

AGENDA MANAGEMENT SHEET

Name of Committee

Cabinet

Date of Committee

30th June 2005

Report Title

Draft “Countryside Access and Rights of Way Improvement Plan” for Warwickshire

Summary

The County Council is required to produce a Rights of Way Improvement Plan under the Countryside and Rights of Way Act 2000. It will include principles to guide the work of the Countryside Access Team over the next ten years. A draft Plan has been compiled following extensive research and consultation with the public, users, landowners, local authorities and town and parish councils.

For further information please contact

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Would the recommended decision be contrary to the Budget and Policy Framework?

Yes/No

Background Papers

Rights of Way Improvement Plans: Statutory Guidance to Local Authorities in England, Department For Environment, Food and Rural Affairs, November 2002.
Warwickshire County Council Research Reports for Walkers, Cyclists, Horseriders, Motorised Users, Landowners and Parish & Town Councils, March 2005.

CONSULTATION ALREADY UNDERTAKEN:-

Details to be specified

Other Committees

☐

.....

Local Member(s)

(With brief comments, if appropriate)

☒

Councillor C K N Browne

Councillor Mrs E M Goode

Councillor Mrs J Lea

} for information

Other Elected Members

☒

Councillor M L M Heatley – endorses the report.

Cabinet Member
(Reports to The Cabinet, to be cleared with
appropriate Cabinet Member)

☐

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Chief Executive

☐

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Legal

☒

I Marriott – comments incorporated.

Finance

☐

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Other Chief Officers

☐

.....

District Councils

☐

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Health Authority

☐

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Police

☐

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Other Bodies/Individuals

☐

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FINAL DECISION

~~YES~~/NO

(If 'No' complete Suggested Next Steps)

SUGGESTED NEXT STEPS :

Details to be specified

Further consideration by
this Committee

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To Council

☐

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To Cabinet

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For approval of final version following statutory
consultation.

To an O & S Committee

☐

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To an Area Committee

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Further Consultation

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Cabinet - 30th June 2005

**Draft Countryside Access and Rights of Way Improvement
Plan for Warwickshire**

**Report of the Director of Planning, Transport and
Economic Strategy**

Recommendation

That Cabinet authorises the Director of Planning Transport and Economic Strategy, to prepare and publish pursuant to section 61(2) of the Countryside and Rights of Way Act 2000 a Draft Rights of Way Improvement Plan and to take all other steps required to facilitate the consideration and adoption of such a plan following completion of the consultation described in Section 5 of this report.

1. Introduction

- 1.1 The Countryside and Rights of Way Act 2000 (CROW Act) has placed a new duty on the Council to prepare a 'Rights of Way Improvement Plan' (ROWIP).
- 1.2 The rights of way network provides the most significant means by which the public access the County's countryside. However, there are also other significant types of access which complement the network such as canal towpaths, greenways, nature reserves and other public land. In order to reflect this, the ROWIP is therefore to be titled "Countryside Access and Rights of Way Improvement Plan for Warwickshire" (CAROWIP).

2. Statutory Framework

- 2.1 The CROW Act has specified that a ROWIP must provide an assessment of:-
 - (i) The extent to which rights of way meet the present and future needs of the public.
 - (ii) The opportunities provided by local rights of way for exercise and other forms of open air recreation and the enjoyment of the area.
 - (iii) The accessibility of local rights of way to blind and partially sighted persons and others with mobility problems.
- 2.2 ROWIPs must be published by 2007 and reviewed at least once every 10 years thereafter.

- 2.3 In November 2002 Defra issued guidance to all local highway authorities in England and Wales on preparing, publishing, assessing and reviewing ROWIPs.

3. Research

- 3.1 Last summer the Council undertook an extensive research exercise which included Parish Councils, the Local Access Forum, countryside user groups and members of the public. This exercise resulted in a superb response of over 2,500 completed survey forms. The detailed reports from this work are available on the Warwickshire web (www.warwickshire.gov.uk/rowip). The results have guided the content of the CAROWIP.
- 3.2 In addition, the Countryside Agency have worked with a number of pilot authorities throughout England to produce exemplar ROWIPs. The Council has used this best practice as it has emerged and incorporated it into the CAROWIP. A great deal of other secondary research has also been used.

4. Integration with the Local Transport Plan

- 4.1 In parallel with guidance on ROWIPs from Defra, the Department of Transport issued guidance for the production of the Local Transport Plans (LTP), which states the intention that authorities will formally integrate ROWIPs with the round of LTPs to be prepared in five years' time.
- 4.2 Although formal integration is not required with the round of LTPs currently under preparation, the guidance indicates that the Government would welcome any attempts by local authorities to achieve an informal integration by preparing ROWIPs in parallel and conjunction with LTPs.
- 4.3 The CAROWIP has been prepared to the same timescale as the LTP, and will integrate as far as possible, whilst recognising that many of the priorities of a CAROWIP are outside the scope of the LTP and vice versa.

5. Consultation

- 5.1 Section 61(2) of the Countryside and Rights of Way Act 2000 requires that, once the draft CAROWIP has been prepared, it be published for a period of statutory public consultation. The guidance issued by the Government indicates that the CAROWIP should have a minimum 12 week consultation period. It is intended that this exercise will be undertaken during Autumn 2005.
- 5.2 Section 61(1) of the Act requires that consultations with certain key stakeholders are carried out before a draft is prepared. These stakeholders include neighbouring highway authorities, other councils within the county and the Local Access Forum. The extensive research mentioned above has led to the draft CAROWIP attached at **Appendix A** for Cabinet Members only. *[The document may be viewed on the Committee Administration System and on the Warwickshire Web]*. However, some further consultation with the Local

Access Forum and other key stakeholders remains necessary and the draft will continue to evolve for period before it can be regarded as prepared and ready for the statutory public consultation. The Portfolio Holder for the Environment is the authority's elected Member representative on the Local Access Forum.

- 5.3 Workshops will also be held with the Area Committees during Autumn 2005, in parallel with the statutory public consultation, giving Members opportunity to explore issues identified in the Plan and those emerging from stakeholder responses”.
- 5.4 The results of the consultation exercise will be reported to the Area Committees in January 2006. The final proposed version of the CAROWIP will then be brought back to Cabinet, along with the LTP, in early 2006.

JOHN DEEGAN

Director of Planning, Transport and Economic Strategy
Shire Hall
Warwick

17th June 2005

Countryside Access & Rights of Way Improvement Plan for Warwickshire

2006-2016

Text only edition for consultation.

A Rights of Way Improvement Plan under Section 60 of the Countryside and Rights of Way Act 2000.

CABINET DRAFT
June 2005



*Working for
Warwickshire*

If this information is difficult to understand
we can provide it in another format.

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Acknowledgements

Warwickshire, Solihull & Coventry Local Access Forum

Countryside Access Liaison Group

WCC Countryside Access Team

for their input at meetings and workshop sessions

Go Outdoors

Countrywide Farmers

for sponsoring our consultation exercise.

Countryside Access & Rights of Way Improvement Plan for Warwickshire 2006-2016

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Foreword

From the Cabinet Member for Environment

A foreword will appear here in the final plan.

Executive Summary

Why prepare a Countryside Access and Rights of Way Improvement Plan?

Section 60 of the Countryside and Rights of Way Act 2000 (CROW Act) places a duty on us to prepare a 'Rights of Way Improvement Plan'.

Eventually rights of way improvement plans will be integrated with the Local Transport Plan (LTP) and although full integration is not required at this time, the guidance indicates that the Government would welcome any attempts by local authorities to achieve a full integration of rights of way improvement planning into this edition of the LTP. This plan has been prepared to the same timescale as the LTP, and we have attempted to integrate so far as is possible, whilst recognising that many of the priorities of a Rights of Way Improvement Plan are outside the scope of the LTP and vice versa.

What does it cover?

The legislation requires us to prepare a plan which considers local rights of way, and this is defined as including cycletracks. Whilst the rights of way network forms the most significant resource which enables member of the public to access the countryside, there are a number of other types of access complement the rights of way network and extend and improve access to the countryside e.g. greenways and canal towpaths.

We have therefore chosen to consider countryside access as a whole, and not to restrict our Plan to the rights of way network alone. This is reflected in the title of our plan '**Countryside Access and Rights of Way Improvement Plan for Warwickshire**', hereafter referred to as the 'CAROWIP'.

The CAROWIP forms part of the Local Transport Plan (LTP), which is being prepared in parallel to this plan. The following chapter deals with the way in which these plans are integrated.

The CAROWIP is intended to set our priorities and guide our work for the next ten years, although we intend to review it after 5 years to coincide with the publication of the next LTP.

The CAROWIP sets out in clear terms our aims and objectives together with the principles which guide our day to day work. It is intended for ourselves, our partners and the wider public.

Once published the CAROWIP will supersede the "Warwickshire Public Rights of Way Strategy" c.1996 and the rights of way strands of the Countryside Recreation Strategy 1997-2007. The CAROWIP will also replace all previous policies relating to Warwickshire's rights of way.

Executive Summary

How does it apply to Warwickshire?

Warwickshire is a landlocked county with a population of around half a million people. The landscape is varied, ranging from the gentle rolling landscape of the Cotswolds in the south of the County to the former mining areas and industry in parts of North Warwickshire. There are many thousand of tourists coming to the County every year to visit places such as Stratford upon Avon and Warwick and their associated attractions.

The County is closely linked to the City of Coventry which sits at the centre of Warwickshire, and many of our countryside users come from the urban area of Coventry, as well as from further afield in Solihull, Redditch and the Birmingham conurbation.

Warwickshire has over 1,740 miles of public rights of way, along with over 100 miles of canal towpaths and a variety of other site based countryside access, both private and local authority operated. By contrast, the new 'Right to Roam' will have little affect in Warwickshire, as there is very little new qualifying land. The current extent of the rights of way network is shown in Figure 1.

Fig 1 – Warwickshire's rights of way

	no. of paths	length (miles)	% of network by length
Footpath	2,911	1,442	82.5
Bridleway	393	303	17.3
Byway	8	3	0.2

Warwickshire has committed significant resources to opening, maintaining, improving and recording public rights of way over the last 15 years, and considerable progress has been made towards the ongoing target of making rights of way easy to use for members of the public. Much of our work has been in response to statutory duties placed upon the authority and the preparation of the CAROWIP offers an opportunity to present in a more formal way the working practices which have guided our work over previous years, as well as introducing new ways of working in support of CAROWIP targets. These are enshrined in our Operational Principles which can be found in Appendix II.

The Action Plan reflects the commitment we are making to improving access to the Warwickshire countryside for both residents and visitors. It is intended to complement our existing duties, not to conflict with them, and it will allow us to exercise some of our powers in order to increase the effectiveness of the work we do. It is also a new platform for partnerships and funding bids.

Our vision is for a Warwickshire countryside which is well used with a network of paths which connect with our parks, greenways, canals and which meets the needs of residents and visitors. By working towards this vision, we will achieve the wider benefits of countryside access which closely align with WCC's corporate priorities:

- To promote the Health and Social Care of our citizens
- To improve the Environment
- To develop and maintain a vibrant local Economy
- To promote Lifelong Learning and personal development.

Executive Summary

How have we done it?

During August and September 2004 we embarked on our largest ever countryside consultation exercise. We received, in total, over two and a half thousand responses from members of the public, landowners and local councils.

At the same time, we have used our experience of Warwickshire's rights of way network, combined with the results of national research to determine themes which we intend to address through the plan.

We have also worked with the Warwickshire, Solihull and Coventry Local Access Forum ("the LAF") to ensure that its members have had the opportunity to feed into the discussion draft. Discussion with the LAF will continue until the final plan is published.

What did we find?

The survey results indicated that the public are most likely to be put off using the network by overgrown paths and having to cross fast or busy roads.

For the individual groups we consulted, the key issues appear to be:

Walkers

- overgrown paths
- better signing and waymarking

Cyclists

- condition of paths and surfaces
- clearer signing

Horseriders

- not enough connectivity between bridleways and too much road riding
- overgrown paths
- difficult gate latches

Motorised users

- better signage
- clearer information about the legal status of routes
- poor public relations

Land managers

- loose dogs and dog fouling
- trespass

Parish Councils

- condition of paths and overgrown paths
- ploughing and cropping
- improved signage and information

Full details of the consultation, and an analysis of the present and future needs of users can be found in Appendix VI, together with copies of the reports from the public consultation exercise.

Executive Summary

What happens next?

We have prepared this document as a discussion draft. It will be circulated amongst our partners and other interested parties, and comments will be gathered. Over the summer, the comments will be analysed and minor changes made to the Draft Plan before publication.

In late summer or early autumn the statutory Draft Plan will be put out to public consultation for three months. The final CAROWIP will be published early in 2006, and appropriate targets will form part of the final LTP submission which will take effect from April 2006.

The future...

Each year, we will produce a report detailing the progress made on achieving the targets within the CAROWIP.

Although the CROW Act only requires us to prepare a new plan every ten years, the LTP is reviewed on a five year cycle. As the two plans are closely linked, and further integration is intended in the future, we anticipate that we will look to review the CAROWIP in 2010-2011 in conjunction with the next LTP.

By implementing the CAROWIP we will move towards a better rights of way network for all concerned with;

- better connectivity
- a network which meets the needs of moderns users
- a wider range of users and participation
- responsible users who respect the countryside as a working environment and as an investment for our future.

Integration with the Local Transport Plan

In November 2002, when they published their statutory guidance on rights of way improvement plans, Defra announced that, in order to ensure the long term sustainability of the rights of way network and to reduce the number of separate planning requirements, rights of way improvement planning will be incorporated into the local transport planning process from 2005 onwards

Statutory guidance from DfT on LTPs dictates that in the longer term, rights of way improvement plans will be fully integrated with the LTP. It encourages authorities to incorporate rights of way priorities which help to meet the LTP objectives, and to use the LTP as appropriate as a source of funding and a way of reporting on progress.

The new LTP, which will cover the period from April 2006 to March 2011, will be a partner document, published in parallel with this Plan, and the aims and actions of the two plans will be integrated so far as is possible.

