



Denbighshire CC

Countryside Access

Improvement Plan

2018-2028

Outline & Timetable

Incorporating Rights of Way Improvement Plan
Final V1 Oct 2017

Version 1 16 August 2017

added comments H Arndt / H Mrowiec / A Walls

Version 2 22 August 2017

Final 30 Oct 2017-11-03

Post CE&DLAF Consultation

Denbighshire Countryside Access Improvement Plan: Timetable

Introduction: The importance of Denbighshire's rights of way

The County of Denbighshire has over 1,300 kms of public rights of way; a dense network of paths that are variously classified as footpaths, bridleways, byways as well as unsurfaced public roads. The County also has some of the finest scenery, not just in Wales but in the whole of Britain. This includes, golden beaches and dunes, the Vale of Clwyd, rolling Hiraethog or Denbigh Moors, and Berwyn Mountains also the designated Clwydian Range and Dee Valley Area of Outstanding Natural Beauty, the World Heritage Canal featuring a popular multiuser trail through the lower Dee valley and Offa's Dyke National Trail passing through the AONB makes the access in the county of national significance.

Not surprisingly, our rights of way network is highly valued and extensively used both by residents of Denbighshire and the many visitors to the area. It is the main way people have of getting into the heart of the countryside away from the hustle and bustle of everyday living and roads used by cars, to where they can relax, recharge their batteries, and explore and enjoy the peace, tranquillity and great beauty of this outstanding area.

The rights of way network and the many open spaces such as canals, country parks and lakes have an important role, bringing considerable economic regeneration, social, community and health benefits to the whole of Denbighshire.

This plan – the Countryside Access Improvement Plan – incorporating the statutory Rights of Way Improvement Plan is about how the County can carry out its important statutory duties towards access for recreation and especially rights of way more efficiently and effectively, so that all paths can be correctly recorded, are well maintained and are easy to find and to follow. It is also about how the network can be improved; to ensure that as many paths as possible are open to those with limited mobility or other special needs and that a good network of routes is also available to those who want to enjoy the countryside on horseback, by cycle or while driving a carriage, jeep or trail bike. And it is about ensuring that everyone who cares about Denbighshire's rights of way or wants to enjoy the beauty of the wider countryside and rural spaces close to home can access the information they need about the many opportunities that our countryside offers and how these can be used enjoyably, safely and responsibly.

Background

In September 2008 Denbighshire County Council published its first Rights of Way Improvement Plan (RoWIP). The plan set out how the County Council would identify, prioritise and plan improvements to access available in the county. The plan set out the priorities and objectives for countryside access since 2008 and has led the way access improvements have developed.

The legislation¹ and revised statutory guidance² make it clear that we must review the plan and publish another in the 10th and final year of the original RoWIP. This report examines

¹ Countryside and Rights of Way Act 2000

what we need to do, how it will be funded and a timetable for the review. Welsh Government guidance can be found here:

<http://gov.wales/topics/environmentcountryside/consmanagement/rights-of-way-and-wider-access/rights-of-way/?lang=en>

Review Requirements

The Council is required by Section 60 of the Countryside and Rights of Way Act 2000 to make new assessments as specified by the act, review the existing RoWIP and decide whether to amend it.

The assessments are:

- An assessment of the extent to which '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 the enjoyment of the County.
- The accessibility of rights of way to blind or partially sighted persons and others with mobility problems.

The plan need also contain a statement of the action the Authority proposes to take for the management of rights of way, with particular regard to the matters dealt with in the assessment. In addition the Guidance provided by the Welsh Government on RoWIP reviews requires assessments on:

- The condition of the row network and its record (Definitive Map and Statement) and the NRW require information on records of limitation and the processes for authorising this.
- Publicity and management.
- Resources available to meet people's needs.
- An evaluation of the degree to which the current RoWIP has been delivered.
- Opportunities to contribute to Active Travel objectives.
- Opportunities to contribute to Well-being objectives.
- Opportunities to contribute to the Equalities Act 2010.
- Opportunities to deliver other plans and objectives.
- A review of policy statements.

'Local Rights of Way' is defined to include all rights of way shown on the 'Definitive Map', all other footpaths, bridleways and cycle tracks not at the side of a carriageway. Our own plan's scope will also extend to consider the opportunities provided by Access Land, countryside sites managed by the county and appropriate land subject to formal access provisions which are important to the area or communities.

² *Guidance to Local Authorities on Rights of Way Improvement Plans July 2016* issued under section 61(4) of the Countryside and Rights of Way Act 2000 by Welsh Government.

The new RoWIP is required to have 'Delivery Statement'. These will be reviewed each year to show progress of tasks within the RoWIP and also to identify the tasks that will be undertaken each year. This will allow the updating of the plan and for progress to be monitored.

