

# Statement of Action 2013 - 2017



## Rights of Way Improvement Plan for Derbyshire

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# **Rights of Way Improvement Plan (RoWIP) for Derbyshire**

## **Statement of Action 2013-2017**

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## Executive Summary

### Vision Statement

The long term vision for improving access to the countryside and built environment in Derbyshire continues to be:

To have an integrated, well managed and inclusive rights of way and access network which:

- Encourages responsible enjoyment by residents and visitors alike.
- Is a sustainable and safe network in keeping with the County's heritage, landscape and wildlife interests.
- Promotes healthier lifestyles.
- Helps support tourism and the local economy.

### Background

We produced our first Rights of Way Improvement Plan in 2007, based on what people told us were the most important issues and what our priorities should be for looking after the network of paths and trails across Derbyshire, including the Peak District National Park. These were developed into a series of key themes and aims which underpin the Plan.

### Content of the Rights of Way Improvement Plan

The three key themes are:-

- **Theme A** - Seek to preserve Derbyshire's heritage, landscape and wildlife.
- **Theme B** - Promote the sustainable use of the present and future network, encouraging healthier and more sustainable travel choices.
- **Theme C** - Encourage and create routes that support the local economy and boost tourism.

The five aims are:-

- **Aim 1** - Ensure that the public rights of way network is open and available for use.
- **Aim 2** - Provide an up-to-date and widely available Definitive Map and Statement.
- **Aim 3** - Provide a more connected, safe and accessible network suitable for all users.
- **Aim 4** - Improve the promotion, understanding and use of the network.
- **Aim 5** - Encourage greater community involvement in managing local rights of way.

The main focus of the Plan is a statement of the action we proposed to take for managing local rights of way and securing an improved network of routes for the five year period through to 2012.

### **A new Statement of Action for 2013 to 2017**

Building on the successes of the last five years, we want to make sure our network of paths and trails remains fit for purpose and continue to deliver the improvements which people have asked for, while at the same time being mindful of the current economic climate and significantly reducing budgets.

This new statement of action has been produced following a three month public consultation which has helped to set the priorities for the next five years. We have updated the proposed actions to take us through to 2017, when we will be required to publish a new Rights of Way Improvement Plan for the county.

A summary of the aims and identified needs in Derbyshire County Council's Statement of Action for 2013 to 2017 can be found in Figure 1.

**Figure 1 Summary of Aims and Identified Needs in Derbyshire County Council's Statement of Action for 2013 to 2017**

**Aim 1: Ensure that the Public Rights of Way (PRoW) network is open and available for use**

- 1a) The efficient management and maintenance of the existing network of PRoW
- 1b) Ensure that the PRoW network is well signposted
- 1c) Improve the quality and accessibility of path furniture on PRoW
- 1d) Improve the surface condition and drainage of routes

**Aim 2: Provide an up to date and widely available Definitive Map and Statement**

- 2a) Speed up the process for clarifying the legal status of routes
- 2b) Improve the availability of information relating to the Definitive Map and Statement
- 2c) Produce and maintain an up-to-date digital Definitive Map and Statement

**Aim 3: Provide a more connected, safe and accessible network suitable for all users**

- 3a) Improve the provision of routes for bridleway users
- 3b) Improve the provision of circular or connected routes
- 3c) Continue with the development of the Greenway programme for the county
- 3d) Provide more easy access routes
- 3e) Provide a safer network for all users
- 3f) Improve the management of recreational motorised vehicles in the countryside
- 3g) Improve the investment in the access network

**Aim 4: Improve the promotion, understanding and use of the network**

- 4a) Ensure that path/route signage is as informative as possible
- 4b) Promote the benefits of the access network for healthy lifestyles, sustainable living, tourism and the local economy
- 4c) Improve the availability and quality of information about the access network for all users
- 4d) Encourage responsible use and develop people's confidence in the use of the access network

