



Worcestershire Local Transport Plan 3

Rights of Way Improvement Plan

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1. Background

1.1 Introduction

1.1.1 Worcestershire County Council, as Local Highway Authority, is required by law to produce a Rights of Way Improvement Plan (ROWIP). Section 60 of the Countryside and Rights of Way (CROW) Act 2000 requires that all local highway authorities must have consulted on and produced a ROWIP by November 2007.

1.1.2 The Government's statutory guidance, states that the ROWIP must assess:

- *The extent to which the local rights of way meet the present and likely future needs of the public;*
- *The opportunities provided by local rights of way for exercise and other forms of open-air recreation and enjoyment of the authority's area;*
- *The accessibility of local rights of way to blind and partially sighted people and others with mobility problems.*

1.1.3 The Rights of Way Improvement Plan is structured as follows:

- *Chapters 1-3: Background, current progress and details of the consultation and assessment process for the ROWIP*
- *Chapter 4: Five key policies of the ROWIP, which examine the broad issues to be addressed in relation to the rights of way network in Worcestershire*
- *Chapter 5: Outlines how the ROWIP will be implemented; and*
- *Chapter 6: Details the process for monitoring and evaluating the Worcestershire ROWIP. Supportive documentation and technical detail are contained within the appendices. Worcestershire's ROWIP is intended to be an evolving document and therefore the monitoring and review of Policies, Aims and Action Plan is very important.*

1.2 The Character of Worcestershire

1.2.1 Worcestershire is diverse in terms of landscape character, it is a predominantly rural County however there are several urban population centres: the City of Worcester, Redditch, Droitwich, Bromsgrove, Kidderminster, Stourport-on-Severn, Great Malvern, Bewdley, Pershore, Upton-on-Severn and Evesham.

1.2.2 In 1939 Maxwell Fraser wrote in his book 'Companion into Worcestershire', that:

"Worcestershire is a county of deep flowing rivers and many hills.... Most of Worcestershire's hills and rivers are shared with neighbouring counties, but Worcestershire gives them individuality all of its own, with villages so lovely, towns so famous...."

1.2.3 Even with the changes over the last sixty years or so, most would argue that this is still in many ways true today. This varied, natural and built landscape provides excellent opportunities for leisure and outdoor activities, crucially rights of way are a key element of the transport network for supporting such activities which can secure quality of life, health and well-being benefits in Worcestershire.

1.2.4 Worcestershire has a population of 542,238 (2001) with a growth rate of 0.21% per annum. The County is located adjacent to the West Midlands conurbation and therefore the opportunities provided by Worcestershire's rights of way network are available to a range of people totalling over 3 million within an hour's drive. Cooperation and policy integration with neighbouring authorities is therefore important in ensuring people can access the rights of way network.

1.3 Public Rights of Way and Other Types of Access

1.3.1 Public rights of way can be classified into four main groups:

Footpath	Available for use by walkers only. Dogs, pushchairs and wheelchairs are classed as 'usual accompaniments'
Bridleway	Available for use by walkers, horse riders and cyclists
Restricted Byway	Available for walkers, horse riders, cyclists and carriage drivers
Byway Open to All Traffic (BOAT)	Available for all traffic, including walkers, horse riders, cyclists, carriage drivers and drivers of mechanically propelled vehicles

1.3.2 In addition to public rights of way, a variety of other access routes exist, these help to join up elements of the public rights of way network that is available for public use. Throughout this document public rights of way and other access will be referred to as 'rights of way'. Other access routes include the following types of infrastructure.

Cycle Tracks

1.3.3 Cycle tracks are ways on which there is a right to cycle and sometimes walk. Cyclists are entitled to pass as a result of conversion from footpath to cycle track under the Cycle Tracks Act 1984 or construction under the Highways Act 1980.

Permissive Access

1.3.4 Permissive access can play an important role in allowing greater access, complementing public rights of way and can help to provide a more cohesive network, where permanent public rights are not achievable.

Access Land

1.3.5 The Countryside and Rights of Way Act 2000 gave people the right of access on foot to certain defined open country and registered common land. These areas are known as 'Access Land' and are identified on the latest Ordnance Survey maps.

1.3.6 Where a public right of way crosses Access Land, then the rights and responsibilities of the user are unaffected.

Canal Towpaths

- 1.3.7 Canal towpaths can provide a pleasant traffic-free, flat environment for walking, and in some cases, where allowed, cycling. Canal towpaths can provide a valuable recreational facility for a variety of activities for local communities and visitors, including boating, angling, canoeing and wildlife watching. Many canal towpaths are not registered as public rights of way, but managed as permissive access routes by British Waterways, the national body responsible for the canal network, or by other trusts, District Councils or private landowners allowing permissive rights.

Footways

- 1.3.8 Footways have the same legal rights as public footpaths, but are at the side of a carriageway.

Quiet Lanes and Roads

- 1.3.9 Quiet lanes and roads in both rural and urban areas can, in some cases, add value to the rights of way network. They can provide valuable additional links, and they may provide relatively safe routes.

1.4 ROWIP - Current Legislation and Practice

- 1.4.1 In developing the ROWIP, the County Council took account of relevant elements of existing work, and issues identified in its management of rights of way. So far, the ROWIP has added value to this existing work and provided the broad plan for how, over the next ten years, the County Council will endeavour to manage and improve rights of way, with the help and assistance of relevant partners, as well as the significant contribution made by both public and private landowners in carrying out their statutory duties and providing other additional permissive access. There is also a clear need to ensure that the Aims and Action Plan of the ROWIP take into account relevant areas of legislation.

1.5 The Strategic Importance of Access to the Countryside

- 1.5.1 The countryside, and open spaces are becoming increasingly popular for recreation as people have more leisure time and seek to lead a more active, healthy lifestyle. Access to the countryside through rights of way provision directly assists in providing for this enjoyment and the benefits which results from active, healthy lifestyles. Rights of way can also play an important role in enabling people to access local services, such as schools and shops.

Worcestershire's Economy

- 1.5.2 Access to the countryside and open spaces has an important role to play in terms of securing economic benefits for these areas. Natural England estimates that £11.5 billion p.a. is generated in the English countryside. In the West Midlands, 79% of the total spend is by day visitors². 15% of visits to the region (compared with 17% nationally), and 6% of visits from overseas (which is in line with the national average) are to the countryside⁵.

- 1.5.3 In 2002/3, around 126 million visits were made to local countryside by residents of the West Midlands and 17.5 million of those visits were for leisure walking and 3 million for leisure cycling. The Ramblers Association estimates that, nationally, £6 billion is spent during 527 million walking trips per year. The average day-visitor spend when visiting the countryside is estimated at £8.60 per person per visit. The potential income for local businesses and communities generated by increasing the number of day visits to Worcestershire's countryside is significant. The day visitor spend figure is further increased by those visitors stopping overnight as part of a short break or longer, as the average overnight spend on accommodation and refreshments is £49.00.
- 1.5.4 Worcestershire has a number of waymarked recreational routes and circular walks, as well as part of the Cotswold Way, the only National Trail to enter the County. Preliminary indications from returned walkers' response cards from the Worcestershire Way Walkers' Guide, for example, indicate that the average spend for those completing the route is £80.00 per person. This is direct spend and does not include potential spend of those walkers completing all or some of the route as part of a longer break.
- 1.5.5 Significant spend also comes from local people taking part in activities or hobbies close to home. For example, horse riding is one of the fastest growing recreational activities. It is estimated that some 84,000 people ride at least once a week in the West Midlands⁴. According to the Worcestershire Bridleways and Riders Association, it costs an average of £1,800 per year to keep a horse, much of which is spent locally on equestrian related services such as feed suppliers or tack shops. This demonstrates the value to the Worcestershire economy of the rights of way network and the economic benefits of tourism generated by the rights of way network to rural businesses
- 1.5.6 The contribution of tourism and recreation to the local economy is very much dependent upon the quality of the natural beauty of the landscape, and this is a major determinant in attracting visitors. Worcestershire has a diverse landscape including part of the Malvern Hills AONB (Area of Outstanding Natural Beauty) and part of the Cotswolds AONB. According to the Leisure Day Visits Survey 2002-03, 7% of those questioned had visited an AONB to take part in informal recreation in the last 12 months.
- 1.5.7 There are many well-documented reasons why certain people, or groups of people, are currently not using the rights of way network. The potential income which could be generated from these groups is significant. People with mobility restrictions and their carers, for example, have an £80 billion annual spend nationally.
- 1.5.8 It is estimated that the average cost to employ a member of staff to carry out rights of way and open space management is £15,000 - £18,000 per annum and the equivalent return to the regional economy through use of the rights of way provision is approximately £1 million per employee; (It should be noted that this figure was estimated in 2003 and does not include National Insurance, superannuation etc.). This does not include the significant contribution that volunteers, farmers and land managers play in keeping the network open and subsequently encouraging greater use. It can therefore be seen that the total economic benefits are greatly in excess of the costs of path improvement and maintenance.

Health and Well-Being

- 1.5.9 Growing medical evidence shows that access to the natural environment improves health and well-being can reduce the likelihood of disease and helps people recover from illness. Access to the outdoors and recreational activities can help tackle childhood obesity, coronary heart disease, stress and mental health problems.
- 1.5.10 There have been numerous studies into the positive correlation between access to the outdoors and health benefits. This is both in terms of physical health improvements as well as psychological and social benefits. Many people seek the often-tranquil countryside in an attempt to relax and unwind. Evidence demonstrates that the risk to health is real:
- *Obesity and physical inactivity are two of the greatest public health challenges for the government, costing England £2.5 billion and £8.2 billion respectively. Increasing access to the natural environment can play a pivotal role in efforts to increase activity and reduce obesity.*
 - *One in four people each year will visit a GP because of a mental health problem. Being more active and having more contact with the outdoors reduces stress and can prevent and reduce depression and anxiety. The NHS spent £6.5 billion on mental illness in 2002/03. Local Authorities spent £1.4 billion and informal carers contribute an equivalent of £3.9 billion.*
 - *Seven in ten people do not take enough exercise to benefit their health as recommended by the Chief Medical Officer. Engagement in physical activity reduces the risk of up to 20 chronic diseases and disorders including obesity, heart disease, type 2 diabetes and certain cancers.*
 - *Obesity levels for children aged six have doubled in the last ten years, and have tripled in 15-year-olds. 22 per cent of adults are obese and about 40 per cent are overweight. Being overweight or obese accounts for as much as 30 per cent of heart disease and 80 per cent of diabetes and costs the UK £2.5 billion a year.**
- 1.5.11 Improvements to rights of way and promotion of facilities can provide and enable people to take in more physical activity such as walking and cycling. People who walk and cycle for recreation are also more likely to undertake these activities as modes of transport.