The areas of the LTP which will share some of the same aims and objectives include:

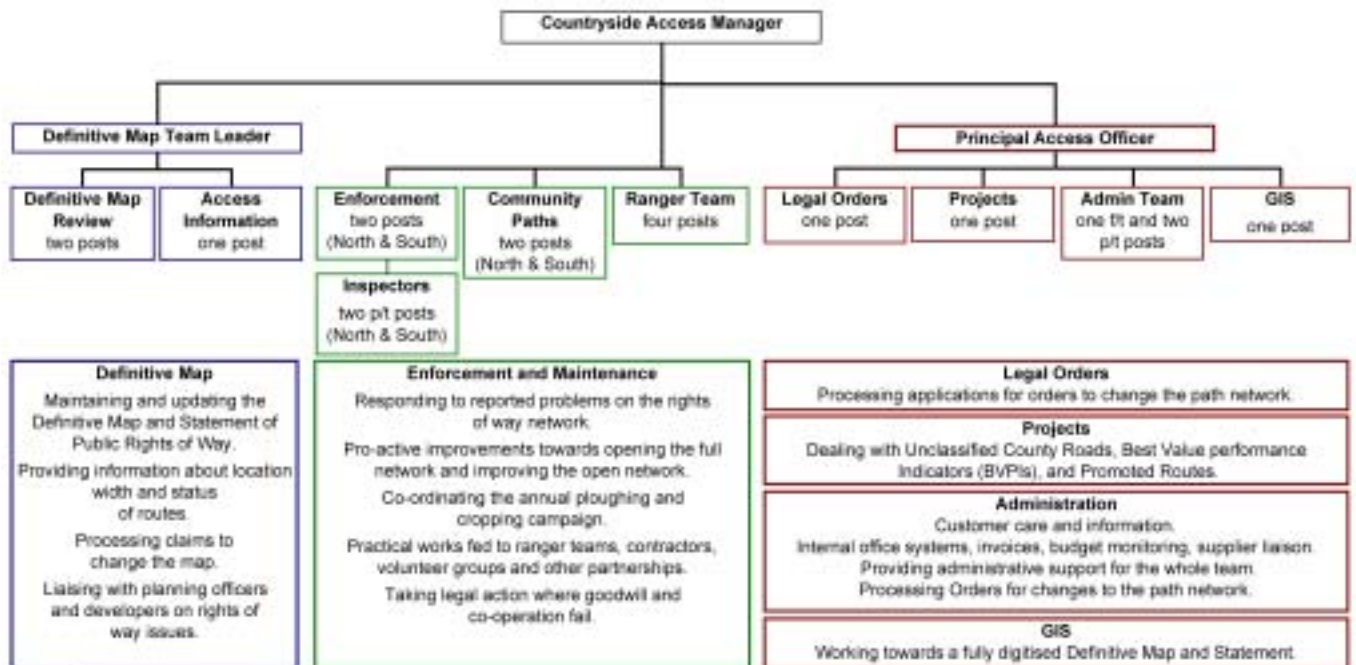
- Walking Strategy
- Cycling Strategy
- Road Safety Strategy
- Transport Asset Management Plan.

It is intended that those actions which are relevant to both documents will be included in both, and the documents will be cross referenced.

Resources

Warwickshire's Countryside Access Team was established in 1987 and started off with just three members. Reflecting changing priorities and the increased profile of countryside access and user demand, the Team has grown to 19 full time posts and four part time, covering all aspects of work on the rights of way network. Details of the Team are given below.

Fig 2. Countryside Access Team



A separate team, closely linked, manages Warwickshire's Country Parks and Greenways.

Financially, the Countryside Access Team is allocated in the region of £175,000 to spend on our rights of way functions (excluding staffing costs and overheads) as well as a smaller amount of money made available from the LTP each year, and the possibility of one off funding for large infrastructure projects.

We also work in partnership with a number of parishes under the Parish Paths Partnership (P3) scheme, whereby much work on the network is done by volunteers. Additional arrangements exist with a number of independent volunteer groups who are not confined to a single parish.

Further funding can be sourced from outside the County Council through Countryside Agency initiatives, Landfill Tax and similar schemes. Imaginative thinking is required in order to maximise these opportunities.

Much of the work undertaken by others within WCC and within the district/borough councils overlaps with our work, and careful planning and regular communication should mean that maximum value can be obtained on individual projects.

The different themes include a number of actions which can be achieved within existing resources. Other actions will require partnership working or may be dependent on the availability of additional resources.

Themes

- A Accessibility
- E Education
- H Health, wellbeing and social benefits
- L Legal Record – development and protection
- N Network and Network Connectivity
- P Paths on the Ground
- S Strategic Access Developments and Promotion
- T Tourism & Leisure

Accessibility

o Background

There are a number of factors which are recognised as acting to prevent people from disadvantaged groups reaching opportunities which are generally available for the wider public. Many of these factors apply to countryside access, and research has been carried out specifically to determine their nature and extent.

These factors include:

- ♦ transport – availability, accessibility and cost
- ♦ safety and security
- ♦ knowledge and access to information
- ♦ physical accessibility

For example, people with mobility problems may not just have difficulty with a route which has stiles and gates on it, they may have difficulty getting out into the countryside to begin with, and/or may feel uncertain as to what they might expect unless sufficient, appropriate information is made available to them.

The Countryside and Rights of Way Act 2000 requires us to assess the accessibility of local rights of way to blind or partially sighted persons and others with mobility problems, as well as to users of the path in general.

The Disability Discrimination Act 1995 gives disabled people rights to access everyday services that others take for granted. Service providers have a duty to make reasonable adjustments to the way the service is delivered so that disabled people can use them. The Act indicates that ‘services’ include ‘access to and use of any place which members of the public are permitted to enter’, and so this may include public rights of way.

In addition to the duties set out in the two acts, there is a need to make the countryside more accessible for other potentially excluded groups such as those from minority ethnic backgrounds, those on low incomes, young people and those with learning difficulties.

o Warwickshire

We have been working towards a target of making routes more accessible for a number of years. This is largely being done through proactive replacement of stiles with gates, or removal of stiles altogether, and we have a number of stile free routes in the County. We have also responded on several occasions to specific requests from mobility impaired users to improve or make changes to local paths.

We have also made progress through publicity material such as the “Countryside for All” leaflet pack, and provision of mobility scooters and other facilities at County Parks, both of which have proved extremely popular. In some locations we have improved surfacing so as to allow routes to be used by less mobile people, and there is a need to look at creating or improving more routes. We aim to develop some routes to a standard consistent with Fieldfare Trust accreditation, as well as promoting some new leaflets featuring those, and other, accessible routes.

We recognise that there is still a long way to go, and the actions we have chosen are intended to move us towards a more accessible network. However, we cannot replace every stile with a gate in the short term, nor can we surface every rural route. To do so would change the very nature of the countryside. By targeting our efforts to specific locations, and producing appropriate publicity material we intend our efforts to benefit the widest number of people.

The above paragraphs refer mainly to actions we can take to improve network accessibility for people with mobility problems. We also recognise that there are other groups who find it difficult to access the countryside. One of our key actions will be to carry out an audit of our signing to ensure that it is appropriate for those with partial sight, whilst still in line with the appropriate regulations and conventions for such signing. We will encourage use of the countryside by disadvantaged groups through the provision of targeted high quality information, use of innovative formats and special projects.

For many of the excluded groups, research has shown that the availability of managed green space is of great importance. In Warwickshire the Country Parks offer a safe, controlled environment where people can enjoy the countryside without worrying about, for example, getting lost or finding somewhere to park.

○ Conclusions

The progress in replacing stiles should continue, and this is covered within the Operational Principle relating to Gaps, Gates and Stiles. Additional effort should be focussed on producing appropriate information and publicity material to target excluded groups, to help them make informed choices about taking up recreation opportunities in the countryside. We should continue to build on the success of the 'Countryside for All' leaflet pack so as to increase the provision of accessible routes.

Actions needed:

- Continue with targeted removal of stiles from the countryside
- Provide other access improvements on the ground
- Provide appropriate publicity material for disadvantaged users
- Provide and publicise easy access gateways to the countryside, such as Country Parks
- Provide special access trails at Country Parks and other sites e.g. sensory trails.
- Seek to improve key routes to give access to people with reduced mobility and visual impairments
- Special projects targeting hard to reach groups
- Comprehensive review of WCC's house style of signs and waymarkers.

○ Operational Principles

The actions under this theme are supported by the following Operational Principles:

- Gaps, Gates and Stiles for Footpaths and Bridleways
- Surfacing
- Signs and Waymarking
- Promoted Routes and Trails

○ Key Legislation

- Disability Discrimination Act 1995
- Countryside and Rights of Way Act 2000

○ Key References

- Diversity Review evaluation framework and toolkit (Countryside Agency 2005)
- City of York 'Exemplar' Rights of Way Improvement Plan (City of York Council 2004)
- WCC Corporate Business Plan 2004/7

Accessibility Action Plan

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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A1 Physical Improvements

Continue to remove stiles from the public footpath network		Existing	✓	✓	✓	
Develop standard surfacing guidelines for improving multi user routes for older, mobility impaired and less able users		Existing		✓		??
Carry out an accessibility audit of our signs and waymarks.		Existing				
Develop at least one wheelchair accessible circular route of at least 3 miles in the wider countryside		Existing		✓		
Devise a system for monitoring and signing promoted routes which are stile free.		Extra				
Working with Fieldfare Trust to receive accreditation for a number of routes within Warwickshire (3 by year 4 and 10 by year 10)		Extra		✓	✓	Fieldfare Trust
Whole network survey to identify appropriate routes, and target improvements		Extra		✓	✓	
Provide two new sensory trails						

A2 Promotion and Publicity – see also A3

Publicise appropriate routes once improved as in A1 above.		Existing			✓	
Countryside for All - Build on success of existing walks pack and develop pack of longer, more challenging routes		Existing		✓		

A3 Encouraging Participation

Provide a range of publicity material in different formats to increase the confidence and awareness of disadvantaged and less able users.		Existing	✓	✓	✓	
Promote use of country parks and greenways as safe gateways to the countryside.		Existing	✓			
Research into the needs of disadvantaged users						
Special projects to encourage and inspire non-users from disadvantaged groups						

Education

o Background

Users

Access to the countryside provides many opportunities for formal, informal and lifelong learning. It covers a wide variety of disciplines including wildlife and ecology, our natural and built heritage, farming and food production, natural history, landscape, ecology, geology and more. The mosaic of interests, constraints and opportunities in the work area offers opportunities for teachers to meet the demands of the Key Stage Three citizenship curriculum.

Conflict between countryside users and landowners or land managers is relatively uncommon, but is unpleasant and in extreme cases can attract legal action and/or negative media coverage. Understanding basic 'rights and responsibilities' such as those set out in the updated Countryside Code is one means of reducing conflict, as is promoting understanding of farming and other countryside management operations which may be encountered. A lack of understanding about opportunities and how to behave in the countryside can be a barrier to use and sometimes may cause conflict between different types of user. In a similar way, the fear of conflict is also a barrier. These barriers are more pronounced in difficult to reach sections of the community.

Workers

There are few professional qualifications in Countryside Access and so access workers, professionals in related disciplines and volunteers rely in the main on support from the Highway Authority. Although much access training was formerly subsidised by the Countryside Agency, this has now largely ended. There are many other professions whose work impacts on rights of way, but whose professional training has not necessarily provided specific rights of way information, for example, planners, land agents, developers, solicitors and highway engineers. In order to develop competent workers and volunteers it is essential that those in the field work effectively to train and develop new entrants, existing workers and professionals whose work impacts on countryside access.

o Warwickshire

Users

Our practice has been to promote rights alongside responsibilities and we should continue to do this. There is confusion about the 'right to roam' and this needs to be clarified for local countryside users. We are aware that the revised format for the Countryside Code does not appeal to everyone and that we must have a range of ways of delivering the 'rights and responsibilities' message. The links to the National Curriculum and work with schools is currently underdeveloped but there are opportunities to work in partnership with schools bidding for Specialist School status in developing Key Stage 3 resources and trialling activities. There is an ongoing role for our Country Parks as a gateway to the wider countryside, from the delivery of formal curriculum based education to informal advice and the distribution of literature.

Workers

The Countryside Access Team in Warwickshire has developed as a team of specialists, each of whom also have an overview of the work of the wider team. There is also considerable knowledge and skills amongst the voluntary sector. Delivery of the CAROWIP targets will require a new set of skills in seeking funding and expanding our use of discretionary powers. Computers, the internet and mobile technology, as well as other fields of IT will inevitably become more important in determining how we deliver our services. Volunteer support will need to be increased in order to successfully deliver on many of our CAROWIP targets.

○ Conclusions

The promotion of 'rights and responsibilities' in promoting access to the countryside remains a priority. Doing so will ensure the continued support and cooperation of the farming and landowning community in providing both public access and access by permission. We should be developing education resources for young people so as to ensure the appreciation and understanding of the countryside by future generations of users.

Actions needed:

- Key Stage 3 resources for Citizenship in partnership with schools for Country Parks Education programme
- Effective volunteer training through workshops and by sharing best practice between groups and parishes
- Promotion of information to aid the understanding of the public, including the revised country code, and how the 'right to roam' applies locally
- Address the training needs of other professionals impacting on access work (e.g. planners, solicitors and land agents, highway engineers, developers)
- Ensure we are promoting responsibilities, in particular providing information relating to dogs and rights of way
- Work with user groups and parishes locally to promote responsible use
- Workshops and other training resources for volunteers, including Health and Safety and risk assessment, rights of way law and practice
- Develop trainer training skills in the Countryside Access Team
- Further use of website to provide information.

○ Operational Principles

There is a need for some level of training to be provided covering all the Operational Principles. The level of knowledge required will depend on the audience.

The actions under this theme are supported by the following Operational Principles;

- Volunteers

○ Key References

- The Countryside Code (Countryside Agency 2004)
- The Countryside Code Education Pack (Countryside Agency, 2005)
- National Curriculum Key Stage 3 - Citizenship
- Access Land & Rights of Way Training Strategy (National Countryside Access Forum)

Education Action Plan

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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E1 Countryside access magazine

To publish a countryside access magazine twice a year to inform users of the countryside, share best practice and promote rights and responsibilities		Existing	✓	✓	✓	
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E2 Talks and Public Speaking

Free talks will be given to any group willing to work to manage, promote or improve the path network		Existing	✓	✓	✓	
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E3 Countryside recreation website (www.warwickshire.gov.uk/countryside)

Develop website to educate and inform all countryside users		Existing	✓	✓	✓	
Maintain up to date web pages including network changes and closures		Existing	✓	✓	✓	
Campaigning based web pages on specific issues, 2 per year, eg dog fouling, ploughing and cropping, litter, car parking, country code, etc		Existing	✓	✓	✓	
Develop map based web pages with interactive path defect reporting, route selection, inventory etc		Existing	✓	✓	✓	

E4 Promote the responsible use of the countryside

Develop inputs into the Country Parks Education Rangers programme to educate schoolchildren on active citizenship		Existing		✓		CP
Produce 'Schools Activity Pack' including map reading, basic farming, local history, hedge aging, rights of way, landscape interpretation, etc		Extra		✓		CP ED
Develop and run map reading courses – one off sessions, adult education, etc		Extra		✓		
Develop and run path surveying course for partners, user groups and other interested parties.		Exist		✓		

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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E5 Dog owners

Arrange publicity campaign to highlight the importance of dog worming and effects of livestock worrying etc		Existing	✓			RA, PC'S, NFU, CLA, Vets
Liaise with dog wardens to promote the responsible use of the countryside by dog owners		Existing	✓			DC'S

E6 Open Access

Promote understanding of new rights and areas involved through leaflets, website, talks, media, etc		Existing	✓			CoAg
Ensure all affected areas are suitably signed		Existing	✓			CoAg

E7 Training the workers

Ensure that new and existing members of staff are supported and trained						
Ensure that the skills and knowledge of leaving staff are, so far as is possible, passed on to their successors						
Provide support and training for volunteers and other partners						
Share training and best practice, and ensure that some within the team have the skills to train others						
Provide targeted information to other professions covering applicable rights of way law and practice.						

Health, Well-being and Social Benefits

○ Assessment

A variety of research has been carried out on the health and social benefits of access to the countryside. This does not just mean walking but can include cycling, riding and access to the countryside by vehicle.

Benefits to health from walking, riding or cycling in the countryside include improvements to well-being and mental health as well as the physical benefits associated with exercise.

It is recognised that the countryside does not always appear welcoming. Lack of information about paths acts as a barrier, as does a lack of experience or confidence, as potential users may be discouraged from venturing into the unknown. It has always been difficult to make contact with those people who do not use or access the countryside, and it is many of those people who would derive the greatest benefits associated with enjoying the natural environment. Walking, in particular, can be a social activity and a good way of meeting new people.