**Aim 5: Encourage greater community involvement in managing local rights of way**

- 5a) Increase involvement of user groups and other volunteer groups/ individuals in managing and improving local rights of way
- 5b) Increase involvement of local councils in managing local rights of way
- 5c) Increase involvement of land managers in managing and improving local rights of way

# **Rights of Way Improvement Plan (RoWIP) for Derbyshire**

## **Statement of Action 2013-2017**

### **Section 1 - Introduction**

#### **1.1 Background**

Derbyshire has a diverse network of footpaths, bridleways and byways which provide 5,155 kilometres (3,203 miles) of routes across the County, including the Peak District National Park. Combined with the many other paths, trails, Greenways and areas of open access land, this unique resource is the County's best tourism and recreation asset offering people the opportunity to explore their local area and enjoy the countryside. The network acts as a focus for day visitors and tourists alike, whilst also providing local paths that link communities and give access to schools, shops, work places and other facilities for many people. If you add to that the other benefits for healthy lifestyles, the local economy and sustainable travel, we truly have a resource to be proud of.

National and local research has underlined the importance of walking and cycling in peoples' everyday lives. Responses from the public consistently refer to the quality of life contribution that walking and riding offer, both within the local community and in accessing the environment around them. They are also sustainable in the short and long term, providing opportunities for people both now and in the future. The Chief Medical Officer has repeatedly reported on the link between physical activity and health, describing walking as probably the best way to increase physical activity levels and the health of the nation. It is also socially inclusive and supported by many voluntary groups as well as contributing to mental well-being.

The National Institute for Health and Clinical Excellence (NICE) has also published guidance on local measures to promote walking and cycling. It recommends that increasing walking and cycling rates should be part of all council activities such as developing and implementing local plans and joint health and wellbeing strategies. The RoWIP has an important role to play in providing the physical resources and messages to encourage active healthy lifestyles for all ages.

#### **1.2 Rights of Way Improvement Plan and Statements of Action**

We produced our first Rights of Way Improvement Plan (RoWIP) for Derbyshire in 2007. The long term vision for improving access to the countryside and built environment in Derbyshire continues to be:

To have an integrated, well managed and inclusive rights of way and access network which:

- Encourages responsible enjoyment by residents and visitors alike.
- Is a sustainable and safe network in keeping with the County's heritage, landscape and wildlife interests.
- Promotes healthier lifestyles.
- Helps support tourism and the local economy.

The RoWIP builds on the day to day work in carrying out our statutory duties, as well as providing a unique opportunity for us to move forward and plan strategically for how we would improve the management, provision and promotion of a wider rights of way and access network based on what the public asked for.

The RoWIP refers to 'local rights of way' which include the following paths and access opportunities:

- Public Rights of Way - Footpaths, Bridleways, Restricted Byways and Byways Open to All Traffic
- Non Classified Highways (NCH) or Green Lanes
- Off-road Cycle Tracks
- Greenways - multi user routes catering for easy access, walkers, cyclists and horse riders
- Permissive/ concessionary paths, including those provided through woodlands, parks, estates or along canal towpaths
- Open Access Land.

### **Themes and Aims**

Our own research for the RoWIP resulted in the identification of a series of key themes and aims which form the main focus of the RoWIP and underpin the new Statement of Action.

The three key themes are:

#### **Theme A – Seek to preserve Derbyshire’s heritage, landscape and wildlife:**

The principles relating to this theme illustrate the commitment that we have towards landscape issues and wider conservation matters including both heritage and biodiversity. In the RoWIP, we have made the following commitments:

- We will ensure that all maintenance methods and use of surfacing materials are in keeping with the surrounding landscape character and sympathetic to the ecology of the area.
- We will consider, from the outset, the visual, ecological and heritage impact of all access projects.
- We will adopt an integrated approach to the development of access projects, where possible, in order to investigate whether wider environmental projects can be delivered to benefit the landscape, wildlife and historic environments.