Access to the Environment

- 1.5.12 The rights of way network and other access routes provide the greatest means of access to the countryside and open spaces in Worcestershire. There are 3,000 miles of public rights of way in Worcestershire. Many rights of way are important in their own right for the conservation value they offer for flora and fauna, for example ancient green lanes. Rights of way also give opportunity for educating people about the natural and historic environment and the management of the countryside.

1.6 Policy Context

- 1.6.1 The ROWIP is concerned with the management of rights of way, and also provides the opportunity to examine how they fit in with other areas of work and, where appropriate, how improvements can help to meet other objectives. Equally, other areas of work and policies can help to deliver some of the objectives of the ROWIP.
- 1.6.2 There are many strategies and plans of particular relevance, which are taken into account in producing the ROWIP. More detail of these is provided in the LTP3 Essential References document. Of particular importance are the other Worcestershire LTP3 Compendium policy documents, and the Access and Informal Recreation Strategy (AIRS – formally Countryside Access and Recreation Strategy CARS), which covers the period from 2003 to 2013.
- 1.6.3 The AIRS provides the strategic policy framework for issues relating to countryside access and recreation within Worcestershire. The document was prepared by a partnership of 26 organisations with an interest in countryside access and recreation matters. The County Council, as one of those partners, has adopted this strategy and is working towards relevant objectives and subsequent actions. Many of these actions have a positive impact on the management and improvement of rights of way and other types of access, which help to create a joined up network (see Appendix II and AIRS Strategy).
- 1.6.4 A key critical issue in the development and implementation of the AIRS and the LTP3 Compendium documents from both a policy and practical perspective will be the need to identify ways to address the impact of increasing traffic and transport issues in relation to the rights of way network. This includes the fragmentation and severance of the public rights of way network and the accessibility issues caused, in particular on the more congested and busy roads.
- 1.6.5 Certain elements of AIRS and the wider LTP3 can be better achieved by ensuring that they are coordinated. In delivering the ROWIP, the County Council will ensure that it gives careful consideration to the links and key policies and actions between the above two documents and the ROWIP. Critical to this process will be providing for effective working with the AIRS and LTP3 steering groups, to prevent duplication of effort in the delivery of the respective action plans and reviews as they take place.
- 1.6.6 A brief summary of key policies and strategies in the AIRS can be found in the LTP3 Essential References document.

2. The Rights of Way Improvement Plan – Summary

2.1 Introduction

2.1.1 There are just under 3,000 miles of public rights of way in Worcestershire making it the third densest network in the country.

2.1.2 The current rights of way network within Worcestershire has a number of positive attributes and strengths and is enjoyed by many people who live within the County or choose to visit. There are, however, a number of challenges ahead that need to be overcome to make the network more accessible for a greater diversity of people, whilst sustaining the environment that people come to enjoy.

2.1.3 This chapter compares the rights of way network in Worcestershire in relation to the national picture. The chapter also looks at the current condition of the network and sets targets for the coming years. It then goes on to summarise the issues for people currently using the network and outlines issues for currently under-represented groups.

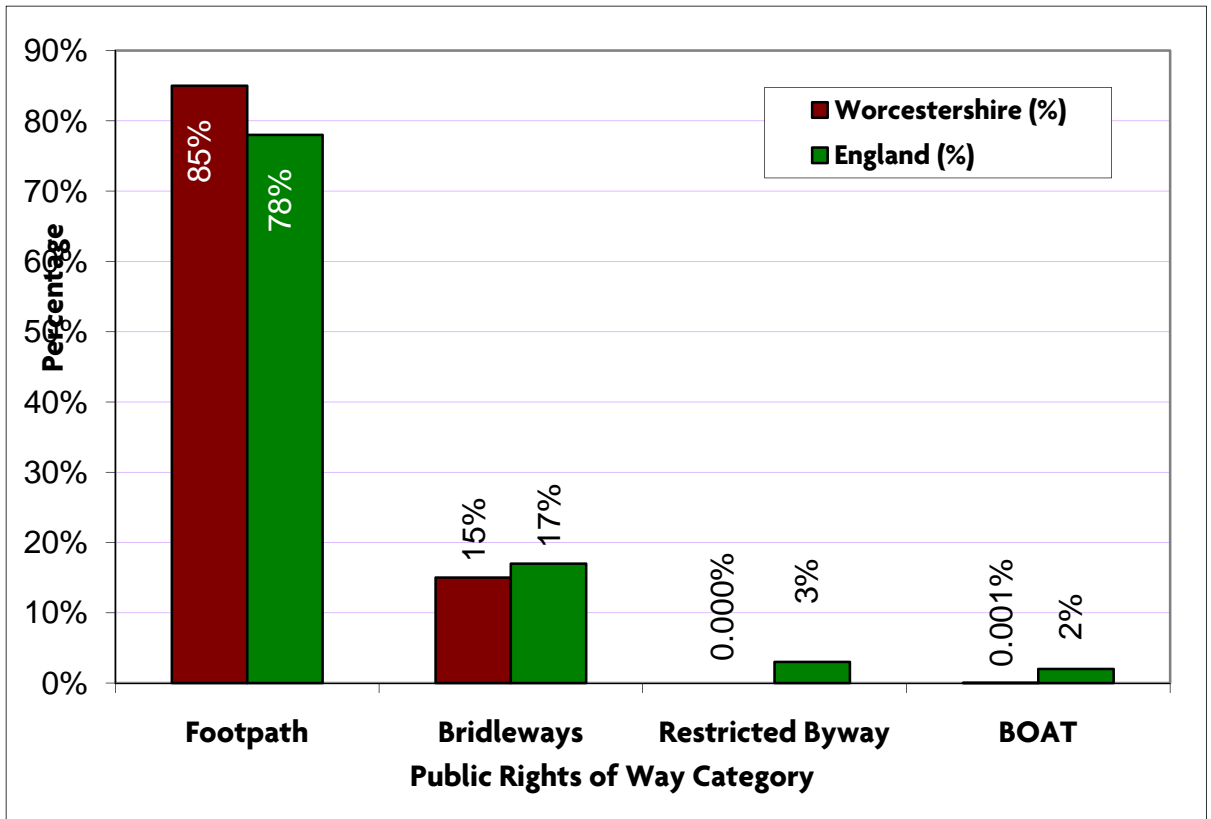
2.2 Rights of Way in Worcestershire - A Context

2.2.1 Table 2.1 and Figure 2.1, below, identify the extent of public rights of way in Worcestershire.

Table 2.1 – Extent of Public Rights of Way in Worcestershire

Public Rights of Way	Length (km)	Length (Miles)	Number of paths
Footpath	3,900	2,423	13,556
Bridleway	700	435	2,386
Restricted Byway	0	0	0
BOAT	4	2.5	13
TOTAL	4,604	2860.5	15,955

Figure 2.1 – Percentage of Public Rights of Way by Category



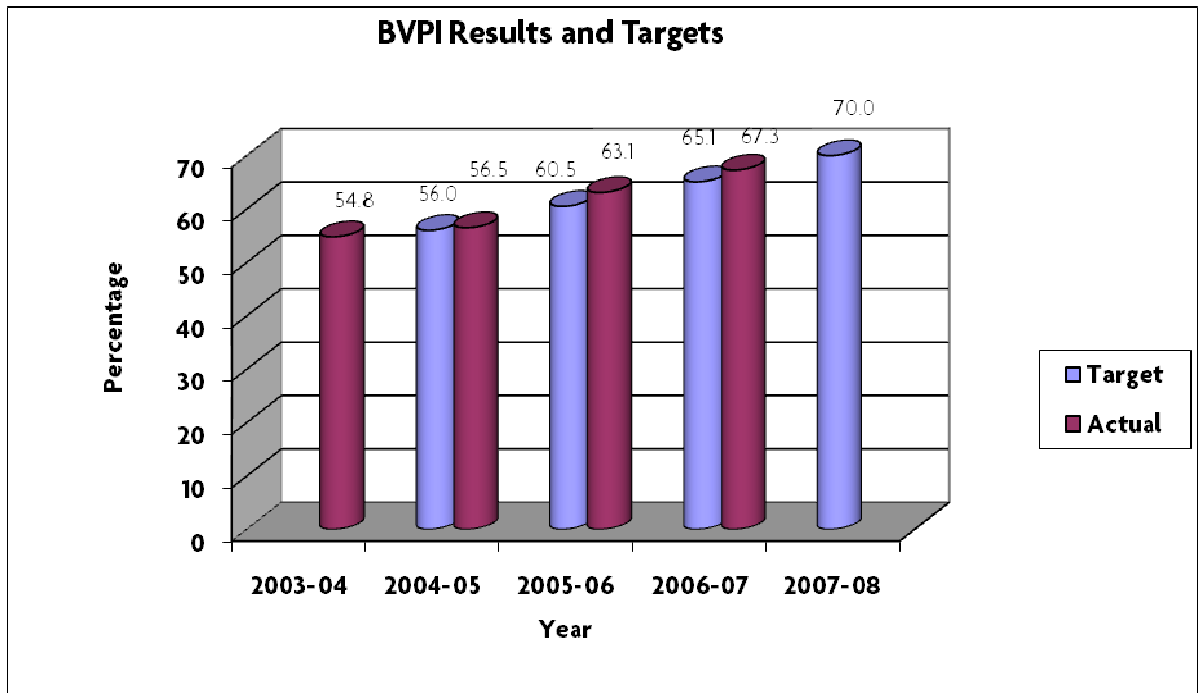
2.3 The Current Condition of the Rights of Way Network

2.3.1 67.3% (figure for 2006) of Public Rights of Way (PROW) in Worcestershire were assessed as ‘easy to use’ as defined by the national Best Value Performance Indicator 178 (BVPI 178). The reasons almost 37% of the public rights of way network fails to meet this standard are due to a variety of issues, particularly: defective bridges, gates, stiles and other furniture, obstructions, ploughing and cropping problems, and poor way-marking. (see Appendix II for details of BVPI 178 methodology). NB. There is no longer a statutory responsibility to report on BVPI 178, therefore Worcestershire County Council no longer conduct a survey.