Many people perceive walking or cycling, for example, as uninteresting and may need additional stimuli such as an organised event to tempt them into the countryside. Volunteering can also be a good way of becoming involved and deriving the health and social benefits of the activity.

○ Warwickshire

In a survey carried out by WCC in December 2003, 65% of citizens said that access to footpath networks has a big impact on their personal health and wellbeing.

Where schemes have been set up under the “Walking the Way to Health” Initiative, they have been successful, but in Warwickshire they are geographically limited. Resources will be needed, as well as partnership working with the Primary Healthcare Trusts (PCTs), to enable schemes to be rolled out across the County.

There is already a programme of countryside events published by WCC. Targeted publicity of these events amongst potential beneficiaries may encourage wider participation.

○ Conclusions

Whilst the benefits to health and well-being are clear, people are unlikely to take up walking, riding or cycling just because they know it will improve their health. The chances of persuading someone to use the countryside for exercise are greatly increased if there are regular organised activities in which they can participate.

Actions needed:

- Commitment from the PCTs to support a health walks programme
- Commitment from health professionals e.g. participation in referral schemes or provision of information about opportunities
- An officer to co-ordinate and develop health walks through the County
- Volunteers to lead regular events
- A suitable range of routes for beginners, intermediate and experienced users so that participants can progress and remain stimulated

- Targeted information and publicity.

○ Operational Principles

The actions under this theme are supported by the following Operational Principles:

- Promoted Routes and Trails
- Gaps, Gates and Stiles on footpaths and bridleways.

○ Key References

- Rights of Way research by Faber Maunsell (2004 Cheshire County Council)
- Quality of Life in Warwickshire (November 2004 WCC)
- Warwickshire's Physical Activity Strategy – Draft version (2004 WCC & others)
- A Countryside for Health and Well-being: The Physical and Mental Health Benefits of Green Exercise (2005 Countryside Recreation Network)
- "Walking the Way to Health" Initiative (www.whi.org.uk)
- Warwickshire County Council Citizens Panel Survey – Health and Well-being (January 2004)
- Choosing Health – making healthy choices easier (Department for Health white paper 2004)
- Countryside Recreation Volume 13 Number 1 (Countryside Recreation Network, Spring 2005)

Health, Wellbeing and Social Benefits Action Plan

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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H1 Encouraging Participation

Encourage people to sign up to volunteering with existing practical groups		Existing	✓	✓	✓	P3
WCC promotion of local walking and cycling clubs and cycle hire etc through website, media, posters, etc		Existing		✓	✓	
Offer talks to Weightwatchers and Slimming World groups to promote walking		Existing		✓	✓	PTES
Promote existing Health Walks Schemes and support the growth of the Scheme		Existing	✓	✓	✓	
Provide led walks and walks with a theme e.g. history.		Existing	✓	✓	✓	
Publicise the availability of information in order to increase the confidence of potential users.		Existing	✓	✓	✓	
Develop packages of walks for doctors to prescribe as part of health walks initiatives		Extra		✓	✓	PCT
Provide information about the social and health benefits of walking, riding and cycling.		Extra				PCT

H2 Network Accessibility

Continue to remove stiles from the public footpath network to allow access for more people.		Existing	✓	✓	✓	
Publicise appropriate routes once improved		Existing			✓	
Develop standard surfacing guidelines for improving multi user routes for older, mobility impaired and less able users		Existing		✓		??
Whole network survey to identify appropriate routes, and target improvements		Extra		✓	✓	

H3 Support the development of a network of Health Walks across the County

Work with existing "Walking the Way to Health" groups to establish and improve suitable routes		Existing	✓	✓		
Promote existing "Walking the Way to Health" groups within existing partnerships and community groups		Existing	✓	✓		
Recruit officer to develop and promote healthy walking initiatives to those deriving most benefit		Extra		✓		PTES, PCT, CoAg
Train more "Walking the Way to Health" leaders		Extra	✓	✓	✓	PTES

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years	Key Partners
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H4 Pilot projects targeting 'hard to reach' communities

Work with the WCC Health & Environment Project Officer, PCT's and others to identify appropriate recipient groups and communities		Existing		✓	✓	
By using school buses and/or transport brokerage service and other means, to chaperone identified groups on series of introductory countryside experiences and led walks		Extra		✓	✓	PTES
Recruit officer to develop and promote healthy walking initiatives to appropriate communities		Extra		✓		PTES, PCT, CoAg

H5 Promotion and Publicity

Countryside for All - Build on success of existing walks pack and develop pack of longer routes		Existing		✓		
Develop range of trail leaflets from areas of population into adjacent countryside		Existing		✓	✓	
Promote use of country parks and greenways for the health benefits		Extra	✓			PCT

H6 Young People

Promote health benefits to visitors and school and community groups in country parks		Existing	✓			PTES, PCT
Develop exercise pack with loan pedometers to encourage walking through schools and community groups		Extra		✓		PTES, CoEd

Legal Record – network development and protection

o Background

The Definitive Map and Statement forms the legal record of public rights of way. It comprises a number of maps showing the position of the rights of way and a list of paths describing their position and it may include other details such as the width of paths. The Definitive Map is the source for the routes shown on the Ordnance Survey Landranger and Explorer maps.

The law places a duty on each Highway Authority to undertake a continuous review of the Definitive Map (“the Review”). The Countryside and Rights of Way Act introduced a deadline of 2026 for completing the review. The Countryside Agency’s ‘Discovering Lost Ways’ project has been set up to systematically search historic records for routes of previously unrecorded public footpaths, bridleways and byways so that Definitive Map Modification Orders (DMMOs) can be made to add them to the definitive map. The research is also expected to reveal the existence of higher rights along some routes e.g. bridle rights along routes recorded as public footpaths. Routes can also be recorded based on evidence of longstanding use by the public. Landowners can protect themselves against paths being created through future usage, by submitting a plan and declaration under Section 31 Highways Act 1980, but this has no effect retrospectively.

Progress on the review varies a great deal between authorities, with some dealing with applications in date order and some dealing with them geographically, and others selecting the next case on the grounds of benefit to the network or other criteria.

Other orders are made which change the rights of way network through extinguishments, creations and diversions (Public Path Orders or PPOs). These can be made by either county or district/borough councils and many of them are made in association with planning consents. Development offers the opportunity to achieve improvements to the network, and could potentially offer some major improvements to the network. Paths can also be created, diverted or extinguished via application to the magistrates courts.

It is also possible to enter into agreements with landowners to create routes over their land. This is a cost effective way of achieving improvements to the network provided agreement can be reached with the landowner. Such agreements can form part of a “new paths for old” package.

o Warwickshire

Warwickshire’s Definitive Map and Statement was first published in the 1960s and was updated and re-issued in 1991 and 1998. Every year a number of legal orders are made, both to record previously unrecorded highways or higher rights (DMMOs) and to move or change existing rights of way (PPOs).

Since 1998, some 22 DMMOs and over 140 PPOs have been completed (some PPOs have been made by authorities other than WCC). There are 131 outstanding applications for DMMOs and a further 440 potential cases awaiting investigation. On average 30 or so PPO applications are received by us each year.

Due to the large number of outstanding DMMO cases we believe that the review must be undertaken as efficiently as possible. In Warwickshire we have adopted a geographic progression which, as source documents are most commonly parish based, allows us to research an area comprehensively. It also allows parish and town councils, users and landowners to look at all the cases within their area within a short space of time, to understand the area and participate fully in the process. In addition to the claims and applications, there are over 100 unsurfaced unclassified roads (UCRs) which will require investigation. Although it

is generally assumed that these carry vehicular rights, evidence has shown that some should only be recorded as footpaths or bridleways.

The majority of potential claims have been identified in Warwickshire, and the Discovering Lost Ways project is therefore unlikely to discover a significant number of new cases but, even so, meeting the 2026 deadline will be a considerable challenge, and will not be achieved within current resources.

PPOs have, until now, been dealt with in the order in which they are received. Whilst this is a reasonable way of dealing with the cases, considerable benefits could be obtained for the public by prioritising cases where a PPO will improve the path network. It has been rare for us to promote a PPO solely for the public benefit. In addition, the number of applications being received is increasing. It is therefore inevitable that some form of prioritisation will have to be introduced.

From 2002 onwards, a project has been in progress to ensure that the rights of way network can be made available digitally in map form, through a Geographic Information System (GIS), and with the eventual aim of making map based countryside access information available through the internet. This will not only make the information more easily accessible to the public when it can be published on the internet, but will also assist other functions within local government, such as planning, land searches etc.

○ Conclusions

The geographic progression of the Review has been successful and will be continued. Any change to the proposed progression would disadvantage those people who had been given to understand their cases would be dealt with in the near future, and will inevitably increase the time taken to complete the Review. Publication of the Definitive Map via GIS will minimise future transcription errors and enable more efficient republication of the Definitive Map as well as allowing countryside access mapping information to be available over the internet and allowing rights of way information to be shared electronically with other local authorities.

The order in which we deal with PPOs will be changed so as to maximise the benefit the public, and this should include both PPOs which are promoted by us as well as PPOs which are requested by the landowner or a third party. A new Operational Principle will cover prioritisation of PPOs.

Actions needed:

- Continue with the Definitive Map Review as before
- Set up prioritisation for Public Path Orders and consider making pro-active PPOs where there is public benefit
- Make the most of opportunities for developer contributions
- Integrate, so far as is possible, work on DMMOs and PPOs
- Publicity about Section 31 Highways Act 1980 declarations amongst the landowner community
- Interactive countryside access mapping & information available via the internet, libraries etc
- Seek new routes to fill gaps in the network.

○ Operational Principles

The actions under this theme are supported by the following Operational Principles;

- Definitive Map Review
- Public Path Orders for footpaths and bridleways
- Landowner Declarations
- Development

○ Key Legislation

- Wildlife and Countryside Act 1981
- Highways Act 1980
- Town and Country Planning Act 1990
- Countryside and Rights of Way Act 2000

○ Key References

- Definitive Map and Statement of Public Rights of Way in Warwickshire, 1998, Warwickshire County Council
- Statement of the order of priorities for bringing and keeping the Definitive Map of public rights of way up to date (WCC November 1989)
- Warwickshire Public Rights of Way Strategy" c.1996
- Discovering Lost Ways project (www.countryside.gov.uk/dlw)

Legal Record – Network development and protection Action Plan

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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L1 The review of the Definitive Map and Statement

Progress the review in accordance with the Operational Principle covering the Definitive Map Review at the current rate		Existing	✓	✓	✓	
Increase pace of the review in order to meet the 2026 deadline		Extra		✓	✓	
Take UCRS out of sequence, to remove uncertainty over status, and process DMMOs.		Extra		✓	✓	

L2 Public Path Orders

Offer reduced fee PPOs on paths newly recorded or upgraded by DMMOs for applications made within 3 months of confirmation		Existing	✓	✓	✓	
Pursue PPOs where they can be made in lieu of DMMOs						
Offer reduced fees to landowners who are willing to create additional paths or links as part of a “New Paths for Old” package		Existing	✓	✓	✓	NFU, CLA
Give priority to all PPO applications which remove or improve crossings of railway lines or heavily trafficked roads or which remove the need for excessive road walking		Existing	✓	✓	✓	Highways Agency, Network Rail
Promote creation orders which are to create links between existing paths or to improve strategic recreational routes <ul style="list-style-type: none"> ♦ over WCC land ♦ over land in other ownership 		Existing Extra		✓	✓	Property Services

L3 Section 31(6) Highways Act 1980 Declarations

Encourage landowners to lodge declarations with WCC through a publicity campaign		Existing	✓	✓	✓	NFU, CLA
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Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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L4 The installation of the rights of way database and associated GIS

Continue and complete the digitised data checking process towards a digital record		Existing	✓	✓		
Establish framework to allow full network survey, including inventory information, and input data into GIS		Extra		✓		
Publish updated Definitive Map and Statement		Existing			✓	
Make the Definitive Map and Statement available online		Existing			✓	

L5 Development

Seek additional routes and improvements to existing paths commensurate with increase in population or vehicle movements on large development sites		Existing	✓	✓	✓	
Work with district and borough planners to ensure applications affecting existing rights of way are advertised and treated as a material planning consideration		Existing	✓	✓	✓	DC's
Publicise issues surrounding agricultural permitted development and public rights of way		Existing		✓	✓	NFU, CLA
Seek developer contributions associated with all large developments		Existing	✓	✓	✓	DC's, PTES

L6 Dedication Agreements

Seek agreements which add routes constructively to the path network		Existing	✓	✓	✓	
Seek agreements in lieu of DMMO's		Existing	✓	✓	✓	

Network & Network Connectivity

o Background

England's network of 118,000 miles of public rights of way provide us with a significant recreational and transport resource which is, together with that of the rest of the British Isles, unique throughout the world. However, this network of paths is only one means of gaining access to the countryside and it is likely that a walk or ride will involve using roads, canal tow paths, parks and nature reserves, permissive paths, commons and open access land.

Historically the rights of way network evolved to serve the need of local people travelling to and fro in their daily lives and so linear routes between settlements are often well developed. The modern countryside user is more interested in recreational use, and the network does not always match those needs, for example, short circular routes are popular with dog walkers.

However, not all use is recreational, and some rights of way still form important transport links for walkers and cyclists who wish to avoid the busy roads, or where the right of way takes a more direct or pleasant route.

With increased traffic volumes and speeds, many of our roads and rural lanes present a barrier to the use of particular paths and trails, as do certain railways with at-grade crossings which may deter users. In other instances successive improvements to the highway for vehicular traffic have resulted in the loss of verges or verges being obstructed by signs and other highway furniture. There is also a legacy of truncated paths and poor quality diversions made to accommodate motorway and trunk road construction and other large scale development, such as quarries and wartime airfields.

o Warwickshire

The county's network of 1,740 miles (2,800km) of public paths intersects with Warwickshire's 3,000 miles (4,800km) of roads. Our roads are busy with both local residents and others passing through the County, due to our position in the centre of England. In addition there are over 100 miles of public access associated with Warwickshire's canals, along which people can walk and sometimes cycle.

In order to protect the network of public paths and encourage use it is vital that where roads are built or improved, appropriate changes and improvements are made for non-motorised users (NMUs) and associated rights of way. There are several sites within the County where the network is effectively severed by previous road schemes and other developments and we will be looking to resolve some of the issues these have generated. In addition to this, the bridleway network is patchy and many areas have little or no provision for equestrians, though footpath provision may be good. There are currently few verges which are maintained for NMU use and the unwelcome necessity of using (or crossing) heavily trafficked roads has proved one of the top issues amongst the users we consulted.

Our vision is to move from an historic patchwork of paths severed by subsequent development to a connected network fit for present and future use. In order to achieve this we envisage a menu of potential solutions from which to select the 'best fit' for identified issues and locations.

In addition to protecting and reconnecting our path network, we can continue our work to improve the usability of the network by making better connections with canal towpaths, parks, nature reserves and greenways. In some cases this may mean securing additional access, whilst in other cases signage and intellectual access will be more relevant.

○ Conclusions

There are significant severance issues in some parts of the County and a general need to look at the needs of NMUs across much of the highway network. There are many links in the network which have evolved into busy and fast roads, and there are many unsafe roads to cross. Achieving safe linkages for NMUs which avoid traffic will form one of the cornerstones of the CAROWIP, and we expect to achieve this through better use of verges and 'behind the hedge' routes. We will need to target resources in consultation with others in order to achieve the best value outcomes. We cannot achieve optimum connectivity in the short term, and it will require investment over many years.