**Theme B – Promote the sustainable use of the present and future network, encouraging healthier and more sustainable travel choices:** The principles relating to this theme will seek to establish how rights of way can contribute towards a healthier environment for people, encouraging them to cut down on car use, increase opportunities to take part in physical activity and establish closer links between rights of way and public/community transport, all of which work towards improving peoples’ quality of life. The health and wellbeing agenda has gained in importance over the past five years and will be a significant factor over the life of this document, so the RoWIP needs to continue to target actions that provide



health benefits. In the RoWIP, we have made the following commitments under this aim:

- We will carry out maintenance and surface improvements on the local rights of way network targeting paths in greatest need of repair or with the potential to benefit the greatest number of users.
- We will target rights of way improvements on those routes that best address accessibility requirements and/or benefit the greatest number of users, such as routes in and around urban areas, routes that provide direct access between settlements or routes from settlements out into the countryside.
- We will look for opportunities to promote the use of the local rights of way, both circular and linear routes in conjunction with public transport.

The Environmental Assessments undertaken to develop the third Local Transport Plan (LTP3), which includes the RoWIP as a supporting plan, also address the issues covered by Themes A and B and provide comprehensive details of the measures that we will adopt (see Appendix C).

**Theme C – Encourage and create routes that support the local economy and boost tourism:** The principles behind this theme emphasise how the access network can benefit the local economy, supporting local business, tourism and leisure outlets. In the RoWIP, we have made the following commitments:

- We will encourage the management of the network within the context of providing attractive routes that benefit the local economy and boost tourism.
- We will seek opportunities to raise the profile of Derbyshire as a walking, horse riding and cycling destination.
- We will continue to develop a multi-user Greenway network for everyday and recreational journeys which contributes to the development of the County's Strategic Cycle Network.

The Statement of Action is organised around the following five aims:

- **Aim 1** - Ensure that the public rights of way network is open and available for use.
- **Aim 2** - Provide an up-to-date and widely available Definitive Map and Statement.
- **Aim 3** - Provide a more connected, safe and accessible network suitable for all users.
- **Aim 4** - Improve the promotion, understanding and use of the network.
- **Aim 5** - Encourage greater community involvement in managing local rights of way.

The Aims are listed in the order of priority determined during the production of the first Statement of Action for the RoWIP in 2007-2012. Our statutory duties are covered in Aims 1 and 2 and the main actions that relate to the LTP and other strategies are covered in Aims 3 and 5. Aim 4 relates to the provision of

information which is vital if the benefits of the actions within the other aims are to be realised.

### **Statement of Action**

Before we produced the RoWIP, we carried out extensive consultations and, from that, developed our first Statement of Action for managing local rights of way and securing an improved network of routes to meet the current and likely future needs of the public. That Statement of Action covered the period from 2007 to 2012 and we now present a second Statement of Action to take us through to 2017. It still forms part of the RoWIP and is based on the same underlying principles which remain valid. This document therefore needs to be read in conjunction with the original RoWIP for Derbyshire 2007-12.

We have produced this new Statement of Action during what is a very challenging time for local authorities as we are faced with significantly reduced budgets over the next five years. Within this context, we need to be able to strike the right balance between being realistic about what can be achieved against the need to continue to be aspirational and respond to what the consultations have revealed about the wishes of both local residents and visitors to Derbyshire in terms of an improved network.

The proposals set out in the first Statement of Action were focused on improving what we provide in terms of infrastructure and how we provide it. The challenge is to build on this and encourage a wider section of society to make healthy exercise and sustainable travel choices part of their everyday lives. This Statement of Action includes proposals to maintain and develop the network, as well as maximising its use through more effective promotion and marketing. We cannot do this alone so we will also be working with partners to encourage more people to use the network on a regular basis.