2.3.2 However, this needs to be put in context, in that the majority of public rights of way in the County are in reasonably good order and Worcestershire’s BVPI 178 score has improved over recent years with the County Council investing further resources to help address remaining problems. Investment in recreational routes and improvements to the PROW network, through general maintenance and Parish Paths Partnership Scheme, are bearing fruit and these improvements are reflected in the increasing score on BVPI 178. Nevertheless, it is clear that there is still much to do and the Council is committed to achieving as much as is practicable to keep rights of way open and usable.

2.3.3 Figure 2.2 illustrates this increase and shows the County Council’s BVPI 178 targets up to 2007-08, which are reviewed on a regular basis. Further targets over the life of the Plan are not listed here, but will be defined and detailed in subsequent ROWIP Action Plans, which will be updated every two years.

Figure 2.2 - BVPI 178 Results and Targets



2.3.4 The County Council has also invested in the further development of a detailed condition survey of the public rights of way network. By December 2006, approximately 40% of the network had been surveyed. This has indicated the scale of the maintenance, capital works and potential enforcement work required.

2.3.5 The following figures have been extrapolated to provide estimated figures for the whole public rights of way network as at 2006:

- *Maintenance issues*– There are some estimated 8,700 issues that require maintenance works.
- *Capital works*– There are some 300 major capital issues that need to be addressed.
- *Enforcement matters*– There are an estimated 2,200 enforcement issues that need to be resolved.

2.3.6 Whilst these figures are large in scale, this needs to be put in context in relation to the length and number of public rights of way. Equally, it needs to be understood that the number of issues for maintenance and capital works will change as we identify such works, complete works, survey and receive more relevant reports on issues on the PROW network. Therefore, these figures will need to be reviewed on an annual basis.

2.3.7 The matter of available resources to address these issues is covered in more detail in Chapter 4 of the Plan.

2.4 Activities on Worcestershire's Public Rights of Way Network Identified Issues

2.4.1 The following provides some detail as to the types of use of rights of way and the emerging issues as identified as a part of the ROWIP consultation processes.

Walking and General Use

- 2.4.2 The greatest number of people accessing the countryside and subsequently the rights of way network is on foot.
- 2.4.3 Whilst the coverage of public footpaths and other access in the County is very broad, there are a number of issues which have been highlighted in the ROWIP consultations, which may hinder the ability of users to enjoy such paths. It is also the case that some of these issues can result on occasion in conflict between different parties. For example, poor waymarking can lead to a walker straying off the public right of way and coming into conflict with a landowner. Thus, appropriate improvements to waymarking can often reduce the potential for conflict and also improve the accessibility of the public rights of way network.
- 2.4.4 Key issues for walkers and general users:
- *Overgrown/blocked paths*
 - *Dog fouling*
 - *Poor waymarking*
 - *Poor surfaces*
 - *Litter*
 - *Difficult stiles*
 - *Personal safety concerns*

Horse Riding

- 2.4.5 Horse riding is an increasingly popular activity throughout Worcestershire. With only 15% of the public rights of way network having equestrian rights, and due to the often fragmented nature of bridleways, this means that horse riders will need to use the road network at least in part, to provide for many of their journeys. The increasing volume of traffic on Worcestershire's roads, results in horse riders being amongst the more vulnerable road users. There is a need to identify ways in developing more opportunities for alternative routes for horse riders.
- 2.4.6 The following issues have been identified as particularly hindering the ability of horse riders to enjoy their use of the public rights of way network.
- 2.4.7 Key issues for horse riders:
- *Busy roads*
 - *Overgrown/blocked bridleways*
 - *Locked gates on bridleways*
 - *Gates which are difficult to open, particularly from horseback*
 - *Lack of bridleways*
 - *Fragmented bridleway network*
 - *Lack of circular routes*

Cycling

- 2.4.8 Cycling includes utilitarian use (to get to the shops, work, etc.), occasional and/or family groups, longer distance cycling on roads, mountain biking off road.
- 2.4.9 The Countryside Agency's 'Rights of Way Use and Demand Survey (2000)' showed that 23% of households had at least one member who participated in cycling in the countryside in the previous year. 32% of households said that they would increase cycling as an activity if more provision was available. From the County Council's own consultation, 78% of respondents said that there was not enough provision for cyclists in Worcestershire.
- 2.4.10 Due to a fragmented bridleway network, the opportunities for traffic-free cycling are very limited. The increasing volume of traffic on Worcestershire's roads results in cyclists being amongst the more vulnerable road users. There is a need to identify ways of developing more opportunities for alternative routes for cyclists.
- 2.4.11 For mountain bikers, there is a need for more dedicated routes in order to increase safe, conflict-free, opportunities.
- 2.4.12 Key issues for cyclists:
- *Poor surfaces on bridleways*
 - *Overgrown/blocked paths*
 - *Lack of circular routes*
 - *Lack of bridleways/cycle tracks*
 - *Lack of dedicated mountain bike routes*
 - *Cycle barriers on routes where cycling is permitted*

Carriage Driving (Horse Carriages)

- 2.4.13 There is limited opportunity for carriage driving in Worcestershire at present. Whilst all of the issues raised by horse riders apply to carriage drivers, there is an additional restriction in that carriage driving is not permitted on footpaths or bridleways and hence the network available is extremely limited. The introduction of the category of Restricted Byway in 2006 as a consequence of the Countryside and Rights of Way Act 2000 is anticipated to provide greater opportunities for carriage driving over the next few years.
- 2.4.14 Key issues for carriage drivers:
- *Busy roads*
 - *Overgrown/blocked paths*
 - *Locked gates on byways and Restricted Byways*
 - *Gates which are difficult to open*
 - *Lack of byways and Restricted Byways*
 - *Fragmented byway/Restricted Byway network*
 - *Potential conflict with motorcyclists/drivers*

Motorcycling/Driving

- 2.4.15 There is limited opportunity for driving on BOATs and unsurfaced roads in Worcestershire at present and the introduction of the category of Restricted Byway in 2006 as a consequence of the Countryside and Rights of Way Act 2000 is anticipated to provide fewer additional opportunities for off-road driving over the next few years.
- 2.4.16 There are no recorded instances of a serious injury in Worcestershire involving vehicles used for leisure/pleasure purposes on any unsurfaced vehicular ROW. This is also representative of national figures. There are however, reports of occasional illegal use by motor vehicles and motorcycles on footpaths, bridleways and public open space. This type of activity can be difficult to control. Both lawful and illegal or inappropriate use can lead to conflict with other users, landowners and local communities.
- 2.4.17 This may demonstrate a need for alternative provision for a variety of off-road driving and motorcycling at more appropriate locations where there can be less potential conflict. It may also provide an opportunity for land managers to diversify. Off-road driving in appropriate locations and driving on BOATs and unsurfaced roads may also provide opportunities for some users with limited mobility to enjoy the countryside on an equal basis.
- 2.4.18 Key issues for motorcyclists and off road vehicle users:
- *Lack of byways/opportunities to drive/ride*
 - *Poor signage*
 - *Lack of information about where legitimate access is available*
 - *Increased traffic on the general road network creating conflict and greater level of hazard and dangers to rights of way users, where they meet.*

2.5 Current Levels of Use

- 2.5.1 Nationally, 527 million walking trips are made annually in the English countryside. The UK Tourism Survey estimates that there were 65.5 million tourist trips that included walking as one of the activities undertaken. Short walks (up to two miles) accounted for 46 million of these trips (Christie & Matthews 2003).
- 2.5.2 According to the Great Britain Leisure Day Visits Survey, 15% of all day visits to towns/cities, the countryside and the coast - and in particular 32% of visits to the countryside (making it by far the most popular recreational activity) – were to walk.
- 2.5.3 It is estimated that 140 million visits by people from the West Midlands region were made to the local countryside for informal recreation. 17.5 million of these were to walk and 3 million to cycle; in addition 2 million day visitors and tourists engaged in informal recreation in the region.

- 2.5.4 Within Worcestershire, the Citizens Panel Survey (July 2001) indicated that 64% of people would like to see increased access to the countryside. Half of respondents to the 2004 Citizens Panel Survey stated that they used public rights of way at least once a week or almost everyday. 40% of walkers were aged between 50 and 64. The most frequent users were those aged between 40 and 49. The most popular use of public rights of way across all user groups was for pleasure, followed by health & fitness. The majority of walking respondents walked between two and ten miles depending on the time of year and accessed the network by driving out to a suitable spot and walking from there. No-one surveyed accessed the network by using public transport.
- 2.5.5 Nevertheless, it is difficult to fully quantify how many people make use of the rights of way network and how often. Even though the variety of consultations carried out as part of the ROWIP assessment process was open to all, by its very nature this research was self-selecting in that, many of those responding already have an interest in rights of way.
- 2.5.6 The County Council's Countryside Service uses monitoring equipment, such as people counters, to assess levels of use, although at present this type of monitoring is limited. Initially, an assessment of use of the Worcestershire Way was carried out. Preliminary findings indicate that there is an estimated 1,650 people per year walking the route in its entirety, with many more walking parts of the route throughout the year. Furthermore, on public rights of way recently incorporated into the Worcestershire Way, there has been an average 118% increase in numbers of people using the route. It is therefore recognised that promoted recreational walks or rides, can play an important role in encouraging a greater range of people to access the countryside and provide opportunities for increased, more sustainable, tourism within Worcestershire.
- 2.5.7 Most (85%) horse riders responding to the ROWIP survey usually ride from stables, indicating that the greatest level of demand for riding opportunities is within 10 miles of areas where higher numbers of horses are kept. Most riders ride between 3 and 18 miles, depending upon the time of year. Horse riders tend to use roads, particularly country lanes to make up their journey, with 54% of respondents saying that over half of their journey was on roads. However, 95% said that they made use of bridleways.
- 2.5.8 84% of cyclists responding to the ROWIP survey ride at least once a week, most riding for pleasure or health & fitness. 43% said that they sometimes cycled to work, school or college, and 39% used cycling as a way of accessing local amenities. Most (78%) of the cyclist respondents said that they mostly cycled from home. Although the most popular distance for cyclists was between 10 and 20km, the distance cyclists travelled varied from less than 5km to over 30km depending on the time of year. Over 70% said that they mainly used roads.
- 2.5.9 The most popular modes of navigation used by respondents currently using the rights of way network across all of the user groups were use of a map or local knowledge. Such use is of course reliant upon users having these skills or knowledge and there is likely to be some under-utilisation of the network due to lack of map reading skills or local knowledge.
- 2.5.10 The majority of people responding to the Citizens Panel Survey (2004) were well-educated, white British, employed (including self employed) and 52% were homeowners. This profile indicates that those respondents who frequently or occasionally use the countryside match the social descriptions in Table 2.2.