Actions needed:

- Work with the Highways Agency on improvements to at grade crossings of trunk roads
- Work with Network Rail on at grade crossings of rail lines
- Work with partners to identify and record key sections of other roads, verges or crossings
- Work with County Highways, contractors and landowners to instigate improvements
- Work with landowners and other recreation providers to better connect with other countryside sites and provide additional linear access
- Work with parish and town councils to identify key utility paths for improvement
- Achieve better connectivity and provision for cyclists and horseriders
- Achieve better connectivity from centres of population and public transport nodes to local countryside
- Identify key sites for creation of new rights of way to connect existing paths or to link with sites of interest to the public
- Identify permissive routes which may add connectivity
- Develop web based mapping showing connectivity between the path network and other forms of access
- Improve connectivity at the County boundary, quarry sites and wartime airfields.

○ Operational Principles

The actions under this theme are supported by the following Operational Principles;

- Development
- Public Path Orders for footpaths and bridleways
- Roads and Railways
- Permissive Paths

○ Key References

- You're either quick or dead, 2004, The Ramblers' Association
- Definitive Map and Statement of Public Rights of Way in Warwickshire, 1998, Warwickshire County Council

The Network and Network Connectivity

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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N1 Permissive access

Support applications for agri environment schemes which include constructive access elements		Existing	✓	✓	✓	DEFRA
Identify and establish a register of existing permissive routes and supply details of significant routes to OS for inclusion on OS maps		Existing		✓	✓	PC's, UG's

N2 Key links

Identify and use key sections of roadside verge to create safe links for all NMU's		Extra		✓	✓	HM, HA, UG's
Identify key roadside links and create 'behind the hedge access'		Extra		✓	✓	HM, HA, UG's
Identify key equestrian and cycling links and desired links and prioritise and secure them		Extra		✓	✓	CTC, BHS
Identify all cross county boundary routes and ensure consistency of route alignment and status		Extra		✓	✓	Adjoining authorities
Identify network gaps left by quarries and wartime airfields and work to improve the connectivity.		Extra				

N3 Path and road interface

Establish safer crossings of major roads, 'LTP heavy traffic routes' other roads and railway lines for all NMU's		Extra	✓	✓	✓	HA, HM, NR
To ensure that all classes of NMU's are catered for in the design of road crossing and road junctions		Existing	✓	✓	✓	
Identify where the use of surfaced roads forms a significant part of the path network		Existing		✓	✓	UG's
To work with others to improve the safety of NMU's where the use of surfaced roads forms a significant part of the path network		Extra		✓	✓	HA, HM

N4 Network Survey & Information

Do one!						
Make rights of way mapping and other route information available online						

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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N5 Utility paths

Identify important utility paths especially in rural or smaller communities		Exist		✓		PC's
Improve and promote the use of utility paths within communities in line with sustainable transport objectives		Extra		✓	✓	
Identify important routes in path network for access to schools		Exist		✓		SRS
Work in partnership with Safer Routes to School Officers to develop and secure improvements to the utility path network		Extra		✓	✓	SRS

N6 Greenways

Develop 2 new greenways – Kenilworth Berkswell and Leamington to Rugby		Extra	✓	✓		CP, Sustrans
Identify other potential greenways		Exist		✓		
Assess potential for Quiet Roads scheme in Warwickshire		Exist			✓	

N7 Public transport

Improve public transport to WCC Country Parks and other walking and cycling gateway sites and 'start points'		Extra		✓	✓	PTES
Promote recreational routes from major junctions with the public transport network		Exist		✓	✓	

N8 Developing the Network

Secure public access through Warwick Castle Park		Extra			✓	WDC, Others
Continue to identify areas of poor access to the countryside and seek to improve it. Prioritise tourist areas and areas close to centres of population		Extra	✓	✓	✓	
Review and develop links from WCC country parks and other recreational sites to adjacent countryside and rights of way		Extra	✓	✓		CP, DC's, Others
Survey all WCC landholdings and review and develop the countryside access path network		Extra		✓	✓	PS
Identify & review all at-grade rail crossings on the network with a view to improvements.						

Paths on the Ground

Note : This theme does not cover permissive paths.

o Background

The practical management of rights of way covers a wide range of disciplines ranging from the installation of a single waymarker disc, though surfacing and bridge engineering works, to enforcement through the courts where paths are deliberately obstructed.

These disciplines are applied very differently by different authorities – with some using a direct labour organisation, others solely relying on contractors, and others using a mixture of both as well as utilising volunteers. Often, the legal aspect of the works is separated from the practical side.

Each highway authority is required to carry out an annual survey covering 5% of the rights of way network – with 2½% being surveyed in May and the other 2½% being surveyed in November. The results from this make up Best Value Performance Indicator (BVPI) 178 which is returned to government and which indicate the percentage of the network which is open and easy to use.

The accepted designs for signs and waymarkers are included in the 'Traffic Signs Regulations and General Directions 2002', whilst the designs for gates and stiles are set down in a British Standard. Often, adaptations of designs are chosen for reasons of local distinctiveness, but the general waymarking scheme of yellow for footpaths, blue for bridleways and red for byways is common throughout England and Wales.

The majority of the paths are maintainable at public expense and so the responsibility for the maintenance of the path network rests mainly with the Highway Authority, although the landowner or occupier does bear some responsibility. The landowner/occupier must maintain stiles and gates which are on their land, as well as being required to reinstate paths which are disturbed though ploughing and cropping. The responsibility for bridges may vary according to the location and type of bridge, for example, bridges over canals are usually the responsibility of British Waterways, and some bridges may also be scheduled ancient monuments or listed buildings.

New requirements under the Countryside and Rights of Way Act require an authority to take reasonable steps, consistent with the proper exercise of their functions, to further the conservation and enhancement of the interest features of all Sites of Special Scientific Interest (SSSIs), and this does have an impact on the management of rights of way. Similar consideration should be given to scheduled ancient monuments.

o Warwickshire

Warwickshire has over 1,740 miles (2,800 km) of public rights of way and it is estimated that there are 5,000 signpost locations, 5,500 stiles, 3,700 gates and 2,000 bridges on the network. There are also around 65 miles of unsurfaced unclassified roads.

Until recently, we largely carried out practical works in a reactive way and we relied on members of the public, user groups and landowners to inform us of instances where the network or infrastructure require attention. Parish and volunteer groups have mainly concentrated on specific proactive improvements. More recently we have been able to target a small number of specific areas for improvement, with a very positive result. Further investment in proactive works will bring significant benefits to the users, and this can also reduce the pressures faced by landowners with public routes on their land.

Other than the BVPI survey and paths inspected under the ploughing and cropping campaign, we carry out few regular, planned inspections, and there has never been a full condition survey carried out in the County. With the technology available to us now it will be possible to both carry out the survey using computerised mapping (GIS), and to record the results in our GIS database.

Our BVPI figures have steadily risen over the years, and we are approaching the point where many of the easily remedied problems, such as signposting by the roadside, have been resolved, and the problems which remain – for example building obstructions and seasonal problems such as ploughing and cropping – will require a greater input of resources to solve.

We have a particularly active volunteer community assisting in our work, with one group having been in existence for over 30 years. They have made an invaluable contribution to the maintenance and improvement of the network. Some groups work independently, whilst others require supervision on site. There are around 55 parish groups signed up to our 'Parish Paths Partnership' (P3) agreement, many of which have active volunteers.

Signposting in Warwickshire is done using wooden posts with waymarkers which, at the roadside, carry the status of the paths. For several years there have been calls to increase the range of waymarks we use and to review the design, as well as to consider using finger posts. There is also a need for advisory signs indicating diversions or advising of other aspects of the law (e.g. keep dogs under close control). Although we have standard designs for these, they have arisen when there has shown to be a need for a particular sign, and the range of signs has never been assessed as a whole.

Most of the paths we are responsible for have a natural surface which will only require intermittent attention. Every year, however, there are paths where a constructed surface is necessary because the condition of the route has become very poor, or where a path is coincident with a private route such as a driveway or farm track. In cases where a private route also carries a public path, we will only maintain the route to a standard suitable for public use e.g. it may not be suitable for the private vehicles using it, but is fine for pedestrians as part of a recreational walk. In those cases, the landowner will need to repair the route for vehicular use, and we may contribute a small amount towards it. This is set down in more detail in the Operational Principle covering Surfacing. There are currently no standards set down for the surfacing of paths.

The responsibility for bridges varies according to what is being crossed and many of the bridges carrying paths are the responsibility of Network Rail, Highways Agency or British Waterways as well as some being the responsibility of individual landowners. We have a fairly comprehensive record of the bridges on the network, and we will be able to develop maintenance and inspection programmes once we have completed a full condition survey.

We have a dedicated ranger team who carry out small scale works on the paths, such as small bridges, gates and clearance work. For larger works such as surfacing, we generally use contractors.

Our relationships with landowners have been built up over many years and we will always seek to resolve problems through goodwill and co-operation. Sometimes, however, it is necessary to take enforcement measures where goodwill and co-operation fail.

○ Conclusions

We have succeeded, over many years and together with support from parishes and volunteer groups, on making significant improvements to the overall condition of the paths. However, there is a considerable amount of work left to do, and a significant amount of work involved in just maintaining and supporting the existing condition of the paths. We will continue in our work to protect and assert the rights of the public by ensuring that all paths are open and available to use.

Now that the network is by and large available to the public we should use some of our resources on improvement works so as to enhance the enjoyment of path users and increase accessibility.

There are several areas where a long term commitment is needed in order to resolve some of the most common issues which are highlighted by the BVPI survey results. This includes continuing with the ploughing and cropping campaign and concentrating on the remaining missing bridges and on resolving issues of paths with permanent obstructions.

We should continue to support and encourage our volunteer workers to assist with the maintenance and improvement of the network. This has proved to be successful in maximising our resources and delivering results at a local level.

Actions needed:

- Continue with an annual ploughing and cropping campaign
- Develop seasonal and non-seasonal clearance programmes for paths where vegetation is regularly a problem
- Comprehensive review of WCC's house style of signs and waymarkers
- Continue to improve the accessibility of the network through the application of the operational principle on Gaps, gates and stiles on footpaths and bridleways
- Undertake a full network condition survey and record the results in the GIS database
- Develop guidelines and standards for the surfacing of paths.
- Continue to provide structured support for voluntary groups and P3 partners
- Improve path defect reporting facilities for the public.

○ Operational Principles

The actions under this theme are supported by the following Operational Principles:

- Gaps, Gates and Stiles on Footpaths and Bridleways
- Signs and Waymarking
- Enforcement
- Path Reports and Inspections
- Surfacing
- Volunteers
- Non-Definitive Alternative Routes
- Electric Fences.

○ Key References

- Countryside and Rights of Way Act 2000
- BVPI methodology, County Surveyors' Society, 2002
- BS 5709 Gaps Gates and Stiles

Paths on the Ground

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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P1 Ploughing and cropping

Continue annual ploughing and cropping campaign		Existing	✓	✓	✓	NFU, CLA
Continue to take legal action against persistent non compliance of legislation		Existing	✓	✓	✓	
Explore new ways of resolving ploughing and cropping issues through liaison with farming organisations and DEFRA		Existing		✓		NFU, CLA, DEFRA

P2 Vegetation clearance

Identify field edge paths which require regular clearance		Existing		✓		UG's
Develop a seasonal field edge path clearance programme		Existing		✓		
Identify utility paths which require regular spraying or clearance programme		Existing		✓		PC's
Develop a utility path clearance and spraying programme		Existing		✓		
Survey all routes with equestrian rights and develop a clearance programme for overhead vegetation		Existing		✓		BHS

P3 Signing and waymarking

Inspect all routes surrounding centres of population and improve waymarking to prevent trespass		Existing		✓		PC's
Inspect and sign, where appropriate, all Open Access Land		Existing	✓			CoAg
Develop a trial of improved roadside signage including fingerposts with destinations and route times, stile free routes, etc and monitor public response		Extra		✓		
Encourage Parish Paths Partnership groups to sign paths with fingerposts displaying destinations and route times		Existing	✓	✓	✓	

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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P4 Stiles, gates, barriers and boundary crossings

Seek least restrictive option when replacing or repairing existing boundary crossings		Existing	✓	✓	✓	
Enforce the least restrictive option for boundary crossings when authorising new structures		Existing	✓	✓	✓	
Develop a proactive programme of removing unnecessary structures and improving existing structures especially close to centres of population, tourist areas and easy access trails		Existing	✓	✓	✓	
Develop system of recording and authorising structures on path network		Existing	✓	✓	✓	
Seek landowners consent for dog gates alongside stiles especially surrounding centres of population		Existing	✓	✓	✓	
Survey all routes with equestrian rights and develop a programme for installing long handled latches on all gates		Existing		✓		BHS
Develop a strategy to exclude illegal motorised users from public footpaths and bridleways		Existing	✓			

P5 Bridges

Develop a programme of works to deal with the 6 large (over 8 metre span) missing bridges		Extra	✓	✓	✓	LTP
Continue the capital programme of bridge repair programme		Extra	✓	✓	✓	
Develop an inspection programme for all known bridges on public path network		Existing	✓	✓	✓	

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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P6 Obstructions and defects

Make reporting defects and other obstructions as easy as possible for path users		Existing	✓			UG's
Develop policy for dealing with reports of problems on the path network		Existing	✓			

P7 Parish Paths Partnership Scheme (P3)

Continue with the existing P3 Scheme and encourage other parishes to join the Scheme		Existing	✓	✓	✓	
Regularly publish details of grants and other funding opportunities for P3 groups		Existing	✓	✓	✓	

P8 Volunteer groups

Support voluntary groups which undertake practical, promotional and research work on the path network		Existing	✓	✓	✓	
Encourage other voluntary and community groups to establish to undertake practical works on the path network		Existing	✓	✓	✓	

P9 Surfacing

Develop surfacing guidelines in conjunction with the main user groups for rural routes		Existing		✓		UG's
Develop programme of surface improvements for heavily used rural routes		Extra		✓	✓	
Develop programme of surface improvements for inter town/village and other utility paths		Extra		✓		PC's
Develop programme of surface improvements for access to school routes		Extra		✓		SRS

P10 Network Survey

Complete full network survey		Extra		✓		
Enter all data collected onto GIS		Extra		✓	✓	

Strategic Access Developments & Promotion

o Background

The legal network of public paths is overlain by a range of promoted paths and trails. These promoted trails encourage people to use the network and can aid understanding and interpretation of the surrounding environment. Rather than simply selecting a route from an Ordnance Survey map, promoted trails are the means by which many people will venture into the countryside for an experience wider than a visit to a single site.

Promoted routes vary from trails of national and international significance, to local circular walks within a particular parish. Some trails have specific trail waymarking and interpretation on the ground, others rely simply on a leaflet or guidebook. A well designed promoted route encourages confidence and enables users to select the right type of countryside experience for them. Good trail interpretation on the ground and/or via published material can bring the surroundings to life and add significantly to enjoyment, appreciation and learning.

In the main, promoted trails tend to follow existing public rights of way, roads, canal tow paths or cross land in public ownership. Although some trails cross land by agreement (often referred to as permissive paths) such agreements can be vulnerable to changes of ownership (or mind). Trail designers can often be thwarted by the lack of connectivity in the network, being forced to include sections of road walking or to disregard otherwise attractive sections because of such barriers.