We achieved a considerable amount during the first five years of the RoWIP and these achievements are described as we establish the context for the next actions moving forward. Within this document, the Statement of Action takes each of the aims in turn and provides:

- Background information to the issues behind each aim.
- Progress and developments since 2007.
- The main changes that have taken place between the two Statements of Action.
- A list of identified needs and actions required to deliver each of the aims and to secure improvements.
- An indication of the resources required.
- The level of partnership working involved in delivering the actions.
- Strategic links to the RoWIP themes, LTP and other relevant strategies.

The RoWIP and its associated Statements of Action are developed in consultation with the Peak District and Derby and Derbyshire Local Access Forums, each with a statutory role to advise their appointing authorities and other bodies, on the

improvement of public access for the purposes of open air recreation and enjoyment of the area.

The second Statement of Action has also been informed by the responses received during a 12 week public consultation which took place between 6 August and 29 October 2012. This included an Equality Analysis consultation targeted at forums and groups representing the protected characteristic groups as defined by the Equality Act 2010.

## **Section 2 - Policy Context**

### **2.1 Introduction**

The nature of the RoWIP means that it sits alongside and complements many other strategies, plans and documents. Since the RoWIP was produced in 2007, many of the relevant policy frameworks relating to transport, planning, climate change, local economic development, public health and the localism agenda have moved on, developed or been superseded. This section describes some of the key changes that have taken place over the past five years:

### **2.2 Countywide – Derbyshire Leading the Way**

The Sustainable Community Strategy for Derbyshire provides an overarching guiding framework for partnership working in the County which we contribute to alongside other key public, private and voluntary organisations. The data collected in the process of producing this strategy has informed the production of our Council Plan for 2010-2014 “Derbyshire - Leading the Way”. The RoWIP is set within the context of these countywide strategies and the five key priorities for:

- Leading the way.
- Making good use of public money.
- Raising aspirations.
- High quality personalised services that meet individual needs.
- Places where people want to be.

### **2.3 Transport Planning – Local Transport Plan 3 (LTP3) 2011-2026**

Our existing long-term transport strategy (2006-2021) has been rolled forward with the production of LTP3 covering the whole of Derbyshire, excluding Derby City. This Plan, which was subject to stakeholder and public consultation, sets out the priorities and details for a more specific programme of delivery for 2011-2016, including the maintenance and improvement of the network of public rights of ways and Greenways.

The five main Transport Goals within the Transport Strategy are:

- Supporting a resilient local economy.
- Tackling climate change.

- Contributing to better safety, security and health.
- Promoting equality of opportunity.
- Improving quality of life and promoting a healthy natural environment.

In order to address the challenges of delivering these transport goals, the LTP has identified five key transport priorities:

- Well maintained roads and rights of way.
- Efficient transport network management.
- Improving local accessibility and achieving healthier travel habits.
- Better safety and security.
- A considered approach to new infrastructure.

The RoWIP is identified as a distinctive strand within the LTP programme and delivers solutions to many of the challenges identified. There is considerable integration between the two documents and internal management procedures ensure continued effective co-ordination.

### **Investment Protocol**

A new development within the LTP has been the adoption of an Investment Protocol, a supplementary document to the LTP3 to help prioritise and guide the delivery of the current funding for the LTP programme 2011-2016. This protocol takes the five key transport priorities, together with one covering environmental mitigation and enhancement, and provides guidance for decision making about transport investment. It indicates which areas of investment will be supported, which measures will only be used sparingly and which measures will not be supported, unless in exceptional circumstances. The Investment Protocol will be reviewed regularly to be more specific about when certain actions might be undertaken and to provide detailed guidance on the selection of particular schemes and projects to give best value for money. Appendix D provides an extract from the LTP3 Investment Protocol with a list of the items relevant to the RoWIP.

### **Environmental Assessments**

Integral to the production of LTP3 was the completion of a 'Strategic Environmental Assessment' (SEA) and a 'Habitat Regulations Assessment (HRA). These assessments incorporated rights of way and access issues and the SEA objectives, specific findings and actions from the procedure have been incorporated into the new RoWIP Statement of Action. The SEA also incorporated human health as a topic, ensuring that all environmental and health issues were taken into account. Of particular note was the need to consider the protection and restoration of habitats and species alongside public rights of way, in accordance with the findings of statutory Environmental Assessments. This is described within the Investment Protocol as IP7c. The relevant extracts from these assessments are summarised into an Environmental Statement for the RoWIP in Appendix C.