Table 2.2 – Visitor Types and Social

Type of Visitor	Percentage of Population	Social Description
Frequent users	20%	<ul style="list-style-type: none"> • Higher income • Two car families • Well informed about the countryside • Non disabled
Occasional users	40%	<ul style="list-style-type: none"> • Middle income • One car families • Living in town or suburb
Non-users/low level of use	40%	<ul style="list-style-type: none"> • Low income or state benefit • Reliant on public transport • Living in poorer conditions • Often include ethnic communities, older people and disabled people

Descriptions

2.5.11 The under use of public open space and the countryside by disabled people and others with limited mobility has been reported by a number of researchers. Twenty per cent of people in the UK have impairments but surveys suggest that the presence of people with evident impairments represents just 0.5% of all users of public open space and the countryside.

2.5.12 In 2006, Worcestershire County Council commissioned the Centre for Rural Research to undertake some qualitative research with under-represented groups in Worcestershire. This research built on work undertaken at a national level by the Countryside Agency (now Natural England) and has focused on gaining a greater understanding of the issues from a local perspective.

2.5.13 Focus group style discussions took place with adults with learning difficulties, young people, students, mothers and toddlers and ethnic minorities. It is important to note that there are many different reasons why these groups may make less use of the outdoors for recreation than others and even within individual groups; there are many differing contributory factors. Some of the barriers to use were identified as;

- *Lack of knowledge about where to go*
- *Lack of time or interest*
- *Preconceived ideas about who recreates in the countryside*
- *Many people prefer to keep to managed sites*
- *Mobility problems and physical limitations*
- *Reliance on public transport*
- *Language barriers*
- *Lack of map reading skills*
- *Need for specific facilities such as toilets*

3. Consultation and Assessment Process

3.1 Introduction

3.1.1 In accordance with the guidance issued by DEFRA, the ROWIP assessed the extent to which local rights of way meet the present and likely future needs of the public. Highway authorities were required to:

- *Study the Definitive Map and Statement of rights of way;*
- *Collate and consider data on applications for modifications to the map and statement;*
- *Collate and consider data on requests for improvements to the network;*
- *Collate and consider data on the condition of the network;*
- *Undertake a survey to assess the nature and scale of the present and likely future needs of the public (both local people and visitors to the area) in relation to the rights of way network; and*
- *Identify any other relevant information, including other plans and strategies for that area.*

3.1.2 In light of this guidance, an adequacy assessment was undertaken to evaluate information that already exists, identify what primary data was required and how this was to be used to develop aims and ultimately the Action Plan.

3.1.3 The analysis of existing secondary data, carried out by organisations from a variety of disciplines was important, firstly, so that information was not duplicated and secondly to enable information to be gathered that could be used to verify and compare with data gathered from Worcestershire's ROWIP consultation process. This process was particularly important to gain a local perspective on current and likely future needs.

3.2 Consultation Process

3.2.1 Thorough consultation was key to the development and creation of the ROWIP. The Local Access Forum (LAF) has had a strong and important role and was involved and consulted throughout the development process. A LAF sub-group was established in the early stages of the ROWIP development and met on a regular basis to contribute to the identification of key issues and development of the structure of the Plan. The LAF's important statutory advisory role will continue, with the LAF working with the County Council in the ongoing development, review and implementation of the ROWIP over its ten-year life and review of subsequent action plans.

3.2.2 In order to effectively assess the current and likely future needs of people using or wishing to use the rights of way network, it was important to undertake appropriate and reasonably extensive consultation. This was ensured that the views of a broad range of users and other stakeholders, such as land managers, were considered and subsequent relevant issues incorporated into the ROWIP.

3.2.3 The consultations referred to above were complemented by the identification and use of other relevant information from a local, regional and national perspective. This built upon previously held information and knowledge.

3.2.4 The following complementary consultations were undertaken.

3.3 Local Strategic Partnerships

3.3.1 The Local Strategic Partnerships were consulted as part of the Local Transport Plan consultation. This took place in the form of focus groups and provision of a report outlining the process for the production of the ROWIP.

3.4 Community Advisory Forums

3.4.1 Community Advisory Forums, formerly “The Citizens Panel”, is a survey of an identified number of Worcestershire residents. In November 2004, an ‘Access in Worcestershire’ themed survey was mailed to over 2000 households, who volunteer to give their opinion on a range of County Council services. A variety of the results received have been used in aiding the development of elements of this plan.

3.5 User and Land Manager Questionnaires

3.5.1 A questionnaire consultation was carried out with five user and land owner/manager questionnaires made available, targeted respectively at Walkers & General Users, Cyclists, Horse Riders and Carriage Drivers, Off Road Vehicle Users and Landowners and Land Managers.

3.5.2 The questionnaires were made available on the County Council website and paper versions provided on request. The questionnaire consultation was promoted to the wider public in a variety of ways including a poster campaign and press releases.

3.6 Under-Represented Groups

3.6.1 Consultation was completed, as referred to above in the form of focus group style discussions which took place with adults with learning difficulties, young people, students, mothers and toddlers and minority ethnic groups.

3.7 Draft ROWIP Consultation

3.7.1 Many organisations (see Appendix IV) were consulted at the draft ROWIP stage. A revised draft was then presented to the LAF before presentation to the Cabinet of the County Council for adoption and subsequent publication.

3.8 An Overview of the Assessment Process

3.8.1 The information obtained from the consultation process has been analysed and has built upon a range of existing knowledge, primary and secondary research and has been used to develop a strengths, weaknesses, opportunities and threats (SWOT) analysis.

3.8.2 This assessment has been used to identify the key issues and develop a vision and strategic aims described in Chapter 4. Chapter 5 details the Action Plan (separate document).

4. Strategic Vision and Policies

4.1 Introduction

4.1.1 The extensive consultation and assessment process, outlined in Chapter 3, identified many issues – some major and wide-ranging, some more specific. From analysis of the information gathered, it is possible to group the topics identified into five key thematic areas. These are:

- **Meeting the Needs of the Public** ~ to what extent does the existing rights of way and access network provide an adequate infrastructure for current and likely future needs and how does that network need to be supplemented and/or amended?
- **Ease of Use** ~ in terms of physical accessibility, how adequate is the existing rights of way and access network for users including blind and partially sighted people and others with mobility problems; what improvements should be made?
- **Balancing Needs and Interests** ~ are the needs of different groups of users, land managers and the broader local community compatible and how can areas of potential conflict be resolved?
- **Encouraging Use** ~ what are the barriers preventing use of the rights of way network and what information provision is required to facilitate greater use which in turn has a positive effect on health, the environment and the economy?
- **Managing Resources** ~ how are the County Council's resources currently managed, what are the barriers to and ways of improving effectiveness?

4.1.2 These key issues reflect the challenges to be addressed if the Rights of Way Improvement Plan is to bring about more effective long-term management and further enhancement of Worcestershire's rights of way network.

4.1.3 Based on the identified needs and aspirations of the public, the County Council has developed a vision for Worcestershire's rights of way and access provision, which it hopes, will be shared and embraced by users and providers.

RIGHTS OF WAY IMPROVEMENT PLAN VISION

Worcestershire has a wonderful, diverse, living landscape. The County's rights of way network offers existing and further opportunities for residents and visitors to access and experience this landscape.

Worcestershire County Council, through the preparation and implementation of a Rights of Way Improvement Plan for Worcestershire, aims to work towards providing a network that everyone is able to reasonably and appropriately enjoy regardless of their age, ability or, background.

This network will be appropriate to the landscape and countryside it rests within, where walkers, horse riders, cyclists and vehicle users feel confident, where rights of way are easy to find, follow and use and farmers' and other land managers' needs are understood and respected.

Worcestershire County Council will achieve this by improving access through physical enhancement, information provision and by demonstrating the benefits of the rights of way network in terms of health & social wellbeing, sustainable transportation, tourism and the local economy. In delivering the Plan, the County Council will work in partnership with relevant communities, users, farmers and land managers and partner organisations, utilising appropriate skills, knowledge and resources.

- 4.1.4 The Rights of Way Improvement Plan offers the opportunity to map how this vision can be achieved by setting out the strategic and broad delivery framework.
- 4.1.5 The key issues outlined above are further analysed below from which a number of core strategic approaches have been developed. These approaches are presented as the Strategic Aims of the Rights of Way Improvement Plan. They provide the structure and basis for the Aims, Objectives and Action Plan outlined in Chapter 5 – “Delivering the Plan”.

4.2 Analysis of Thematic Areas

- 4.2.1 The following section explores each of the identified thematic areas, and sets out strategic policies for the improvement of Worcestershire's Public Rights of Way network.

