
 Consultation responses

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**Authorisation:**

	Legal	Finance	Planning	Property	Procurement	DMT
<b>Name:</b>	N/a	N/a	N/a	N/a	N/a	S.Brown
<b>Date Approved:</b>						

	Directors Group	Lead Member	Ward Cllrs (if Appropriate)	Leader's Office	Scrutiny Panel
<b>Name:</b>	N/a	Cllr Rayner	N/a	N/a	N/a
<b>Date Approved:</b>					