Although some trails are devised by local authorities, the majority are promoted by interested individuals and organisations. Trails and their literature vary in quality. There is no requirement for authors to audit paths on the ground prior to publication, although many do, nor to check accuracy against the Definitive maps held by local authorities. Similarly, the only check which the Ordnance Survey make before including named trails on their maps is to check with the local authorities whether a route is recognised. There is no quality standard or kite mark for trails. The majority of trails are for walkers, with some (largely on the road) trails and routes for cyclists and a few routes targeted at horseriders.

o Warwickshire

Warwickshire has no National Trails passing through the County. There are a number of established long distance paths for walkers and a growing number of cycling trails. There are very few promoted routes for horseriders, largely because the bridleway provision is patchy and poor through most of the County.

A number of named routes of regional importance pass though the County (or are contained wholly within it), however these have mainly arisen from the commitment of dedicated individuals and voluntary groups. There is ongoing demand for long trails. Our own Centenary Way leaflets continue to sell despite lack of active promotion and outdated information. The exemplar routes which we wish to encourage and support are those which actively monitored and updated by those who have created them.

There are several routes in the County, such as the Avon Valley Way which have great potential but which lack any cohesive promotion or publicity.. There is an opportunity to both extend the route from Stratford to Warwick, and to promote it regionally and increase usage. There is the added potential to develop this and other routes as joint cycling and walking trails.

Strategic Access Developments & Promotion

There is good, if patchy, provision of circular trails in the one hour to half day range for walkers. Cycling trail provision has increased significantly, but demand remains high, particularly for off-road or traffic free routes. There is a need for provision of routes for horseriders, particularly circular routes of less than a days ride. Adjoining counties have made provision for horseriders, and a long distance trail to link into these routes would be well received and link into a regional network of such routes.

One area with potential for expansion is the provision of entry level 'easy access' trails such as greenways which can encourage first steps into the countryside and widen participation beyond the traditional Rambler.

There are plenty of local trail guidebooks and leaflets available across the County, but these vary in quality and may never be updated. Additionally one off trails are published in magazines, both national and local.

There are many led walks across the County ranging from regular trips out with the Ramblers' Association to short themed walks within the County Parks, as well as some organised by other organisations such as Warwickshire Wildlife Trust and district/borough councils. In addition to the regular led walks programmes, in 2005 we held our first 'Warwickshire Walking Festival' with a programme of walks over 8 days, promoted nationally.

In each of these areas we need to analyse existing provision and maximise the opportunities already in existence as well as developing new trails.

o Conclusions

Good promoted trails add value to the network by enabling and encouraging use. Flagship routes can showcase the county as an alternative venue to established trail destinations. There is synergy with both the existing tourist market and the accessibility of the county to day visitors and the well managed countryside which is accessible to all. The River Avon with its Shakespeare and Stratford associations presents an opportunity to create a new flagship trail as a signature route for the county.

We should concentrate on the provision of trails of regional importance and entry level provision such as 'easy access' trails as the mid distance circular walks are being covered by the voluntary and commercial sectors. We will continue to support others developing mid distance trails, providing support and advice, and sharing best practice.

We should maintain a list of 'recognised trails' (draft list for comments at appendix....) and define criteria for the LAF to consider future routes for inclusion.

What is needed

- A maintained list of existing trails supported by WCC with criteria for additional trails to be included
- An equestrian trail for the county in partnership with BHS or other equestrian partners
- A flagship trail between Warwick and Stratford along the River Avon for walkers and cyclists (mention WDC & SDC)

Strategic Access Developments & Promotion

- More high quality easy access trails in the type of countryside identified by our consultation work
- A countryside access information point in the countryside in Stratford District
- High profile events such as the Warwickshire Walking Festival to showcase access in the county
- Open greenways at Leamington to Rugby and Kenilworth to Berkswell

○ Operational Principles

The actions under this theme are supported by the following Operational Principles;

- Public Path Orders for footpaths and bridleways
- Signs and Waymarking
- Volunteers
- Promoted Routes and Trails
- Permissive Paths

○ Key References

Strategic Access Developments and Promotion

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years	Key Partners
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S1 Existing promoted routes

Maintain a list of Recognised Promoted Routes ("the List")						
Ensure that routes on the List are periodically inspected		Existing		✓	✓	
Continue seeking improved infrastructure on key List routes		Existing	✓	✓	✓	
Identify key road links on 'the list' and seek to create alternative routes		Extra			✓	

S2 Proposed promoted routes

Develop a procedure for adding routes to the List						
Support and assist the development of Sustrans routes						
Support and assist the development of the Battlefields Trail		Existing	✓	✓		
Support and assist the development of the North Arden Trail		Extra	✓			
Assist in the development of a strategic equestrian route through the County		Existing				
Develop a strategic equestrian route through the County		Extra				
Develop the two proposed greenways (Leamington-Rugby and Kenilworth-Berkswell)						

S3 Waterside routes

Work with others to identify a number of suitable waterside routes for promotion as easy access walks		Existing	✓	✓		
Relaunch the existing Avon Valley Way between Stratford and Marlclyff		Extra		✓		
Develop and extend the Avon Valley Way between Stratford and Warwick for bankside walking and cycling		Extra		✓	✓	

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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S4 Walking Festival

Building on the 2005 Walking Festival, develop organise an annual Warwickshire walking festival		Extra	✓	✓	✓	
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S5 Web

Develop an interactive route planning facility online and available in libraries		Extra			✓	
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S6 Countryside Information

Develop an information point in the south of the County, including car parking and toilets		Extra			✓	AONB
Develop a network of, predominantly village based, information boards throughout the County to publicise local access network and responsible use of the countryside including dogs, Open Access Land, Country Code, etc, local attractions, heritage, wildlife, refreshments, etc		Extra		✓	✓	PC's
Develop a range of circular trails from villages with leaflets publicising local attractions, farm shops, refreshments, public transport, etc		Extra		✓	✓	PC's

S7 Health

Develop a series of stile free circular routes with leaflets explaining the health benefits, timed circuits, etc from centres of populations		Existing		✓		
Organise an annual healthy cycling promotion campaign and associated events		Extra		✓	✓	PCT, CTC

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale Years			Key Partners
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S8 Cycling

Promote the opportunities for safe cycling in country parks and greenways and bridleways		Existing	✓			CP, CTC
Investigate the opportunities to establish corporate purchase schemes for bicycles to promote cycling		Extra		✓		PTES
Promote family cycling on named trails		Existing		✓		CP
Promote a cycling culture by encouraging families and young children to go cycling		Extra	✓	✓		
Promote cycle routes from residential areas to the wider countryside access network and specific sites and provide cycle storage		Extra		✓	✓	

S9 Horseriding

Develop and promote circular rides throughout the county		Extra				
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S10 Countryside Code

Provide a schools activity pack to cover responsible use of the countryside and the Countryside Code		Extra		✓		CoAg, CoEd
Develop an annual media campaign to publicise the country code and use of the Warwickshire countryside		Existing		✓		PTES

S11 Guided events

Develop a series of farm walks with farmers to promote an understanding of rural issues		Existing		✓	✓	NFU, CLA
Develop the existing walks and events programme to include guided cycling events		Existing		✓		CP

S12 Marketing plan

Develop a marketing plan for access to the Warwickshire countryside, including the effective distribution of the leaflets for the County's promoted routes and other information leaflets		Existing		✓		PTES
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Tourism & Leisure

○ Background

The importance of the countryside and the public path network to tourism is increasingly recognised and well documented. Research has quantified the contribution of specific trails to the local economy, for example the total economic value of the South West Coast Path to the local economy is estimated to be £135.7 million annually. Work by the Countryside Agency and the Ramblers' Association aimed to quantify the general contribution of walking and tourism spend.

The Great Britain Day Visits survey 2002/3 reported 5.2 billion day visits nationally of almost 400 million were walking in the countryside. It was the second most popular activity. The average spend per person on day trips in the countryside was £8.60, and the average journey to the countryside in England was 18.6 miles. The West Midlands recorded an estimated 114 million day trips to the countryside of which 94 million were by West Midlands residents.

The Foot and Mouth Disease outbreak in 2001, whilst terrible for the stock farmers and all concerned, temporarily deprived the public of the 'taken for granted' access to much of the countryside and highlighted the relative contributions of the tourism and farming sectors to the national economy.

Much early work looking at linkages between tourism and public rights of way tended to focus on high profile trails and 'big hike' destinations. More recently it has been recognised that the existence of walking, cycling and riding trails as complementary to existing tourist facilities is important.

The biggest single factor in measuring the importance of countryside access to the tourism sector has been a re-evaluation of how we define tourism. Rather than simply focus on high spend overseas visitors and the home holiday market we now appreciate the contribution of the short break and day visitor market as well as the 'visits from friends and relatives. A visit is often the catalyst for people to make alternative choices about how and where they spend their time, for example, friends visiting for the weekend resulting in a first visit to an attraction which has been on the doorstep for years.

○ Warwickshire

Warwickshire is a varied and accessible county, with around half a million residents. The landscape is steeped in history, gentle and welcoming with countryside that is generally intensively farmed. The County has an increasingly well managed network of public paths overlain with promoted trails of national, regional, sub-regional and local importance. Many local visitors come from Coventry, Solihull and the Birmingham conurbation.

Warwickshire is fortunate in having a world renowned tourism destination in Stratford upon Avon with its Shakespeare associations as well as other 'A-list' destinations such as Warwick Castle. Of equal or greater importance (though not necessarily economically) are the growing list of other attractions in the countryside, together with the role of our Country Parks and historic market towns as gateways to the wider countryside. Our approach has been to package days out for the existing visitor market by suggesting walks and trails near to other attractions and presenting the information in a clear accessible format and promoting sustainable transport options. We believe this approach to be right, but to date modest investment has resulted in modest returns.

[Insert paragraph on first Warwickshire Walking Festival] The positive feedback from out of county visitors is very pleasing. It tells us that the product is right and the visitor experience a good one.

In order to derive benefits from tourism and its link with promoted trails and use of the countryside we believe that we, in partnership with others, should put together a range of projects which together market Warwickshire as a great place for countryside recreation. We do not need to lead on all projects but will support and add value to countryside access projects which forward the wider aims within this plan. Ideally we should have a marketing plan for the Warwickshire Countryside which is developed with partner providers. See Strategic Access Developments and Promotion.

○ Conclusions

The linkages between accessible countryside and tourism are under-developed in the County.

Much of the work on countryside access to date has focused on the statutory duties placed upon WCC. For us to realise the wider benefits of this investment we need to promote Warwickshire as a great destination for countryside recreation. There is a significant opportunity cost in not doing so as other areas aggressively compete in the tourism and leisure sector. Most of our aims will be shared or complementary to the objectives of other providers in the sector.

Actions needed:

- A clear, shared vision for promoting the Warwickshire Countryside
- Improve existing trails of regional importance
- Identify, develop and promote flagship countryside sites and facilities
- High profile events – our own and supporting others
- Increased range of high quality local trails linked to and promoted from other attractions
- Research the opportunities for equestrian tourism e.g. bed and breakfast for horses and toll rides
- Gateway information points in Country Parks, market towns and via the Warwickshire Web and the Enjoy Warwickshire website
- Shared publicity and distribution with other providers.

○ Operational Principles

The actions under this theme are supported by the following Operational Principles;

- Promoted Routes and Trails

○ Key References

- The Economic and Social Value of Walking in England, 2003, Dr Mike Christie and Jon Matthews for the Ramblers' Association
- The Economic Impact of Recreation and Tourism in the English Countryside 1998, The Countryside Agency
- Great Britain Day Visitors Survey, 2002-2003
- Quality of Life Report, 2004, Warwickshire County Council.
- www.heartofenglandtourism.com

Tourism Action Plan

Action	Link to other actions	Funding & Resources (partnership/existing resources/extra funding)	Timescale			Key Partners
			Years			
			1-2	3-4	5+	

T1 Events

Publicise the annual walking festival throughout the country		Existing	✓	✓	✓	PTES
Support A Coventry Way association in supporting their annual event, and offer similar support for other key events.						

T2 Information points and key sites/routes

Develop series of gateway information boards in key tourism locations to promote local circular routes and other countryside attractions and businesses		Extra		✓		PC's, TB's
Further develop use of the Warwickshire Web to provide information for visitors about the Warwickshire countryside.						
Identify, develop and promote flagship countryside sites <i>N.B. none of the WCC countryside sites in the south of the County have visitor centres or information points</i>						
Extend the Avon Valley Way between Stratford and Warwick and publicise it.						
Develop a "Two Castles" walk between Warwick and Kenilworth Castles.						
Provide up-to-date information about the Centenary Way						

T3 Holiday accommodation

Work with tourism accommodation providers to distribute circular trail information and other promotional material to visitors to the County		Existing	✓	✓	✓	
Investigate ways of encouraging equestrian tourism.						

T4 Profile of the Warwickshire Countryside

Develop a marketing plan for the Warwickshire Countryside with key partners.						
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Monitoring and Progress

The time span covered by the CAROWIP will be 1 April 2006 to 31 March 2016. It is likely, however, that the plan will be reviewed with the LTP in 2010, with a new or revised plan taking effect from 2011.

At the beginning of each financial year, following consultation with the Local Access Forum, we will publish:

- a **CAROWIP annual report** which will include information about the progress within each Theme.
- a separate **annual progress summary** will be prepared to report back with the Local Transport Plan.
- a **CAROWIP Statement of Intent**, indicating the targets which we will aim to meet that year, and relating them to the Action Plans. It will also include details of those targets which it will not be possible to meet and give the reasons for that.

These reports will be available to the public and will be posted on the Warwickshire Web, and publicised through our countryside magazine "Viewpoint" and the Local Access Forum.

Appendix I : Glossary of Terms

BHS	British Horse Society
BOAT	Byway Open to All Traffic
BR	Public Bridleway
BVPI	Best Value Performance Indicator
CALG	Countryside Access Liaison Group
CAROWIP	Countryside Access and Rights of Way Improvement Plan for Warwickshire
CAT	Countryside Access Team
CLA	Country Land and Business Association
CoAg	Countryside Agency
CROW Act	Countryside and Rights of Way Act 2000
CTC	Cyclists' Touring Club
DC	district or borough council
DDA	Disability Discrimination Act 1995
Defra	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
DMMO	Definitive Map Modification Order
FP	Public Footpath
GIS	Geographic Information System
GIS	Geographic Information System (computerised mapping)
HA	highways authority
LAF	Local Access Forum
LTP	Local Transport Plan
NFU	National Farmers' Union
NMU	non-motorised user
NR	Network Rail
P3	Parish Paths Partnership
PC	parish council
PCT	Primary Care Trusts
PPO	Public Path Order
PTES	Planning, Transport and Economic Strategy Department
RA	Ramblers' Association
RB	Restricted Byway (open to all traffic except mechanically propelled vehicles)
UCR	unclassified road or unclassified county road
UG	user group
WCC	Warwickshire County Council

Appendix II : Operational Principles

The following are the Operational Principles which will guide the work of the Countryside Access Team

Each of these will have three strands, roughly described as;

- **Operational Principle** – the rules
- **Operational Background** – the reason for the rules
- **Working Practice** – how we apply the rules

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Countryside Access Operational Principle 1 : Definitive Map Review

In compliance with the duty under Section 53 of the Wildlife and Countryside Act 1981, WCC is carrying out a review of the Definitive Map and Statement of public rights of way in the following order of priority:

A geographic progression across the County - in the sequence;

- (i) North Warwickshire Borough,
- (ii) Nuneaton and Bedworth Borough,
- (iii) Rugby Borough,
- (iv) Stratford on Avon District,
- (v) Warwick District,

followed by;

- (vi) The former Excluded Areas (urban centres) of Bedworth, Kenilworth, Leamington Spa, Nuneaton, Rugby, Stratford on Avon and Warwick,
- (vii) Unclassified County Roads (UCR).