Meeting the Needs of the Public

- 4.2.2 The majority of access routes in Worcestershire are based on public rights of way. With a total of just under 3,000 miles (4,600km) of public rights of way on the Definitive Map and Statement, this is one of the densest networks in the country. However, for many reasons this network does not always match today's needs or expectations. The network has not always changed to reflect changing agricultural practice, land-use, and the reasons for using rights of way or social attitudes. Other forms of access; permissive, licensed, statutory Access Land, agri-environment schemes, country parks, etc. form an increasingly important addition to the public rights of way network.
- 4.2.3 The connectivity of bridleways is very poor in most parts of the County. Consultation raised the issues of making road links safer for bridleway users and connecting bridleways into a better network. Making links between disconnected parts of the network may be achieved by creating new bridleway links for modern requirements. Such new links may also include dedications or permissive routes for equestrians and/or cyclists e.g. toll rides or, where practicable, abandoned railways.
- 4.2.4 There are very few BOATs in Worcestershire. Most currently unrecorded historical carriageways are likely to be recorded on the Definitive Map and Statement as Restricted Byways, available for horse drawn vehicles and bridleway users but not motorcycles or 4x4s. Both Restricted Byways and BOATs offer all legitimate users routes with relatively few gates, no stiles or steps, and good width. Existing BOATs should be managed for the benefit of all legitimate users and to minimise potential conflict.
- 4.2.5 A brief study of the Definitive Map has shown an apparent surfeit of footpaths in some localised fields/situations. Yet a lack of access to some riverbanks, hills and other features of interest indicate a need for a reorganisation of the footpath network, which cannot be achieved easily under current legislation and available resources to any significant degree. However, some changes could be made including permissive or licensed access to provide improved access to otherwise isolated places. Appropriate linear pedestrian access is significantly enhanced by the availability of commons, statutory Access Land and other open areas, notably the Clent and Malvern Hills. Prioritisation of work on different links within the network can help to manage the maintenance and make best use of resources.

- 4.2.6 Some routes have been severed when motorways or railways were constructed, or by rivers when ferries stopped operating or bridges collapsed. Bridging these features would be very expensive and likely to be considered in only one or two cases. Motorways not only sever public rights of way they also make nearby routes less attractive to users and many receive lower levels of use. These routes may not have been considered important when the motorway was constructed, but because of changes in land use, for example a new housing estate, that demand for use has increased. Conversely, riverbanks often make particularly valuable routes as users can not only enjoy being alongside the water but also know that the route may be fairly flat. Missing links alongside major rivers may be completed by discovering evidence of public rights, negotiating permissive access or even creating or dedicating new public rights of way, where appropriate.
- 4.2.7 Historically, many paths linked farms, churches, inns and villages because their use was primarily functional. Today the main use is recreational. Changes to farm buildings, use of such buildings and farmyards and, often, user preference, mean that it would often be preferable for paths to bypass rather than pass through or immediately adjacent to such properties. This may be achieved in some cases by diversions or alternative routes.

POLICY ROWIP 1 – MEETING THE NEEDS OF THE PUBLIC

Worcestershire County Council will seek to provide a rights of way network which meets the needs of its users (the public).

This will be achieved by;

- *Aim 1.1 – To ensure that all public rights of way are fully and accurately recorded.*
- *Aim 1.2 – To ensure that rights of way are protected from development and changes in land use.*
- *Aim 1.3 – To create new or change existing access where sufficient need exists.*
- *Aim 1.4 – To consider changing the status of existing public rights of way to meet the needs of non-pedestrian users.*
- *Aim 1.5 – To support access schemes and other proposals where they add valuable additional access.*
- *Aim 1.6 – To seek to improve safety of users along roads when they are used as part of the wider Rights of Way network.*
- *Aim 1.7 – To improve the relationship between the rights of way network and other transport links.*

Ease of Use

- 4.2.8 The ease with which the public can use a public right of way is fundamental to the enjoyment and/or effectiveness of the route. The extent of that ease of use is determined by ability to locate the path initially, follow the route without getting lost, the incidence and severity of obstructions on the path and the accessibility of structures such as gates and stiles.
- 4.2.9 Signs and waymarks are important to enable users to identify and follow a public right of way. Whilst good signage and waymarking are important to all users, the less experienced will often find paths without one or both of these a major deterrent to use or, at best, challenging. This may well undermine confidence in future use of the network and/or lead to potential conflict with land managers due to unintentional trespass. Sixty six per cent of respondents to WCC's Walkers and General Users survey stated that insufficient or poor waymarking was a significant problem.
- 4.2.10 Legislation requires the County Council to signpost public rights of way where they leave metalled highways. It also places a duty on the County Council to waymark the route away from the road where necessary. In 2006 approximately 82% of public rights of way were signed and waymarking is carried out regularly by officers and Parish Paths Wardens (PPWs). A significant number of signposts and waymark discs need to be replaced each year due to accidental and, occasionally, deliberate damage and removal or general deterioration. With a network of just under 3000 miles (4600km) of public rights of way, the task of installing and maintaining signposts and waymarking is substantial.
- 4.2.11 Physical obstructions of paths include:
- *Natural vegetation growth*
 - *Failure to reinstate surfaces following cultivation of land*
 - *Failure to keep paths clear of growing crops*
 - *Poorly maintained gates, stiles, bridges and other structures*
 - *Wilful obstructions such as padlocked gates, walls, fences and barbed wire*
 - *Poorly placed highway barriers*

- 4.2.12 The County Council or landowners have a duty (depending on the nature of the obstruction) to keep paths free from obstruction. In 2006, approximately 30% of public rights of way were obstructed to some extent (BVPI 178). These obstructions ranged from minor inconveniences to complete blockages.
- 4.2.13 Worcestershire County Council is legally responsible for the maintenance of the surface of public rights of way to a standard appropriate for its defined use. In most cases the natural surface is adequate and it is unnecessary to introduce materials that could detract from the landscape or adversely affect biodiversity.
- 4.2.14 In some locations however, the natural surface is subject to conditions such as poor drainage or high levels or certain types of use, which may mean the natural surface is unsuitable for some or all of the time. Such unsuitability can act as a barrier to use or result in damage to the natural/historic environment.
- 4.2.15 Improving path surfaces can be very costly and it is important to balance the needs of users with the effect on the natural and historic environment. Nevertheless, the County Council recognises the need for appropriate improvement in specific locations where there is demand and the benefits can be demonstrated.
- 4.2.16 Where a public right of way crosses a fence line, hedgerow or other boundary, it is marked by a gap, gate or stile. Such structures are known as limitations and may be legally authorised, and recorded by the County Council on the Definitive Statement, or unauthorised. Authorised limitations are required for stock control or other appropriate land management practice and should conform to appropriate British Standards.
- 4.2.17 The County Council's working practice is to ensure structures at least conform to the authorised limitation and to British Standards where possible, whilst taking account of local distinctiveness and potential impact on the landscape. Unauthorised structures will either be required to be removed or can be authorised if they are necessary and meet legislative requirements. The County Council recognises the rights and operational requirements of land managers, and is committed to improving accessibility by working with land managers to remove or replace structures where appropriate and providing incentives, practical advice and support.
- 4.2.18 Working with local communities, land managers and user groups there are opportunities to identify locations where enhanced levels of access for all legitimate users are desirable. Such an improved network offers significant potential benefit in terms of access to services and facilities, the local economy, health, well-being and informal recreation generally.
- 4.2.19 Dog fouling, litter, fly tipping and vandalism all impact negatively on the public's use and enjoyment of the rights of way network. Associated issues include:
- *potential health problems*
 - *risk of trips leading to injuries*
 - *physical barriers/difficulty in using a path*
 - *appearance which is unappealing and uninviting*
 - *actual or perceived relationship to other forms of anti-social behaviour.*
 - *problems for land management and farming practices*

- 4.2.20 Consultation and research reveals these issues to be significant factors in deterring people from using some specific parts of the rights of way network, particularly in urban fringe areas. Furthermore, the contribution these issues make to undermining a sense of community pride is an important area of concern to local communities and land managers.
- 4.2.21 The importance of tackling issues of cleanliness is significant, particularly in areas where the problem is most acute, if levels of use and enjoyment are to be raised. To do so will require effective working with district and parish partners.
- 4.2.22 There has been improvement to the network by both land managers and the highway authority in recent years and much of the network is used and enjoyed by many. However, in order to expand that use and enjoyment, particularly by less experienced or confident users or, in some cases, those with mobility difficulties, the network should be as accessible as reasonably practicable. Signing, path maintenance, accessibility of furniture and incidence of actual or perceived barriers are all areas where further work on improving standards is envisaged.

POLICY ROWIP 2 – EASE OF USE

Worcestershire County Council will work to ensure that the Worcestershire Public Rights of Way Network is easy to use and accessible by all.

This will be achieved by;

- *Aim 2.1 – To reduce the incidence of encroachment and obstruction*
- *Aim 2.2 – To ensure that all countryside furniture is well maintained and to seek to reduce limitations where possible*
- *Aim 2.3 – To ensure that the rights of way network is signed and waymarked appropriately*
- *Aim 2.4 – To improve surfaces of rights of way as appropriate*
- *Aim 2.5 – To improve the cleanliness and appearance of the rights of way network*

4.3 Balancing Needs and Interests

- 4.3.1 The rights of way network in England is a unique asset, offering a wonderful means of enjoying the countryside. This network, together with other access provision, is, for most of the time, used and enjoyed by a variety of groups of users and accommodated within land management practices without difficulty. Responsible behaviour by users and co-operative attitudes by land managers is the norm.
- 4.3.2 However, there are perceived or actual conflicts which do arise and which can create barriers to use or practical difficulties to the use or management of the network. One of the challenges for the Rights of Way Improvement Plan is to identify means to reduce the areas of actual or potential conflict in ways that balance the needs of users with the interests of land managers.
- 4.3.3 A number of areas of conflict have been identified through the consultation and assessment process.

Different Users

- 4.3.4 Many different groups of users utilise rights of way and other open spaces. Most people appreciate and accept that other users may be present. Shared use will be encouraged where appropriate. However, shared use can sometimes create problems. Sometimes use may be unauthorised but this may stem from lack of knowledge of rights and responsibilities or out of frustration that there is inadequate provision for a particular group of users.