Consultation and Public Participation

The final revised document must enjoy broad support from all interested parties. This requires appropriate opportunities for all such interests to contribute to and guide the review process. A list of consultees will be prepared and publicity will take place to ensure that all those who wish to be involved are consulted at each stage.

Statutory Consultees will include all Community and Town Councils, Clwydian Range and Dee Valley AONB, each local highway authority abutting Denbighshire along with their Local Access Forums, East Conwy and Denbighshire Local Access Forum, Natural Resources Wales, all statutory groups that are consulted for path legal orders, local user groups and organisations representing land holder and wildlife conservation interests.

Consultation with wider interests needs to occur at two separate stages of the plan development process.

- At the outset (stage 2), to inform people of the process and invite contributions
- At stage 5 to consult on the draft improvement plan

To support the consultation all assessments, and drafts will be available on Denbighshire's web site. The Council will also place in two local newspapers notice of how the draft plan can be inspected and representations made.

Copies of the documents will also be available for free inspection at all reasonable times at County Hall in Ruthin and the Offices at Caledfryn, Denbigh. A copy of the draft Countryside Access Improvement Plan and assessments will be available for download, or on payment of a reasonable charge for printed versions. All reports will be available free of charge in other formats (such as audio) on request. All consultation documents will be available in accordance with Denbighshire's Welsh language policy.

Scope of the Improvement Plan Review

Significant changes have occurred since the publication of the existing RoWIP, in terms of the way they are managed, funded and in legislation. There is now an even greater need to have clear evidence-based and prioritised plan to target resources whilst giving the greatest public benefit by delivering across multiple policy areas and integrating with other services and partners.

The new Improvement Plan should therefore encompass countryside access in its widest sense. Doing so will produce a holistic plan that is not only able to address the rights of way network, but also access to the natural environment, health benefits, biodiversity and green infrastructure, sustainable transport (linking to active travel), tourism and contribute to the wellbeing objectives / statement, including, child obesity, older people and Denbighshire's own Economic and Community Ambition Strategy 2013-2023 as well as having flexibility to encompass future legislative and strategic change over 10 years.

The Improvement Plan review process

The present plan works well but experience since 2007 means we have an opportunity to both widen its scope and take a fresh look at what our residents and visitors want from the path network and consider where we can meet this demand rather than simply preserving a status quo.

The guidance advises we pursue two separate (although related) areas of research.

1. A thorough and objective review of the present situation in terms of the extent, nature and quality of the path network and other access opportunity within Denbighshire and how it is managed. This includes an assessment of the condition of the Definitive map and its associated records (modifications and legal orders), maintenance and enforcement issues. A review of the provisions of information to the public and the wider benefits the path network (and other access opportunities) currently provide to the public. Preliminary work to gather this data has already started with a 11% survey of a random sample of the network having already started.
2. A study of the way that the current provision is being used, including the identification of shortfalls, missed opportunities, particularly from the differing viewpoints of various interest groups. The Welsh Government Guidance suggests that this work should extend to establishing unfulfilled demand for countryside access opportunity. Research therefore needs to encompass the 'non-users' and 'user' communities

Whilst questionnaires and workshops may help with the work required it may be difficult to reach deep within the allowed time frame without elements being contracted out although some existing work with well-being assessments may be of assistance.

On completion of the two threads of research, evaluation is needed to establish to what extent current provision and management meets existing and likely future demand. More importantly perhaps, will be to establish what action is required where existing and likely demand is not being met. This also has to have regard to the current RoWIP and how it has fulfilled these objectives which is another assessment that needs to be undertaken.

In addition as outlined above in the review requirements other assessments will also be required. This may mostly be a desktop study supported by research and some consultation with appropriate organisations.

Resource implications and timetable

The above notes provide an extensive list of tasks that the Rights of Way team alone will not have the answers to and will be reliant on input and support from both the Countryside Service and other services within the authority in order to complete this review.

Estimating actual needed staff resource is difficult. Although a dedicated officer would be best able to focus on progressing the review. Funding restraints will mean the work will be shared amongst existing officers with their own constraints caused by managed workload and exceptional unpredicted service demands. The Rights of Way Manager will undertake the majority of the work assisted as required by other staff within the Authority.

The amount of resource required for research is difficult to estimate. Much of the network condition data will be found in the Countryside Access Management System. The Welsh Government have confirmed eligibility for use of the existing RoWIP grant which finishes this year for research but not production costs for the document.

Conclusion

Welsh Government has expressed the importance of the RoWIP review by having made its review a statutory duty undoing earlier changes by UK Parliament that has resulted in it being an option in England. The County can embrace this opportunity to review and focus its work to ensure it delivers countryside access provisions that truly meet the need of present users and expectations of future users, landowners and communities. The plan will be linking to wider policies supporting sustainable objectives for health and the local economy and linking to partner organisations with similar objectives.