Within the above priorities, WCC will prepare Definitive Map Modification Orders in response to (in no particular order):

- Proposals made under the 1977 Draft Review which are unresolved.
- Applications made to the County Council.
- The discovery of anomalies within the Definitive Map and Statement.
- The discovery of evidence.

A case may be dealt with outside the sequence of priorities if;

- a route is threatened by development, or
- processing a case will significantly progress a specific CAROWIP target, or
- where there is an overriding operational need to do so.

Operational Background

Modification Orders are made where evidence points to an error of fact in the Definitive Map and Statement. This can result in orders which have the following effects:

- (a) **Adding** routes not previously recorded.
- (b) **Upgrading** routes (i.e. footpath to bridleway or byway) where a route already recorded is found to have higher rights.
- (c) **Downgrading** routes (i.e. bridleway to footpath) where a route already recorded is found to have lesser rights.
- (d) **Deleting** routes found not to be public.
- (e) **Correcting errors** found in the Definitive Map and Statement.

Each case requires extensive research to ensure that the evidence is fully examined before an order is made. Evidence can either be documentary, demonstrating the existence or otherwise of a public right of way and/or its status, width or limitations, or it can be the testimony of people who have collectively used a route, or a combination of both.

cont'd

The progression detailed above allows evidence to be collected on a parish by parish basis. This is the most time-efficient way since users within a localised area are more likely to have used or to have knowledge of most of the claimed routes in the area. A further benefit is that user groups, parish councils, amenity groups, local landowners and others can develop an understanding of the issues and better engage in the review process. Similarly, the relevant documents, for example Tithe maps, held in the County Record Office were largely drawn up on a parish basis and a geographic progression allows research to be carried out efficiently.

New applications will still be processed in areas already considered under the geographic progression. This will ensure that uncertainty in these areas is kept to a minimum. However, as the impact of the Discovering Lost Ways project is, as yet, an unknown quantity, this decision may need to be reviewed.

Countryside Access Operational Principle 2 : Landowner Declarations

We will enable and assist landowners to make deposits under Section 31 Highways Act 1980 via a straightforward process using standard forms.

Deposits will only be accepted where all currently recorded highways affecting the land in question are shown on the accompanying plan.

In the case of current disputes as to the existence of any public path or other highway, the disputed highway must be shown. Reference can be made to the dispute and in such cases the deposit will not be held as evidence for the existence of the disputed highway.

NOTE : A deposit under Section 31(6) is a public document and details of landownership will be kept in a register which is open to public inspection.

Operational Background

Section 31 Highways Act 1980 allows landowners to deposit with the highway authority a map and statement which identifies and accepts public rights of way and public roads crossing their land, followed by a declaration that they have not dedicated any additional public rights of way.

This provides landowners with an effective way to demonstrate that they do not intend to dedicate a public right of way and thereby protect their land against claims made under Section 31 Highways Act 1980 (that a public right of way is presumed to have been dedicated based on twenty years of public use). It does not act retrospectively, nor prevent paths being recognised as public through documentary evidence, nor prevent paths being created through Agreement or other legal order.

As the highway authority, WCC accepts Section 31 deposits for land within Warwickshire and hold these on file. Once lodged with WCC the deposit becomes a public document and is available for public inspection.

Many land agents acting for larger estates and holdings are aware of the procedure and have already made Section 31 deposits. WCC has taken a similar decision in respect of all land in its ownership not to allow new public rights of way to come into being through public use.

In addition to maintaining the asset value of land, a further advantage of making a deposit is that owners and occupiers can allow levels of informal (permissive) access without the worry that by doing so the public may acquire rights over their land.

Countryside Access Operational Principle 3 : Public Path Orders (PPOs) for footpaths and bridleways

We will prioritise applications for PPOs (creations, diversions, and extinguishments) according to the following criteria, and deal with them accordingly;

Any one of the following will be treated as **High Priority**:

- PPO applications processed by WCC in it's capacity as Planning Authority.
- Where there is a clear benefit to public safety e.g. at-grade rail level crossings, major road crossings etc.
- Where a path runs through school grounds and a special diversion is needed for school security.
- Where an area has been designated by the Secretary of State as an area of high crime.
- Where a route is in danger of being (naturally) eroded.
- Where a PPO (or combination of PPOs) will help to fulfil targets within the CAROWIP.

Any one of the following will be treated as **Medium Priority**:

- Where an additional link, higher status or new path is dedicated (or created) which will have a significant positive impact on the local network.
- Where processing a PPO could save significant costs incurred in processing other orders.
- Where a PPO will significantly benefit members of the public using public rights of way, i.e. where a PPO is in the public interest.
- Where the town/parish council or district/borough council actively support the proposal.

Any one of the following will be treated as **Low Priority**:

- Where a PPO is principally in the landowner's interest and meets none of the above criteria.
- PPOs promoted by WCC Countryside Access Team and which meet none of the above criteria.
- PPOs which resolve Definitive Map and Statement anomalies but which meet none of the medium or high priority criteria.

For each application we will make a full charge for the recovery of our costs from the applicant unless the PPO resolves a Definitive Map and Statement issue or where the application results in significant additional rights for the public, e.g. new paths, higher status, in which case a proportion of the costs may be borne by WCC.

We will make a number of PPOs each year in order to further CAROWIP targets. Whilst we will try to reach agreement with persons who have an interest in the affected land, it will inevitably mean progressing orders contrary to the wishes of some individuals or landowners.

The minimum width acceptable for routes created by PPOs will be

- 2m for unenclosed footpaths
- 4m for enclosed footpaths
- 4m for unenclosed bridleways
- 5m for enclosed bridleways

except

- where immovable physical features preclude this e.g. old buildings
- at pinch points

where a lesser width may be accepted.

Operational Background

See also the Operational Principle 4, covering Development.

The County Council, as the Highway Authority, has the ability to make legal orders to divert, extinguish, and create rights of way. The most frequently used of these abilities is the power to divert a public right of way under the Highways Act 1980. In each case a basic test must be satisfied, and a number of other (subjective) circumstances must be considered.

Historically, we have processed applications in the order in which they have been received and made very few orders proactively to improve the network. In order to achieve CAROWIP targets we will have to devote some resources to proactive improvements via diversions and creations. Prioritisation allows us to move away from working purely in date order to a merit based system. In addition, the CAROWIP offers us an opportunity to improve the network for the public by setting down greater widths for diverted and created paths.

Whilst we work closely with landowners and will seek solutions which are acceptable, inevitably there will be some circumstances when landowners will oppose our improvement proposals and we will have to make orders without their agreement. Even so, opposed orders can only be determined by the Secretary of State and there are mechanisms for compensation.

Countryside Access Operational Principle 4 : Development

We will seek improvements, both within a development site and in the surrounding area, where the development is likely to lead to an increase in use of the local path network or where the development impacts on the existing path network. These improvements may include;

- practical works on existing paths
- new paths and upgraded paths
- promotional materials
- use of Section 106 agreements under Town and Country Planning Act 1990.

It will not be acceptable to divert a footpath or bridleway along a road or immediately beside a road (whether new or existing).

WCC will ask for bridleway status where there is existing or potential equestrian demand and where routes for cyclists are proposed.

Where a route within a development site is claimed, with supporting evidence, as a public right of way under Section 53 Wildlife and Countryside Act 1981, the developer will be asked to treat the route as if it was a public right of way.

Where a failure in the planning process has given rise to the permanent obstruction of a public right of way by development, WCC, as the Highway Authority, will require the Planning Authority to make remedial Public Path Orders at their own expense. In the event of continued failure to resolve matters WCC may seek the removal of the obstruction.

The following minimum widths will apply to all new and diverted routes. Ideally additional width up to the following minimums will also be provided on existing paths;

- 5m for all shared use footpath/cycleways
- 2m for unenclosed footpaths
- 4m for enclosed footpaths
- 4m for unenclosed bridleways
- 5m for enclosed bridleways.

Operational Background

Public rights of way are a material consideration in the determination of planning applications. In the main we are consulted on individual planning applications which affect paths, and we are able to influence any changes to paths which are affected by having notes attached to the consents. However, where there are larger scale developments such as new green field developments, we have not been as proactive as we could have been in seeking planning gain. Our intention is to improve this by seeking involvement at an early stage and working in partnership with planners and developers to negotiate the best possible outcome for the path network, including agreements under Section 106 Town and Country Planning Act 1990.

Often, we discover that obstructions on the network are there because planning consent has not been sought, e.g. field shelters for horses, maneges, stable blocks and fences over 2m, or have been constructed under permitted development rights e.g. barns, small house extensions. It is important that we continue to work with the district and borough councils to prevent, so far as is possible, similar incidents occurring in the future.

Countryside Access Operational Principle 5 : Enforcement

Where rights of way are obstructed, cropped or ploughed WCC will, in the first instance, seek to resolve the issue through goodwill and co-operation.

Where enforcement is necessary WCC will follow the DTI Enforcement Concordat.

Operational Background

Our operational principle is based on the principles of fairness, proportionality, transparency and objectivity and complies with the Government's Enforcement Concordat. The decision to prosecute will always take account of the Code For Crown Prosecutors and the Attorney General's guidelines. The range of formal actions that will be considered include the following:

Written Warnings

These will normally only be used for a first offence. For a subsequent or continuing offence a Legal Notice, Formal Caution or Prosecution may be issued. Full details of the problem are included in the warning, together with the course of action which is required to resolve the problem.

Statutory (legal) Notices

Used as appropriate in accordance with relevant legislation and includes the taking of direct action to resolve the problem on the ground (with the landowner being charged accordingly).

Formal Cautions

Used to deal quickly and simply with less serious offences and to avoid unnecessary criminal court appearances. There must be evidence of guilt sufficient to give a realistic prospect of conviction, and the party concerned must admit the offence. Declining a formal caution will result in a prosecution.

Prosecution

This will be considered for a subsequent or continuing offence. It will be used as a way to secure, and / or to draw attention to the need for, compliance with the law, or where landowners may be deterred from offending through the conviction of others. The decision to prosecute will take into account the following:

- The risk to the public and animals.
- Obstruction of an authorised officer.
- Failure to comply with statutory Notice or advice.
- The prevalence and type of offence.
- The need for suitable deterrent.
- A history of similar offences by the same party.
- Persistent breaches of legislation.
- Minor breaches of a number of statutes.

Countryside Access Operational Principle 6 : Non-Definitive Alternative Routes

Unofficial diversions will not be sanctioned.

Landowners may set out alternative (additional) routes on their own land but

- WCC house style waymarks shall not be used **and**
- the Definitive route must be open and available for use **and**
- the Definitive route must be correctly waymarked where alternative routes diverge and rejoin.

Where a significant physical problem affects a route, such as a lake, landslip or an established building, a temporary unofficial diversion may be waymarked while WCC pursues a satisfactory legal solution.

Operational Background

Unofficial diversions cannot be sanctioned since the powers of the Highway Authority relate to the legal line of a right of way as shown in the Definitive Map and Statement. Landowners who provide alternative routes risk those routes being added to the legal record by virtue of use by the public (in addition to the legal line). Public liability on non-Definitive routes remains with the landowner/occupier.

If an owner or occupier wishes a path to be moved they must go through the correct legal process and bear the costs themselves.

A non-Definitive alternative route is one which can be used as an alternative to the line shown on the Definitive Map. These routes are sometimes referred to as 'landowners preferred routes'.

WCC House Style waymarkers will be removed from unofficial diversions once we become aware of them.

Working Practice

There are several situations where alternative paths exist on the ground;

1. where the definitive line is available and unobstructed and
 - a) where a landowner has marked a preferred alternative route – e.g. a route which bypasses a farmyard rather than going through
 - b) where the public are taking a shortcut – e.g. walking diagonally across a pasture field rather than along the hedge line
2. where the Definitive line is obstructed (by fences, buildings, crops etc) and the public are forced to use an alternative route, often waymarked.

1.a) Landowners' preferred routes

Landowners will be encouraged to make deposits under Section 31(6) of the Highways Act 1980 to protect their land from future claims arising from use.

Landowners will be advised on appropriate wording for any signs they display.

Landowners will be informed that they must leave the Definitive line available and unobstructed at all times, and will be offered the opportunity to apply for a formal diversion.

1.b) Public's preferred routes

WCC will ensure that the Definitive line is correctly waymarked.

Landowners will be offered the opportunity to make deposits under Section 31 Highways Act 1980 to protect their land from a future claim for a second right of way arising from use.

2. Obstructed routes with non-Definitive alternatives

Landowners will be advised that there are two options open to them

- i. to apply for a diversion at their own cost
- ii. to clear the obstruction and re-open the Definitive line. WCC may be able to assist with this if the obstruction is longstanding.

Where an obstruction arises because of a past failure by either a district/borough council or WCC the responsible Council shall be encouraged to make a Highways Act Order to remedy the situation at their own cost.

Countryside Access Operational Principle 7 : Path Reports and Inspections

WCC will encourage the public and landowners to report path defects. Personal details of people reporting defects will be kept confidential.

Reports of situations which are considered by the Countryside Access Team to be a danger to the public on the path network will be inspected within one working day of receiving the report.

Reports of problems which prevent the public using a Recognised Promoted Route* will be inspected within 15 working days of receiving the report.

Other reports of problems will be inspected within 3 months of receiving the report.

Unclassified county roads managed by the Countryside Access Team will be inspected every 10 years.

A full survey of the whole rights of way network will be undertaken every 10 years.

** see Operational Principle on Promoted Routes and Trails*

Operational Background

Traditionally, inspections of rights of way have been carried out in response to reports from the public, landowners and user groups. Routine inspections of the complete network have never been carried out and could not be justified as they would take up most of the team's resources. We therefore do not know the location, quantity and condition of all structures on the network, such as bridges, gates and stiles. For this reason, and to ensure that all paths are inspected at least once, we have included a full network survey to be carried out at intervals.

The purpose of this operational principle is to formalise the current arrangements as well as introducing timescales for inspecting paths.

Arrangements exist between the Countryside Access Team and WCC Highways Divisions over the inspection and maintenance of paths with tarmac surfaces. Tarmac paths shown in the Definitive Map and Statement will be included in the periodic full network survey carried out by the Countryside Access Team, but inspections of tarmac footpaths resulting from reports by the public will be carried out by Highways Divisions.

Countryside Access Operational Principle 8 : Signs and Waymarking

We will use standardised waymarking and signing in the WCC House Style across the County unless working in partnership with a local council or other organisation, for example, to promote local distinctiveness or named trails.

We will not normally sign routes wholly within built up areas unless, for example, they lead to the wider countryside, are part of a recognised promoted route or we have requests from the local community.

We will aim to maintain advisory signs on site for 5 years after any significant path diversion, creation or extinguishment order which we make.