Stock Control

- 4.3.5 The aspiration to make rights of way as accessible as possible needs to be balanced with ensuring livestock is kept securely within fields or other enclosures. Legislation permits structures such as gates and stiles for stock control but the Disability Discrimination Act makes it unlawful to discriminate against anyone on the grounds of disability. The challenge is to satisfy both requirements as reasonably as is practicable.
- 4.3.6 Over recent years, there have been a number of improvements in the design and manufacture of gates, which has resulted in robust structures, which are reliable, and self-closing, but which are also suitable for access for pushchairs, wheelchairs and mobility vehicles.
- 4.3.7 Many land managers throughout Worcestershire have been supportive of the installation of these new types of gates. The County Council has provided gates free of charge when and where appropriate and is continuing to work with land managers to improve access in this way whilst monitoring stock management effectiveness.

Users and Land Managers

- 4.3.8 Conflict between users and land managers is rare in comparison to the levels of use of the network. There is, however, a perception or fear of conflict from some users, particularly those who rarely (or never) use rights of way.
- 4.3.9 Occasionally, however, some conflict is a reality. Intentional or accidental trespass, gates being left open, uncontrolled dogs, dog fouling, irresponsible parking, litter, impact on habitats, deterrent signs or intimidation, deliberate obstruction, security and invasion of privacy, are some of the issues that have been identified through the consultation and assessment process. There is a higher incidence of conflict in urban/urban fringe areas and areas immediately surrounding more rural settlements.
- 4.3.10 There are clearly issues to be addressed in order to achieve responsible behaviour from all parties and further allay concerns.

Planning and New Development

- 4.3.11 The County Council has, over recent years, further improved working relationships with planning authorities. This has helped to minimise the instances of negative impact or obstruction of rights of way as a result of development.
- 4.3.12 Nevertheless there are opportunities to further develop consultation and dialogue to assess the wider impact of development on rights of way provision, for example, on adjacent sites or in terms of visual and other amenity and the difficulties that can arise from developments not taking account of existing public rights or failing to make provision for new rights of way. Furthermore, there may be opportunities to emphasise the importance of access provision and influence planners and developers to identify access improvements as a form of “planning gain”, when considering applications for new developments.

Environmental Impact and Biodiversity

- 4.3.13 Worcestershire is blessed with many areas of landscape or conservation value. Many areas, such as Access Land, are fully open to the public and/or are crossed by public rights of way. Often it is this landscape or conservation quality that is the reason the location is popular. In Worcestershire these include:
- *Part of the Malvern Hills Area of Outstanding Natural Beauty*
 - *Part of the Cotswolds Area of Outstanding Natural Beauty*
 - *Sites of Special Scientific Interest*
 - *Local Nature Reserves*
 - *Special Wildlife Sites*
 - *Local conservation areas*
- 4.3.14 Local authorities have an important part to play in helping to meet domestic and international commitments and policies for habitats, species and ecosystems. Every public authority must have regard to the purpose of conserving, restoring and enhancing biodiversity when exercising its functions (Natural Environment and Rural Communities Act 2006).
- 4.3.15 Worcestershire’s landscape and biodiversity is a tremendous asset to be enjoyed through accessing the countryside. The historic landscape, including Scheduled Ancient Monument sites, churches and other historical buildings attract a number of visitors, but it is essential that access provision is managed in ways that recognise the sensitivity of that environment and preserve and enhance its character. Irresponsible or excessive use may lead to damage, spoiling the very landscape people come to enjoy.
- 4.3.16 There are diverse interests in access provision and, in large part, these interests operate compatibly. There are however some actual, perceived or potential areas of conflict or misunderstanding. The challenge for the Rights of Way Improvement Plan is to find ways to reduce these areas of conflict or misunderstanding, generating greater appreciation of the needs of those with other interests and, where possible, to identify opportunities for mutually beneficial activity.

4.3.17 Antisocial behaviour along public rights of way can sometimes be an issue for local communities and legitimate users. Worcestershire County Council and its partners will work to reduce incidents of antisocial behaviour through design, improvements and seeking resolution of specific issues, so that local communities and users feel safe. Where other potential solutions have been exhausted, consideration will be given to gating orders in accordance with Worcestershire County Council's Gating Order Policy and procedures including relevant consultation.

POLICY ROWIP 3 – BALANCING USER NEEDS AND WIDER INTERESTS

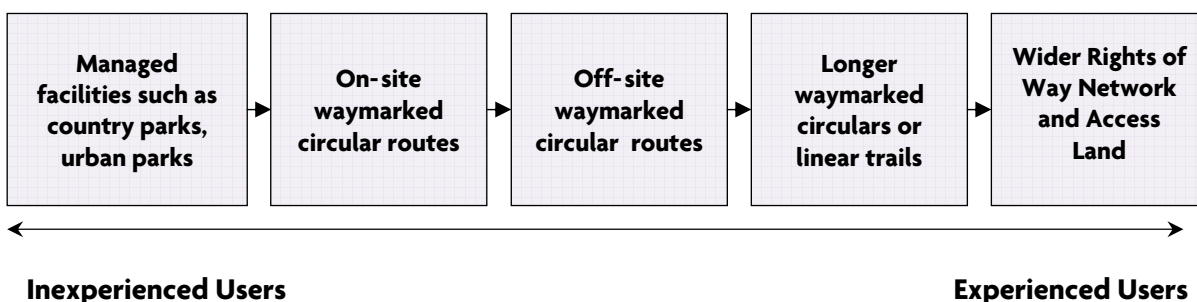
Worcestershire County Council will seek to balance the needs of users and others with an interest in the Worcestershire Public Rights of Way Network.

This will be achieved by;

- *Aim 3.1 – To balance the needs of land management practices with the accessibility of rights of way*
- *Aim 3.2 – To reduce the potential for conflict between users and land managers*
- *Aim 3.3 – To reduce the potential for conflict between different users and their activities*
- *Aim 3.4 – To reduce conflict between users and the local community*
- *Aim 3.5 – To minimise the environmental impact arising from the use and development or improvement of rights of way*

4.4 Encouraging Use

- 4.4.1 Worcestershire’s rights of way network is open for use by the general public and many people use it on a regular basis for a variety of purposes including pleasure, journeys from one place to another and for general exercise or fitness.
- 4.4.2 Nevertheless, consultation has revealed that there remains a lack of awareness of rights of way in some areas and amongst some groups of users or potential users. There are also a number of negative perceptions of rights of way related to physical problems encountered, perceived problems of conflict and a more generalised concern over personal safety. All of these undermine the potential for greater use and enjoyment of the rights of way network. Lack of information is regularly cited as one of the most significant barriers to use of the network.
- 4.4.3 If the true potential of the rights of way network to improve health and well-being, contribute to economic development and increase the proportion of sustainable journeys is to be reached, a higher priority and increased resources need to be allocated to increasing awareness, understanding and confidence in using the network.
- 4.4.4 However, it is unrealistic to expect people who currently do not use the network to suddenly start doing so simply because of general promotion. Recognition of the barriers to use identifies the need to provide a range of appropriate information and experiences including targeted promotion, accessible information, delivery of guided walks and development and maintenance of quality, “branded” routes, country parks and access land, delivered through a variety of partnerships.
- 4.4.5 Maximising the potential of sites, events and activities provided by the Countryside Service and other organisations and initiatives such as ‘Walking the Way to Health’, offers the opportunity to create a “learning chain of experiences”.



- 4.4.6 In order to achieve success it will be important to carry out ongoing market research and consultation to ensure that messages, media and audiences are being carefully and accurately matched.
- 4.4.7 Throughout the approaches adopted to encourage use and enjoyment of rights of way, promotion and information provision will also promote rights and particularly responsibilities, in order to achieve sustainable use of the network and further reduce the potential for conflict.

POLICY RIGHTS OF WAYIP 4 – PROMOTING THE NETWORK

Worcestershire County Council will seek to raise awareness of, promote and build confidence in the Worcestershire Public Rights of Way Network.

This will be achieved by;

- *Aim 4.1 – To raise awareness of and promote the rights of way network and the opportunities it provides*
- *Aim 4.2 – To provide and promote information, events and routes which increase confidence in using the Rights of Way network*
- *Aim 4.3 – To make provision for disabled people and others with mobility issues to use the Rights of Way network*
- *Aim 4.4 – To provide and promote opportunities for people to take regular exercise using the Rights of Way network*
- *Aim 4.5 – To provide and promote opportunities for people to make car-free journeys using the Rights of Way network*
- *Aim 4.6 – To provide and promote opportunities for sustainable tourism and recreation using the Rights of Way network*

4.5 Managing Resources

- 4.5.1 The Worcestershire Public Rights of Way Network is managed by the County Council's Countryside Service Mapping and Access Teams.
- 4.5.2 The main source of funding for the maintenance and enhancement of the network will be from the Worcestershire LTP3. The LTP3 funding allocation mechanism requires outline business cases for schemes to be developed to enable entry into the LTP3 Integrated Delivery Programme.
- 4.5.3 Other sources of potential capital and revenue funding to complement work on the rights of way network will be explored and secured, where possible, in the current and subsequent years as the life of the ROWIP progresses.
- 4.5.4 Further resources are provided in relation to other access facilities including country parks, picnic sites, local nature reserves, canal towpaths, etc. managed by a variety of agencies such as the County Council, District Councils, and organisations such as The National Trust, Worcestershire Wildlife Trust, Forest Enterprise, Malvern Hills Conservators and British Waterways etc. Such agencies, working individually and in partnership, broaden and enhance the value of the rights of way network.
- 4.5.5 With regard to the Public Rights of Way network, however, the resources referred to above are deployed and allocated in accordance with the County Council's adopted Statement of Priorities (available via the County Council website). The Statement of Priorities describes in detail the range of work undertaken and the structured way in which work is prioritised. By way of a brief summary, different aspects of work are delivered as follows:

Maintenance

- 4.5.6 Work is allocated on a prioritised basis – more urgent problems (health and safety issues and paths which are completely obstructed) are investigated reactively as quickly as resources allow and, in the case of health and safety problems, normally within a target time of ten working days.
- 4.5.7 Less urgent problems are investigated via a number of proactive approaches:
- *General maintenance - whilst reports are prioritised according to their severity, where there are opportunities to deal with less urgent problems at the same time and make best use of resources available in an efficient manner.*
 - *Annual Strimming Programme - a seasonal programme of vegetation clearance on key paths, often in village centres and/or those linking to facilities and services.*
 - *Parish Paths Wardens (PPWs) Scheme - an extensive network of local volunteers who have been nominated by local parish (or town) councils and appointed by the County Council. PPWs carry out inspections, report problems to the County Council, liaise with local landowners, and carry out minor path maintenance such as waymarking and minor vegetation clearance. PPWs are supported by advice, training and insurance from the County Council.*
 - *Parish Paths Partnership (P3) Scheme - as its name implies, this is a partnership between local communities and the County Council. The Scheme aims to provide local communities, normally through parish (or town) councils, with the resources and skills to enable them to improve their local public rights of way and keep them open and in use. Under the scheme,*

the County Council offers an annual grant, materials, advice, support and training and insurance cover. In return, participating parishes carry out maintenance, improvement and promotion of local paths.