Provisional Delivery timetable for Countryside Access Improvement Plan

Task	Target Date
Planning for the review Outline and timetable Initial consultation	Aug 2017
Carry out Assessment Making the new assessment Evaluating the delivery of the previous ROWIP	Oct 2017
Review of the previous ROWIP Decision on whether to amend the ROWIP This stage must be reached within 10 years of publication of the previous plan	Aug 2018
Publish Draft ROWIP Consultation on Draft Plan 12 weeks should be allowed for representations Revision of Draft ROWIP	Nov 2018
Publication of ROWIP This stage should be reached within 12 months of the decision on whether to amend	Feb 2018
Review of Delivery Plans Ongoing monitoring of delivery and progress This should be done within the period specified by the authority	onward

Appendix 1: List of consultees

The following are to be consulted on the Rights of Way Improvement Plan Assessment and will be invited to comment on the draft Delivery Statement.

Community Councils in Denbighshire

Aberwheeler Community Council
Betws Gwerfil Goch Community Council
Bodelwyddan Community Council
Bodfari Community Council
Bryneglwys Community Council
Cefn Meriadog Community Council
Clocaenog Community Council
Corwen Community Council
Cwm, Tremeirchion & Waen Community Council
Cyffylliog Community Council
Cynwyd Community Council
Derwen Community Council
Denbigh Community Council
Dyserth Community Council
Efenechtyd Community Council
Gwyddelwern Community Council
Henllan Community Council
Llanarmon yn Ial Community Council
Llanbedr Dyffryn Clwyd Community Council
Llandegla Community Council
Llandrillo Community Council
Llandyrnog Community Council
Llanelidan Community Council
Llanfair Dyffryn Clwyd Community Council
Llanferres Community Council
Llangollen Town Council
Llangynhafal Community Council
Llanrhaeadr yng Nghinmerch Community Council
Llantysilio Community Council
Llanynys Community Council
Nantglyn Community Council
Prestatyn Town Council
Rhuddlan Town Council
Ruthin Town Council
Rhyl Town Council
St Asaph Town Council
Trefnant Community Council

Other local authorities & local access forums

Cabinet portfolio holder - Environment
Cabinet portfolio holder - Tourism
Cabinet portfolio holder – Well being
Members area group – Dee Valley
Members area group – Denbigh
Members area group – Prestatyn
Members area group – Rhyl
Members area group – Ruthin
Members area group – St Asaph
Conwy County Borough Council
Conwy East & Denbighshire Local Access Forum
Flintshire County Council
Flintshire Local Access Forum
Gwynedd County Council
Snowdonia South Local Access Forum
Powys County Council
Powys Local Access Forum
Wrexham County Borough Council
Wrexham Local Access Forum
Clwydian Range and Dee Valley AONB

Government departments and agencies

Natural Resources Wales (NRW)
Ministry of Defence (MOD)
Visit Wales (VW)
Welsh Assembly Government (WAG)
Denbighshire Community Health Partnership

Members of the Welsh Assembly

Ann Jones AM
Ken Skates AM
Darren Millar AM
Mark Isherwood AM
Llyr Gruffydd AM
Nathan Gill AM
Michelle Brown AM

Other bodies and organisations

ATC
Black Environmental Network
Bodrhyddan Estate – Carter Jonas
British Association for Shooting and Conservation (BASC)
British Driving Society (BDS)
British Horse Society (BHS)
British Motorcyclists Federation (BMF)
British Mountaineering Council (BMC)

British Mountain Guides
British Orienteering Federation (BOF)
Byways & Bridleways Trust (BBT)
Camping & Caravanning Club
Canals & Rivers Trust (Glandwr Cymru)
Clwyd Special Riding Centre
Country Land & Business Association (CLBA)
Cyclists UK (CUK)
Ramblers Association - Denbighshire
Disability Wales
Disabled Ramblers Association
Duke of Edinburgh Award Administrators
Farmers Union of Wales (FUW)
Fieldfare Trust
Girl Guiding Cymru
Green Lane Association
Land and Recreation Association (LARA)
MIND Cymru
Mountaineering Club of North Wales
Mudiad Meithrin
Nant Clwyd Estate (Berringtons)
National Farmers Union (NFU)
The National Mountain Centre (Plas y Brenin)
National Trust (NT)
North East Wales Outdoor Education Service
North Wales Tourism
Offa's Dyke National Trail Officer
Open Spaces Society (OSS)
Pontcysyllte World Heritage Site
Ramblers Wales
Rhug Estate (Estate Office)
Riding for the Disabled (RDA)
Royal National Institute for the Blind (RNIB)
Royal National Institute for the Deaf (RNID)
Royal Society for the Promotion of Health
RSPB North Wales (RSPB)
Scout Association
Snowdonia National Park
Sustrans
Trail Riders Fellowship (TRF)
Treadlightly
UPM Tilhill
Welsh Canoeing Association
Welsh Trail Riders Association
Woodland Trust
Wynnstay Estate (Estate Office)
Youth Hostel Association (YHA)

Notes