Operational Background

The Countryside Act 1968 (as amended by subsequent legislation) placed a duty on a highway authority to signpost rights of way where they leave a metalled road. The signpost must show the status and direction of the right of way. Details such as distance and destination can also be included at the authority's discretion. The only exception to the duty to signpost is if both the Highway Authority and the local council agree that such a signpost is unnecessary.

Our current House Style for signposting rights of way where they leave metalled roads is to use a combination of waymark discs; one gives the status and another the direction (see Appendix VII). Both these discs use the standard colours (yellow arrows for footpaths, blue arrows for bridleways and red arrows for byways open to all traffic).

An authority also has a duty to signpost rights of way along their length where it considers it necessary to assist persons unfamiliar with the locality, and has a general power which enables them to put up and maintain signposts along a right of way.

We use waymark discs with direction arrows in the appropriate colour, where necessary, to signpost rights of way along their length. In addition, some promoted routes carry custom waymarkers along their length. This aspect is covered in "Operational Principle 14 - Promoted Routes and Trails"

In general, we do not waymark paths, or links between paths, which follow the verges or footways of carriageways. The exception to this is on certain Recognised Promoted Routes.

We will provide a range of free information signs for landowners, e.g. 'keep dogs on the path', and we offer advice on the wording of landowners' own signs.

Countryside Access Operational Principle 9 : Gaps, Gates and Stiles for footpaths and bridleways

We will only authorise the least restrictive option for **new boundary crossings** and will always aim for the least restrictive option when landowners replace or install structures in **existing boundary crossings**. “Least restrictive option” means that:

- A gap is the preferred option.
- If a gap is not practicable for reasons of stock control, then a field gate or wicket gate shall be used. Gate latches on bridleways must be usable by a competent rider from horseback.
- If a gate is not practicable and the route is a footpath, then a kissing gate may be used.
- Stiles are not acceptable and will not be permitted unless a stile is already in existence and has been there since the date of the first Definitive Map. We will seek by negotiation to replace these stiles with gates.

Wherever possible, **we will seek to replace stiles with gates or gaps**, and to make gates easier to open/close. In order to achieve this, we will normally bear the cost of improvement.

We will normally only authorise one structure per boundary so that, for example, double fenced boundaries will only have one structure.

In authorising structures under Highways Act 1980 section 147 **we will seek to restrict the number of structures** in sub divided or strip grazed fields.

We will allow existing structures of historical or cultural significance to remain for reasons of local distinctiveness, but will seek where appropriate to increase accessibility by installing a gate or creating an adjacent gap.

Electric/automatic gates, will only be acceptable if they are easy to open for all lawful users and clearly waymarked, from both directions.

All authorisations will be conditional on the structure being maintained by the occupier whilst the authorisation remains in place.

Operational Background

There are six types of boundary crossing structures;

1. Authorised structures

Authorised under Section 147 Highways Act 1980

to prevent the ingress or egress of animals onto agricultural land

applies to footpaths and bridleways only

We can attach reasonable conditions to an authorisation, e.g. must meet current BS, must be maintained by the landowner or expires at a certain time. We can revoke these authorisations

2. Highway authority structures

Provided under Section 66 Highways Act 1980

(as amended by CROW Section 70)

to safeguard persons using footpaths or bridleways

includes barriers, rails, fences and posts

These are our responsibility and can be installed or removed as we see fit.

3. “Limitations” *(not just structures)*

This is the legal right of the landowner to do or have something which limits the public's rights e.g. closing Warwick racecourse paths on race days, having a stile or gate in a hedge. Can apply to all types of highway. These are normally legally defined in an order (DMMO or PPO) and must (on the balance of probabilities) have been in place since the path came into existence. We have no automatic power to revoke limitations.

4. Presumed limitations

At WCC we make the assumption that if a structure was in place at the time of the parish survey, and has been there without a significant break since, then it is a limitation and the landowner has the right to have it there. Without a DMMO we cannot add it into the statement, but we are presuming that it is the same type of limitation as no 3 above.

5. Traffic Regulation Order barriers

Barriers and other structures may be in place to enforce a TRO which prohibits a certain class of user. These are most commonly found at the junction with another highway.

6. Illegal Obstructions

By default these are the stiles, gates etc which do not fall into any of the other five categories.

Definitive Maps and Statements should include those structures which are limitations (no. 3 above) but not any other types of structure.

The Disability Discrimination Act 1995 gives disabled people important rights of access to everyday services that others take for granted. For some time we have been aiming to reduce the number of barriers which disabled people face whilst visiting the countryside. This principle is also enshrined in the British Standard (BS 5709).

Historically, stiles were the most common type of boundary crossing to be found in the Warwickshire countryside. These often remained even where the need for them had gone e.g. pasture land turned over to arable.

Warwickshire's network has an estimated 5,500 stiles. At a conservative figure of £150 for a new gate, gates would cost £825,000 (excluding bridleways), although this figure would be spread over many years. We therefore concentrate initially on popular paths, routes close to population, easy access trails and health walks, as well as routes where removal of one or more stiles would open up a stile free walk and instances where a stile requires repair or replacement. Targets within the CAROWIP aim to build on this and improve access for everyone.

Our aim should be to avoid filling the countryside with path furniture. Nothing is better than a waymarked gap.

Countryside Access Operational Principle 10 : Surfacing

We will only normally maintain a surface to the standard needed for public use. Where a footpath or bridleway coexists with a private vehicular route, We may make a contribution of up to £500 or 10% (whichever is the lesser) towards repairs or resurfacing by a third party **provided it is agreed in advance**.

We will only consent to third parties changing the surface type of a route (or part of a route) where the proposed surface type will be compatible with the public use AND where there is a legal agreement for its future maintenance.

The type of surfacing material will be chosen to balance the needs of all path users, cost, sustainability and the local ecology. This will apply whether we are carrying out the surfacing or consenting to third parties carrying out the works.

Routes with predominantly utility use, or those unclassified county roads which serve as the sole means of access to inhabited property, will generally be surfaced to a higher standard than those with predominantly recreational use. The exception will be where a recreational route has been targeted for improvement as a result of a CAROWIP action.

Operational Background

Traditionally, very little work has been done to proactively improve the surface of the rights of way network, and works have been carried out in response to reports from the public relating to poor ground conditions or specific improvements requested by the local community.

Where public footpaths have coexisted with private routes such as driveways and farm tracks, an inconsistent approach has been taken where the action very much depends on the officer covering an area. For some time WCC has been concerned that routes have been surfaced on an ad hoc basis by private owners and occupiers, and that the maintenance liability thereafter is unclear.

The above operational principle will ensure that the approach taken is consistent, and that the maintenance burden placed on WCC is consistent with the public use of the route.

In general;

- WCC will only normally undertake works to improve the surface of rights of way where the new surface is suitable for all lawful public users.
- The full legal width of the path will not necessarily be surfaced but a sufficient width for users, normally at least 1.5m for footpaths and 3m for bridleways, byways and UCR's will be surfaced.

Countryside Access Operational Principle 11 : Electric Fences

This operational principle applies to all electric fences whether 'live' or not.

Electric fences across footpaths (including temporary stock fences) are obstructions to the use of the public path network unless insulated and tied in to an acceptable boundary crossing, and authorised by us.

Acceptable boundary crossings are;

- for a footpath – a wicket gate or kissing gate, provided insulation extends half a metre from the latch, with the electrified strand buried at least 30cm deep under the right of way, or taken at least 3 metres above the path on wooden poles
- for a bridleway – a bridle gate, provided the fence is insulated for 2 metres on either side of the gate with the electrified strand buried at least half a metre deep under the right of way.

Insulated handles are not an acceptable crossing unless

- the route is a footpath AND
- the crossing will be in position for less than two weeks AND
- the electrified strand is insulated either side of the insulated handle for a minimum of half a metre AND
- the electrified strand is made clearly visible AND
- there are no more than two such crossings in a single field

Electric fences adjacent to public rights of way must allow for a minimum width of 2m for footpaths, 4m for bridleways and 5m for byways (unless the legally recorded width is different).

All electric fences crossing or adjacent to public rights of way must be signed by the landowner/occupier in accordance with current HSE guidance.

Operational Background

Over recent years, the subdivision of fields and the double fencing of fields with poorly maintained boundaries has become more common – this includes temporary electric fencing for strip grazing. Left uncontrolled, this can result in a path having multiple electric fences across it within a short distance. Although the shock from an electric fence is unpleasant, it is not usually dangerous to people. However, shocks can be dangerous for the elderly or infirm, particularly those with pacemakers, and for people on horseback.

Our concern is to ensure the safety of all path users by adopting a set of clear standards for electric fences crossing or adjacent to public paths. We also endorse the advice and requirements of the Health and Safety Executive in respect of the need for the clear labelling of electric fences with warning notices.

If the electric fence is required for controlling animals then we cannot prevent it being put in place, although we can control the type of crossing which we will authorise. It is our intention that by setting down our requirements and publicising them within the landowner community we can seek to minimise the impact of such fences on users of the path network.

Countryside Access Operational Principle 12 : Roads and Railways

Where paths cross trunk roads at-grade, we will work pro-actively with the Highways Agency to divert those paths onto overbridges or through underpasses (where possible).

Where new trunk roads are proposed all footpath and bridleway crossings shall be grade-separated (i.e. an underpass or overbridge will be required). Wherever possible we shall attempt to get improved diversions through Side Roads Orders (instead of minimal orders which have an adverse affect on the network).

Where paths cross existing fast and busy roads at-grade we will explore opportunities for improving safety for non-motorised users (NMUs). Solutions for routes which form part of a Recognised Promoted Route will take priority.

Where there is a gap in the non-motorised user network, caused by a road which is too busy and/or unsafe to be walked, ridden or cycled along, we will consider appropriate solutions including the following;

- where a suitable verge exists, working with others within WCC to try to make the verge available for NMUs and free from unnecessary clutter.
- where no verge exists, exploring the possibility of 'behind-the-hedge' schemes or diversions to achieve better connectivity.

Solutions for routes which form part of a Recognised Promoted Route will take priority.

The only substitute we will normally accept for an at-grade railway crossing (as part of a rail crossing diversion order) is an overbridge or underpass. Where it is proposed to construct new railway lines or re-open closed railway lines, at-grade crossings will not normally be acceptable.

Operational Background

Historically, when new roads have been built, and existing ones improved, little thought has been given to the needs of NMUs. Consequently there are paths which are effectively severed by roads, such as the A46, and others where the increase in traffic volume and speed has resulted in an unsafe environment for NMUs.

In some cases, a path crossing a motorway has been diverted and users must walk beside the motorway fencing for several hundred metres to a crossing point, then several hundred metres back on the other side of the motorway to rejoin the original path. It is our intention to become more involved in the highway planning process so that future diversions can be made in such a way as to minimise any adverse impact on the network.

There are numerous places in the County where the speed and volume of traffic, and nature of the roads, make it unsafe and unpleasant to walk, ride or cycle along the road but where the road forms a vital link in the path network. Where there is space to create a safe strip for NMUs, we will work with highways teams to create the key links, and where there is no verge, we will approach neighbouring landowners with a view to creating 'behind the hedge' routes adjacent to the roads, or promote diversions to achieve better connectivity.

There are also many places where paths cross fast and busy roads and railways, or where sight lines mean it may be unsafe for NMUs to cross. Wherever possible we will work with those responsible for the roads and railways to enable them to create safer crossing points.

Countryside Access Operational Principle 13 : Volunteers

Volunteer groups and partners working on our behalf will be bound by the operational principles contained in the CAROWIP. We will ensure that the necessary skills are in place and that volunteer groups are trained in safe working practices. Volunteers working on the path network must follow and comply with WCC Countryside Recreation Risk Assessments and carry public liability insurance complying with our requirements (£5 million for 2005/06).

We will support and enable volunteer groups and partners to further the CAROWIP targets and the delivery of our countryside and rights of way functions

Volunteers may only carry out works agreed in advance with WCC Countryside Recreation unless they are signed up to the Parish Paths Partnership (P3) scheme or similar partnership.

Parishes and volunteer groups may only remain in the P3 scheme and similar partnerships if an active contribution (above simply reporting problems to us) is being made. Support for other volunteer groups will depend on the output/outcomes being sufficient to justify support from our officers.

Operational Background

We work with many town and parish councils, user groups, community groups and sources of unpaid labour such as the Probation Service. There are many benefits to participating individuals and groups, and it can be an effective means of opening, maintaining, improving and promoting public paths and access to the countryside. Farmers and land managers also benefit from tasks which would ordinarily be their responsibility being undertaken at no cost to them in time or labour.

We will set clear expectations at the outset about the support we give in training, tools, equipment, insurance cover, and the minimum levels of participation in order to remain in a 'supported partnership'. We recognise that not all groups have the skills or inclination to cover all aspects of works and that for some groups participation may be linked to the delivery of a single project or goal.

Land managers will be kept informed of works being completed by volunteers on behalf of the highway authority and agreement will be sought on works being completed on behalf of landowners. On completion of any works, the responsibilities of the highway authority and the landowner/occupier remain unchanged. As a matter of good practice landowners are informed of works completed, with a reminder to check anything that is their responsibility.

Countryside Access Operational Principle 14 : Promoted Routes and Trails

We will maintain and publish a list of “Recognised Promoted Routes” (“the List”) and review the List in conjunction with the Local Access Forum.

We will support the route-specific signing and waymarking of the routes identified in the List. Route-specific waymarks which do not use the conventional colours for directional arrows (yellow = footpath, blue = bridleway, red = byway, black = UCR, white = permissive) are not acceptable.

We will routinely inspect those routes in the List which have been published by WCC Countryside Access Team, and encourage regular inspections of other routes on the List by their responsible bodies (e.g. A Coventry Way Association). Routes not subject to routine inspection may be removed from the List.

We will support the development of a new long-distance bridle route through the county.

We will provide a free checking service for any promoted and published routes if the author or publisher contacts us. This will cover the legal status of the proposed promoted route(s) and any known legal issues.

Operational Background

There are hundreds of published routes in the County. Many of these have no permanent presence on the ground and no group or association to take ongoing responsibility for them. They are often devised and published as short life projects without any intent to update them. Whilst we do offer a free paper-based checking service for all proposed promoted routes, to ensure that the information is as accurate as possible, we cannot routinely allocate resources to their ongoing promotion or waymarking.

There are some routes within Warwickshire which have dedicated associations or groups of volunteers who inspect and look after them, and it is in the main these routes which we will recognise and support, as well as those routes for which we have published leaflets and guides ourselves e.g. the Centenary Way.

It is our intention that by creating a list of recognised routes, we establish a quality standard for promoted trails in the County. We also wish to:

- ensure a good standard of waymarking
- ensure that directional markers follow the national colour convention
- encourage others to monitor the routes they have promoted.

We will also consider waymarking promoted routes where they follow the verges or footways of metalled carriageways. This is particularly important for cycle trails which follow country lanes.

The bridleway network in Warwickshire is very fragmented and unlike other counties there are few organised pressure groups. Most other midlands counties have some long distance or circular bridle routes, e.g. the Sabrina Way and the Midshires Way, and Warwickshire is a notable exception. The introduction of such a route is likely to attract some level of horse-tourism and raise the profile of Warwickshire as an equestrian destination, as well as benefiting local riders, particularly if circular routes can be linked to a strategic long distance route. We will therefore work with and support the BHS or other organisations working towards this aim.