Many, normally less urgent, problems are resolved through the PPW and P3 schemes.

4.5.8 Worcestershire County Council intends to implement further means of prioritising limited resources in addition to those outlined in 4.5.6, by allocating priority based on other factors such as; location, current and potential levels of use and likely experience level of users or potential users. Full consultation with stakeholders, will be carried out prior to the integration of any new working practice and this will be detailed within the Action Plan.

4.5.9 County Council waymarked, recreational routes such as the Worcestershire Way, Cotswold Way National Trail or circular trails are managed by officers. Maintenance and improvement of these routes is carried out through proactive programmes of work and in response to reported problems. However, the principles of prioritising work depending upon its urgency are still applied. The Cotswold Way National Trail is managed to National Trail Quality Standards with part funding from Natural England.

Enforcement

4.5.10 Most Public Rights of Way in Worcestershire are unobstructed and where problems do occur they are resolved amicably through discussion with the landowner. Occasionally, however, it is necessary to take formal action to resolve matters. Dedicated Access Enforcement Officers have responsibility for this area of work, serving legal notices, taking direct action and/or seeking prosecution as necessary/appropriate. The Enforcement team also have particular responsibility for specific campaigns aimed at tackling particular issues such as ploughing and cropping.

4.5.11 Enforcement procedures followed are in accordance with the Statement of Priorities and Enforcement Concordat.

Definitive Map

4.5.12 The Definitive Map and Statement is a legal record of public rights of way and it is made publicly available at the County Council's offices and website, the Worcestershire Hub customer service centres and local libraries. Modification of the Definitive Map and Statement can only be made by statutory procedure and only in order to correct an error or omission. This occurs either because a legal event has occurred which has changed the public rights of way network and hence the Definitive Map and Statement needs to be updated to reflect that change, or because evidence of an error or omission has been discovered. Anyone who discovers such evidence may make an application to the County Council for a definitive map modification order and both historical documents and users' testimony can be cited. Such modifications to the record do not change public rights but are only used to correct errors and omissions and must be based solely on evidence.

Consultations

- 4.5.13 Most planning applications are processed by the six District Councils, although the County Council is planning authority for certain functions including transport, schools, waste and minerals. The Countryside Service aims to check all such applications for any possible effect on public access and responds appropriately. Whilst the existence of public rights of way is a material consideration in planning, it is rarely prohibitive to planning consent being obtained and the objective in checking applications is to ensure that public rights of way are not likely to be restricted, encroached or made less accessible by the proposals. Sometimes there may be opportunities for improving access and applicants are also advised of the necessary measures before a public right of way is diverted, extinguished or temporarily blocked. Other consultations, notably on agri-environment stewardship schemes, are checked both to ensure existing access is properly maintained and that appropriate additional access opportunities are taken where possible.

Changes to the Network

- 4.5.14 There are three ways in which a public right of way can be changed namely: diversion, extinguishment or creation. Public rights of way can only be changed by means of a statutory procedure by an appropriate authority. The majority of changes result from applications either to the District Councils in order to carry out development for which there is planning permission or to the County Council when it is the interests of the landowner. The most common type of application to the County Council is to divert a path across an area of land, agricultural or residential. This may be to improve agricultural management, to secure privacy and security (including bio-security) or to reduce the possibility of conflict or danger. The procedures involve consultation with the public and a right to object to orders, so that the interests of the land managers and those of the users of the rights of way can be balanced.
- 4.5.15 Where new rights of way are to be created then these should be well designed to ensure that the right of way does not lead to anti social behavioural problems. The Worcestershire Highways Design Guide for New Developments contains advice on this.

Closures

- 4.5.16 Sometimes there is an event that requires a public right of way to be temporarily closed as a matter of urgency for the protection of the public. This includes events such as the discovery of a dangerous bridge, landslip, dangerous wall or trees about to fall onto the path, gas leak, notifiable animal disease and other occurrences over which we have no control and cannot take sufficient mitigating measures at the time. These emergency closures can be put into effect at very short notice and only last for a few days. The purpose of them is to enable work to be carried out to remove, or reduce sufficiently, the danger or to arrange for a longer temporary closure.

- 4.5.17 Temporary closures can last up to six months but they take a few weeks to put into place and must be advertised in the local paper and on site. The purpose of such closures is to allow work to be carried out either to the path itself, such as where an emergency closure for a collapsing bridge does not last long enough for the work to be carried out, or on adjacent property which would present a danger to the public, such as where a public right of way crosses the site of a proposed new development. Where works are planned, the closure must always be of this type, an emergency closure cannot be used for this purpose and if a temporary closure has not been requested in advance it may be necessary for the person carrying out the work to arrange the initial work so that it does not affect the path, or even to delay the start until the closure is in place. This procedure carries a real cost which is recharged to the applicant where relevant.
- 4.5.18 The resources available for rights of way work, are, as described above, targeted in accordance with the Statement of Priorities. The work undertaken and the order in which it is undertaken are based on data currently held, including records of reported problems provided by the public, PPWs and information gathered through site inspections by officers. As mentioned in Chapter 2 (para. 2.2), the decisions on the deployment of resources are currently determined by limited (although growing and increasingly accurate) data. Over the last two years, the County Council has improved the quantity and quality of data held and therefore is beginning to be able to refine and further improve the effectiveness of the deployment of resources.
- 4.5.19 The Countryside Service has over recent years re-focussed its resources and invested significant additional resources to help deliver its work. In the past, a number of one-off funding bids to the Natural England have been successful and several projects have been carried in partnership with other organisations, for example the Environment Agency (Avon Valley Circular Walks) and Bromsgrove District Council (Royal Hunters Circular Walks). Given current financial constraints, this type of funding is not so readily available at present, but the County Council will investigate a number of innovative ways of securing additional resources, such as through the planning process.
- 4.5.20 There may be opportunities to identify and secure additional sources of funding, whether via further developing mutually-beneficial external partnerships which fulfil ROWIP aims, or by making a sound business case for internal funding. In all cases, effective marketing is key to securing those funds through thorough research and clear demonstration of the potential benefits, whether to health and social well-being, the environment or the economy.
- 4.5.21 With competing demands on both potential County Council and external funding, it is essential that existing resources are used efficiently. Furthermore, if we are to be successful in securing additional funding we must be able to demonstrate that a business-like approach is integral to our way of working.

POLICY ROWIP 5 – MANAGING RESOURCES

Worcestershire County Council will seek to manage available resources effectively to maintain and enhance the Worcestershire Public Rights of Way Network.

Worcestershire County Council will make this case focused around a hierarchy of use and economic and community regeneration.

This will be achieved by;

- *Aim 5.1 – To develop priorities and working practices and target resources to help meet existing responsibilities and work programmes*
- *Aim 5.2 – To further develop appropriate partnerships with organisations who can add value to the objectives of this Plan and the rights of way network*
- *Aim 5.3 – To secure additional resources from internal and appropriate external sources to help to make improvements both within and beyond our statutory duties*
- *Aim 5.4 – To market the rights of way network as a mechanism for helping to achieve other appropriate internal and external aims*

5. Monitoring and Review

- 5.1.1 Guidance from DEFRA details the need to review the Rights of Way Improvement Plan every 10 years. This iteration of the Rights of Way Improvement Plan supersedes the document that was published in July 2007, and harmonises this Rights of Way Improvement Plan with that of the wider Worcestershire LTP3 Compendium (2011 to 2026.)
- 5.1.2 As part of this process, the separate ROWIP Action Plan has been dissolved, and has now been incorporated within the Worcestershire LTP3 County and Area Transport Strategies and associated delivery plan. This fully integrated the ROWIP as part of a truly multimodal approach to the planning and delivery of transport in Worcestershire.
- 5.1.3 In some cases, additional funding will be required to deliver schemes in excess of funds available through the LTP3 delivery plan process. Wherever possible, Worcestershire County Council will seek to secure additional funding (such as developer contributions) prior to entering schemes into the LTP3 County and Area Transport Strategies and associate delivery plan.
- 5.1.4 Monitoring mechanisms will be developed in co-operation with the Local Access Forum and regular update reports will be provided to the Local Access Forum.
- 5.1.5 A progress report will be produced as part of the LTP3 delivery process. This report will monitor scheme delivery and whether schemes have achieved value for money. Those schemes which either cannot secure additional funding or have yet to develop a suitable outline business case will not be able to enter the delivery plan process.

Appendices

Appendix I – Glossary of Terms

Access Land	Land open for public access on foot (subject to restrictions) as designated by the CROW Act. Includes, mountain, moor, heath, down and registered common land. Informally known as the ‘right to roam’.
Agri-environment scheme	Schemes that pay landowners/farmers for managing land for conservation and increased access such as Environmental or Countryside Stewardship
AIRS	Access and Informal Recreation Strategy (formerly Countryside Access and Recreation Strategy) – A non statutory document published in 2004 by a partnership of organisations involved in access and recreation within Worcestershire
AONB	Area of Outstanding Natural Beauty Statutory designation of area of which there are two in Worcestershire – Cotswolds and Malvern Hills
BHS	British Horse Society
BOAT	Byway Open to All Traffic Highway available to all users, including motor vehicles, mainly used as a footpath or bridleway
Bridleway	Public Bridleway Highway available to pedestrians, cyclists and horse riders
BTCV	British Trust for Conservation Volunteers
BVPI	Best Value Performance Indicator BVPI 178 is a measure of the percentage of public rights of way that are found to be ‘easy to use’
Byways	A collective term encompassing Byways Open to All Traffic (BOATs) and unsealed unclassified roads
BW	British Waterways
Community Advisory Forums	Approximately 2000 Worcestershire residents who give their opinion on a range of services provided by the County Council
CLA	Country Land and Business Association
CMA	Countryside Management Association
CROW Act	Countryside and Rights of Way Act 2000

CTC	Cyclists Touring Club
CSS	County Surveyors Society
DC	District, City or Borough Council
DDA	Disability Discrimination Act (1995 or 2005)
Definitive Map and Statement	Legal documents recording the existence, position and description of public rights of way
DEFRA	Department of Environment, Food and Rural Affairs Government department with responsibility for Natural England and access matters
DfT	Department for Transport Government department overseeing the management of roads
District Councils	District Councils in Worcestershire , including Bromsgrove District Council, Malvern Hills District Council, Redditch Borough Council, Worcester City Council, Wychavon District Council and Wyre Forest District Council
DMMO	Definitive Map Modification Order Legal order which changes the Definitive Map and Statement
DRA	Disabled Ramblers Association
EH	English Heritage Government agency responsible for sites of historical importance
EA	Environment Agency Government agency responsible for overseeing environmental matters including rivers and watercourses
FC	Forestry Commission or Forest Enterprise
Fieldfare Trust	A charity that works with people with disabilities and countryside managers to improve access to the countryside for everyone
Footpath	Public Footpath Highway available for pedestrians
FTE	Full time equivalent
Furniture	Structures along rights of way such as gates, bridges or stiles
GIS	Geographical Information System Computerised mapping

HA	Local Highway Authority Local authority responsible for the maintenance of highways (other than trunk roads and motorways). In Worcestershire it is the County Council
Highways Agency	Government agency responsible for trunk roads and motorways
Hub	Worcestershire County Councils Customer Service teams providing public information
IPROW	Institute of Public Rights of Way Management
LAF	Local Access Forum
Limitations	Rights of way furniture along a public right of way such as a gap, gate or stile
List of Streets	Register of publicly maintainable highways
LSPs	Local Strategic Partnerships – District-based group of representatives from agencies and organisations to represent the views of local authorities, the voluntary sector and local communities
LTP2	Local Transport Plan Five year strategic plan covering highways and transport within Worcestershire.
MHC	Malvern Hills Conservators Responsible for the management of the Malvern Hills
National Trail	Long distance walking/riding route as designated by the Secretary of State. Worcestershire has part of one National Trail – The Cotswold Way
Natural England	Formed by bringing together English Nature, the landscape, access and recreation elements of the Countryside Agency and the environmental land management functions of the Rural Development Service.
NT	National Trust
NFU	National Farmers Union
Network	The Public Rights of Way and other access (e.g. Access Land, canal towpaths, permissive paths, toll rides etc.) provision
OS	Ordnance Survey
Path	Shorthand term for linear rights of way

P3	Parish Paths Partnership A scheme in which the County Council works in partnership with parishes, looking after local rights of way
PC	Parish or Town Council
Permissive Path	Path made available through the goodwill of the landowner. It may be withdrawn at any time or is subject to an access agreement. The public have no permanent rights over it
PCTs	Primary Care Trusts Part of the National Health Service, which governs primary care such as health centres and doctors surgeries
Planning authorities	The authority responsible for planning matters, usually the district or borough council, although the County Council is responsible for some planning matters such as mineral extraction and waste management
PPO	Public Path Order Legal order that creates, extinguishes or diverts public rights of way
PPW	Parish Paths Warden – a voluntary position, nominated by the Parish Council and appointed by the County Council, to look after local rights of way
PROW	Public rights of way – Paths that the public have a legal right to use and which cannot be changed or removed without a PPO (see above)
Quiet lanes	Lanes that help to link other rights of way that have low traffic numbers and therefore are likely to be safer to use
RA	Ramblers Association
Restricted Byway	Highway available to walkers, horse riders, cyclists and carriage drivers
ROWIP	Rights of Way Improvement Plan
Rights of way or ROW	Public rights of way and other access network. Other access includes; canal towpaths, country parks and urban green space, nature reserves and permissive paths etc
RPA	Rural Payments Agency
Section 106	Section 106 of the Town and Country Planning Act 1990. It relates to monies paid by developers to Local Planning Authorities in order to offset the costs of the external effects of development e.g. funding for a new cycle path
SSSI	Site of Special Scientific Interest

STW	Severn Trent Water Authority
SUSTRANS	A charity that works on practical projects to encourage people to walk, cycle, and use public transport. Also promotes the national cycle network
TROT	Toll Rides (Off Road) Trust Group which sets up and promotes, pay-for-use equestrian access on private land
Unclassified road (UCR)	These are minor highways, sometimes surfaced, including country lanes, residential roads and some green lanes. They are generally maintainable at public expense. In ROWIP the term is used to refer to the unsurfaced UCRs which the Countryside Access Team is responsible for maintaining
Under Represented Groups	Groups of members of society who do not currently make regular use of facilities such as country parks or ROW, that give access to the countryside or urban green space
WCC	Worcestershire County Council
WBRA	Worcestershire Bridleways and Riders Association
WWN	Worcestershire Walking Network A partnership of Worcestershire PCT, University of Worcester, Worcestershire County Council, Malvern Hills District Council and the Cardiac and Heart Disease Rehabilitation Collaborative with funding from Natural England, to promote health walks in South Worcestershire
WWT	Worcestershire Wildlife Trust

Appendix II - Extract from BVPI Methodology

Introduction

- 1.1 In December 2000 the Government published new and revised Best Value Performance Indicators (BVPIs) in line with its programme to modernise local government. Best Value authorities are under a duty to seek continuous improvements in the way in which they exercise their functions and BVPIs provide a performance management framework for reporting progress.
- 1.2 BVPI No. 178 covers aspects of a highway authority's rights of way functions and this is the first time rights of way have appeared as a BVPI. The new indicator is a measure of 'ease of use' of an authority's network and is described in full below. The BVPI will be used to look at year on year trends and to compare performance between Highway Authorities.
- 1.3 Under the definition of the indicator the Government states that surveys to assess ease of use should use the methodology developed by the CSS and the former Countryside Agency (now Natural England) as the benchmark standard.
- 1.4 This methodology is the standard referred to and was developed by a working group established under the umbrella of the CSS, in the belief that the rights of way profession should take the lead in setting the standard. The group is comprised primarily of ROW practitioners with representation from the CSS, IPROW and Natural England (formerly the Countryside Agency). The group originally produced this methodology in response to the two Audit Commission rights of way performance indicators in order to introduce robustness and consistency into the survey process. The methodology has been nationally piloted and has been revised to reflect the requirements of BVPI 178.
- 1.5 The methodology can be used at three different levels:
- *Full Survey*
 - *Summary Survey*
 - *Basic, BVPI only, Survey*
- 1.6 BVPI 178 in full reads:

"BVPI – The percentage of total length of footpaths and other rights of way which were easy to use by members of the public."

"Definition – The indicator is the total length of rights of way, which were easy to use, as a percentage of the total length of all rights of way. Rights of way appear on the definitive map of public rights of way for the highway authority area and are numbered. 'Easy to use' means:

Signposted or waymarked where they leave the road in accordance with the authority's duty under s.27 of the Countryside Act 1968 and to the extent necessary to allow users to follow the path (a public right of way wholly within a built up area and with a hard surface provided along its complete length and with a clearly defined route may be excluded from measurement);

Free from unlawful obstructions and other interference, (including overhanging vegetation) to the public's right of passage;

Surface and lawful barriers (e.g. stiles, gates) in good repair and to a standard necessary to enable the public to use the way without undue inconvenience.

Surveys to assess “easy to use” should use the methodology developed by Natural England (formerly the Countryside Agency) and the CSS as a benchmark standard, which is based on a minimum 5% random sample of length of paths.”

Appendix III - Rights of Way Improvement Plan Consultee list

- *All Wheel Drive Club*
- *Bewdley Development Trust*
- *Bewdley Footpaths & Bridleways Association**
- *Birmingham City Council*
- *British Canoe Union*
- *British Driving Society*
- *British Horse Society*
- *British Waterways*
- *Bromsgrove District Council*
- *Byways and Bridleways Trust*
- *Cotswolds Area of Outstanding Natural Beauty*
- *Cotswold Way National Trail*
- *Campaign to Protect Rural England*
- *Country Landowners and Business Association (CLA)*
- *Countryside Alliance*
- *Cyclists Touring Club*
- *DEFRA – Worcester Office*
- *Disabled Ramblers Association*
- *Duckworth Trust, The*
- *Farming & Wildlife Advisory Group*
- *Dudley Metropolitan Borough Council*
- *English Heritage*
- *Environment Agency*
- *Forestry Commission*
- *Gloucestershire County Council*
- *Green Lane Association*
- *Heart of England Tourist Board*
- *Herefordshire Council*
- *Inland Waterways Association*
- *Lickey Hills Country Park*
- *Local Access Forum*
- *Local Strategic Partnerships*
- *Malvern Hills AONB*
- *Malvern Hills Conservators*
- *Malvern Hills District Council*
- *Malvern Hills District Footpath Society*

- *Malvern Town Council*
- *Monarch's Way Association, The*
- *Motorcycle Forum*
- *National Farmers Union*
- *National Trust*
- *Natural England*
- *Open Spaces Society*
- *Parish Councils*
- *Parish Paths Wardens*
- *Railway Ramblers**
- *Ramblers Association*
- *Redditch Borough Council*
- *Rights of Way and Access Land Liaison Group*
- *Rover Owners Club*
- *Severn Trent Water Ltd*
- *Shropshire County Council*
- *Sport England*
- *Staffordshire County Council*
- *Trail Riders Fellowship*
- *Tenant Farmers Association*
- *Warwickshire County Council*
- *Woodland Trust*
- *Worcester City Council*
- *Worcestershire Primary Care Trust*
- *Worcestershire Wildlife Trust*
- *Wychavon District Council*
- *Wyre Forest District Council*

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WEBSITES:

¹⁰<http://www.naturalengland.gov.uk/campaigns/health/health>

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