Countryside Access Operational Principle 15 : Permissive Paths

We will only enter into permissive path agreements where

- there is a significant gap in provision OR
- there is a significant safety issue

AND

- where other efforts to secure public access have been unsuccessful

AND

- where the public benefit outweighs the additional burden on WCC

We will normally only enter into permissive path agreements with other public bodies or national organisations, unless an agreement will significantly forward CAROWIP targets.

Operational Background

This section relates solely to permissive path agreements to which we are a party.

Permissive paths may be used to provide links where the rights of way and highway networks do not exist, and where the creation of new rights of way is not practicable and/or possible. Examples where permissive paths may satisfy a need include:

- Linking existing rights of way to create circular routes
- Linking existing rights of way with canal walks
- Enabling trails to be created in areas of natural beauty
- Providing safer and more agreeable alternatives to roadside walking, by opening routes in fields adjacent to roads.

Although we may enter into permissive path agreements, it is often done at a local level by either the district or parish council. Permissive paths also exist under other schemes such as agri-environment schemes, and some landowners unilaterally provide permissive paths.

Such paths are created by agreement with landowners, normally with the express intention that they should not become public rights of way. Landowners are able to prevent permissive paths from becoming public by making clear their intention not to dedicate a path. This can be done by putting up signs on the route, or by entering into a signed and dated agreement which explicitly states that the path remains permissive. The most effective way is to make a declaration under Section 31 Highways Act 1980.

Maintenance liability and public liability for permissive paths rests by default with the occupier (landowner or tenant). In exceptional circumstances we may take on part of the maintenance burden. However the public liability will remain with the occupier according to the law.

Appendix III : State of the Network

To be written to include

- BVPI results
- progress in replacing gates with stiles
- estimate of practical works undertaken in recent years
- list of known issues remaining e.g. building obstructions, missing bridges

Appendix IV.. : Definitive Map and Statement – the legal record

The concept of a Definitive Map and Statement (DM&S) was introduced by the National Parks and Access to the Countryside Act 1949 (NPACA), with the aim of creating a comprehensive and conclusive record of public rights of way. Prior to this there was no single record.

Each parish carried out a survey in the early 1950s, and this was the basis of the draft record which went through several consultation stages before being published as final and legally conclusive in the 1960s. Each Urban/Rural District Council (UDC/RDC) area had its own DM&S, although the legislation allowed the built up areas to be excluded from the process. The requirement to include paths in these excluded areas on the DM&S was introduced in 1981.

The eleven UDC & RDC DM&S were amalgamated into one map covering the administrative county of Warwickshire in 1991, and this was updated and republished in 1998.

The process for amending entries in the DM&S has gone through two different incarnations. The original legislation intended that a periodic review covering the whole of the county be carried out, and this resulted resulting in a draft review map being published in Warwickshire in 1977.

However, this was overtaken by the Wildlife And Countryside Act 1981 which introduced the idea of a continuous review, whereby changes were investigated and made one at a time. This has proved more successful, although many proposed changes are still contentious.

[Note: some changes proposed by WCC in 1977 received no objections and were incorporated into the 1991 DM&S]

Warwickshire's DM&S currently records the following;

	no. of paths	length (miles)	length (km)	% of network by length
Footpath	2,911	1,442	2320	82.5
Bridleway	393	303	488	17.3
Byway	8	3	5	0.2

The map is legally conclusive and can only be changed by legal process:

1. where a path has already been legally changed (created, diverted or extinguished) and the map has to be amended to reflect that change
2. where evidence shows that the map is wrong or incomplete and that a route should be added, deleted, upgraded, downgraded or details in the statement should be amended. The evidence can either be either or both of:
 - a) historic evidence from old documents
 - b) testimony of members of the public who have used a route (generally over 20 years combined use is needed)

In the first case, the path will have already gone through a legal process and so the DM&S can be changed without further consultation.

In the second case, there is a lengthy public process to be followed, sometimes culminating in a public Inquiry. The Definitive Map will, as things currently stand, be closed in 2026 to changes under 2a, but changes under 2b may continue.

Appendix V : Legislation and Statutory Guidance

The following legislation and statutory guidance has relevance to this document. Full copies of each are available for inspection at the Countryside Access Office during normal office hours or are available over the internet via www.opsi.gov.uk or the relevant government department site.

- Countryside and Rights of Way Act 2000
 - Rights of Way Improvement Plans: Statutory Guidance to Local Authorities in England, November 2002 (www.defra.gov.uk)
- Transport Act 2000
 - Full guidance on Local Transport Plans: Second edition (www.dft.gov.uk)
- Disability Discrimination Act 1995
- BS5709:2001 Gaps, gates and stiles
- Wildlife and Countryside Act 1981
- Highways Act 1980
- Town and Country Planning Act 1990

Appendix VI. Initial consultation Process

Timetable and Process

A timetable and process was agreed with the Local Access Forum.

REVISED TIMETABLE

version 1.1

PREPARATION	
2 Feb 2004	Prepare draft timetable
26 Feb 2004	Take Draft timetable to Local Access Forum (LAF)
27 Feb 2004	circulate draft timetable
MAIN INFORMATION GATHERING	
1 Mar 2004	In-house consultation and research
	External consultation
	Third-party research and documentation
	e.g. demonstration projects, Countryside Agency surveys
	Begin to form list for circulation of Draft RoWIP
30 Sept 2004	
EVALUATION	
1 Oct 2004	consider
	<div style="display: flex; justify-content: space-between;"> <div> <ul style="list-style-type: none"> - existing provision - new provision - existing and future needs </div> <div> <i>also involve</i> <ol style="list-style-type: none"> 1. affected stakeholders <ul style="list-style-type: none"> <input type="checkbox"/> internal <input type="checkbox"/> external 2. Local Transport Plan team 3. Countryside Access Team </div> </div>
30 Nov 2004	LAF to receive a progress report
ACTION PLAN	
1 Nov 2004	decide what to do
	<input type="checkbox"/> aspirations (both within and outside existing resources)
	<input type="checkbox"/> achievable
	<input type="checkbox"/> easy, hard
	<input type="checkbox"/> short term, long term
31 Dec 2004	
PREPARE INTERIM DRAFT PLAN	
Jan 05	
↓	
Feb 05	<input type="checkbox"/> Consult with internal and external stakeholders
INTERIM DRAFT PLAN – INFORMAL CONSULTATION	
Feb 05	<input type="checkbox"/> Share the plan with LAF, CALG, user groups, stakeholders &c
↓	
July 05	<input type="checkbox"/> Progress report submission for LTP in July
DRAFT PLAN PREPARATION	
August 05	<input type="checkbox"/> Amend and revise plan for publication
PUBLICATION	
Autumn 2005 (to tie in with LTP timetable)	Draft RoWIP advertised and sent to <ul style="list-style-type: none"> <input type="checkbox"/> LAF, WCC area committees, draft RoWIP circulation list (compiled with consultation), others as appropriate <i>12 weeks for comments</i>
Winter 2005	Final amendments to Draft Plan
by March 2006	Publish Final RoWIP

KEY STAGES & INVOLVEMENT

WCC MEMBERS

Draft timetable	Ken Browne (cabinet)	mid Feb 04
Main consultation	article in Inform	June/July 04
Draft plan	area committees – with reports highlighting the effect of the RoWIP to in each area	Autumn 05
Amended plan	cabinet approval at the same time as LTP	Autumn/Winter 05
Press launch	Ken Browne & possibly others	April 06

OTHER COUNCILS (PARISH/BOROUGH/TOWN/DISTRICT, ADJACENT HAS)

Timetable		March/April 04
Main consultation		March/April 04
Draft plan		Autumn 05
Final plan		April 06

WCC (in addition to Local Transport Plan team)

Main Consultation	identify relevant contacts & work areas, and ask about potential benefits to work areas	ongoing
Evaluation	communication with internal stakeholder	ongoing
Interim Draft Plan	informal consultation	Spring 05
Draft plan	draft plan (where requested)	Autumn 05
Final plan	final plan – distribute and publicise	April 06

LOCAL ACCESS FORUM

Preparation	agency presentation	
	WCC presentation	26 Feb 04
Main Consultation	working groups – process of consultation	by end Mar 04
Evaluation	progress report	autumn 04
Interim Draft Plan	informal consultation	Spring 05
Draft plan	formal circulation of draft	Autumn 05
Final plan	press launch	April 06

WCC COUNTRYSIDE ACCESS TEAM

Preparation	pilot workshop half day	1 Mar 04
Main Consultation	working group : help info gathering / evaluation	ongoing
Evaluation	circulate early draft	nov / dec 04
Interim Draft Plan	informal consultation	Spring 05
Draft plan	final draft	Autumn 05
Final plan		April 06

Distribution of questionnaires

Questionnaires, together with cardboard stands to hold them, were in the main distributed by post with a request to display them somewhere obvious. Where possible they were delivered by hand. All questionnaires for users and land managers were available via the Warwickshire Web.

Walkers and general countryside users

Questionnaires distributed at

- ◇ Sponsor's shop
- ◇ Other outdoor shops (without sponsors branding)
- ◇ Tourist Information Centre
- ◇ Libraries
- ◇ Country Parks

Publicity Material (posters and bookmarks) displayed at

- ◇ Doctor & dentist surgeries
- ◇ Veterinary practices
- ◇ Ramblers Association (all West Midlands members sent promotional bookmarks in branded envelopes)
- ◇ Mailshots to user groups

Cyclist questionnaires

Questionnaires distributed at

- ◇ Sponsor's shop
- ◇ Other cycling shops
- ◇ Libraries
- ◇ Country Parks
- ◇ Mailshot to user groups

Equestrian User questionnaires

Questionnaires distributed at

- ◇ Sponsor's shop
- ◇ Saddlery and farm supplies shops
- ◇ Libraries
- ◇ By direct mailshot to as many stables and livery yards as could be identified from the telephone book
- ◇ via the BHS (and advertised on their website)

Motorised User questionnaires

Questionnaires distributed at

- ◇ Sponsor's shop
- ◇ Tourist Information Centre
- ◇ Libraries
- ◇ by direct mailshot to user groups

Land manager questionnaires

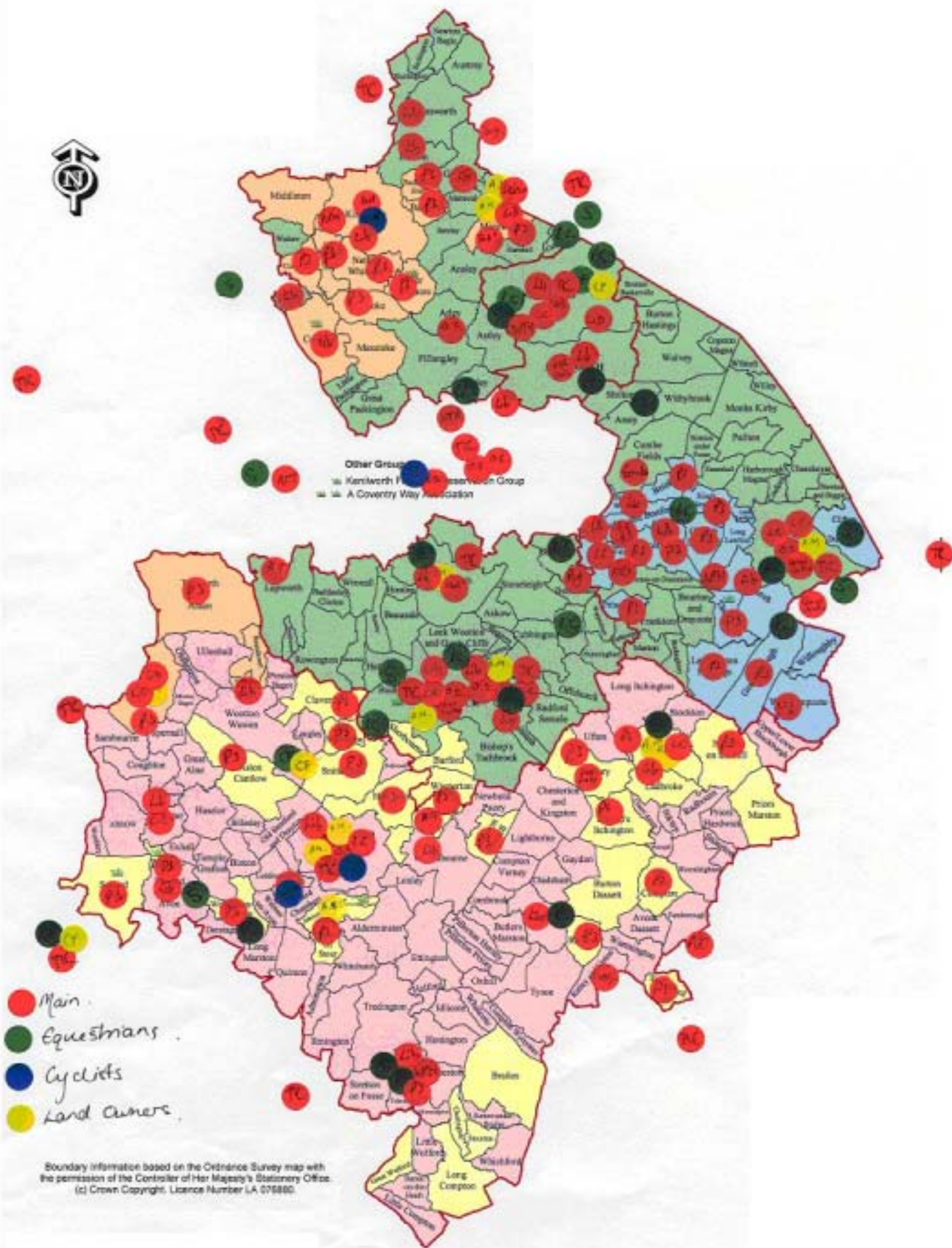
Questionnaires distributed at

- ◇ Sponsor's shop
- ◇ Other farm supplies shops where possible
- ◇ Libraries
- ◇ Direct mailshot to land managers on our database

Parish Council questionnaires

- ◇ Direct mailshot to parish and town councils
- ◇ Direct mailshot to P3 contacts (not always Parish Councils)

The questionnaire distribution coverage is shown here;



Boundary information based on the Ordnance Survey map with the permission of the Controller of Her Majesty's Stationary Office.
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Organisations

Some organisational questionnaires were also distributed to major landowners such as the National Trust, organisations such as the Heart of England Way and the Kenilworth Footpath Preservation Group, plus user groups, town centre managers, and a variety of other groups.

Responses

The response rates were very encouraging with over 2500 responses to our questionnaires, and eighteen organisations.

Reports were prepared for each of our questionnaires and these are available through the Warwickshire Web, or from the Countryside Access Team on request.

Local Access Forum

The Local Access Forum agreed the initial timetable and process, and have been involved at each stage so far.

Two workshops were held, the first to assist in developing the initial consultation process, and the second to consider the topics needed to be covered by the operational principles.











The following sections to be included

- analysis of current and future needs of users
- consultation reports

Appendix VII. : Signs & Waymarking – informal house style

The following are normally used within Warwickshire.

House Style waymarkers

	Signposted	Waymarked
Public Footpath <i>(yellow on a green background)</i>	 	
Public Bridleway <i>(blue on a yellow background)</i>	 	
Byway Open to All Traffic <i>(red on a yellow background)</i>	 	
Unclassified County Road <i>(black on a white background)</i>	 	

Other advisory signs which we carry in stock include;