Most of the capital funding stream for RoWIP delivery, up to 2016, will come from the LTP and schemes will be assessed against this Investment Protocol and also considered in light of the Environmental Assessment objectives and findings.

More information on the Derbyshire LTP can be found here:  
<http://www.derbyshire.gov.uk/localtransportplan>

## **2.4 Health Agenda – Health and Wellbeing**

New Government proposals within the Health and Social Care Act mean that we are taking over public health responsibilities for health improvement and tackling health inequalities from April 2013. A newly established Health and Wellbeing Board has produced the Derbyshire Health and Wellbeing Strategy for 2012-2015, following extensive consultation. The overarching aims of the strategy are to reduce health inequalities, strengthen investment in prevention and deliver high quality care. It has been developed around five high level priorities:

- Improve health and wellbeing in early years.
- Promote healthy lifestyles.
- Improve emotional and mental health.
- Promote the independence of people living with long term conditions and their carers.
- Improve health and wellbeing of older people.

The RoWIP has a role to play in providing the physical resources and messages to encourage active healthy lifestyles for all ages (both informal and formal), through walking for health type schemes, outdoor play opportunities and mental health benefits. There is scope to tap into the £35 million of funding which is being made available to help deliver the health agenda.

The Active Derbyshire Plan, produced by Derbyshire Sport has several targets relating to health and activity that complement or mirror the actions identified in the RoWIP.

## **2.5 Landscape Character**

### **The Landscape Character of Derbyshire**

The RoWIP operates across a broad range of Landscape Character Types as defined by the Landscape Character of Derbyshire 2003 publication (due for revision in 2013). Landscape is the result of the way that different components of our environment, physical, natural and historic, interact together and are perceived by people. Over the past five years, this area of work has gained in importance as we increase our awareness of its significance in Derbyshire. Landscape character is the mechanism for assessing and describing landscape diversity based on these particular components so that we can ensure that any of our access work is better able to respond to site context and local distinctiveness.

### **Areas of Multiple Environmental Sensitivity (AMES)**

AMES are broad areas of landscape that have been identified as being sensitive with respect to a range of environmental datasets. This is a new area of work whereby areas are defined using the Derbyshire landscape character assessment as a spatial framework for reviewing data relating to biodiversity, the historic environment and visual unity (the 'intactness' of the landscape). Those areas

assessed as being the most sensitive, with respect to these environmental datasets, will be the most susceptible to significant change. Those areas that are defined as the least sensitive are the areas that have the potential for more change and, in particular, change that can help to deliver a range of environmental benefits which will provide strategic Green Infrastructure and bring about enhancements for landscape character and local distinctiveness. New access schemes will be developed within the context of this work.

## **2.6 Planning Framework**

### **National Planning Policy Framework (NPPF)**

The NPPF, published in 2012, provides national guidance on the planning system, in a single document which replaces many previous guidance documents. It states that the planning system has an economic role, a social role and an environmental role to perform and that economic, social and environmental gains should be sought jointly and simultaneously through the planning system to achieve sustainable development.

The NPPF recognises the role that planning can play in creating healthy, inclusive communities. This includes the importance of promoting safe and accessible developments, containing clear and legible pedestrian routes and high quality public space, which encourage the active and continual use of public areas. The NPPF states that planning policies should protect and enhance public rights of way and access, and that local authorities should seek opportunities to provide better facilities for users, for example, by adding links to existing rights of way networks including National Trails.

### **Local Plans**

The District and Borough Councils and the Peak District National Park Authority are the Local Planning Authorities responsible for producing Local Plans in Derbyshire. The Peak District National Park Authority's Local Plan (Core Strategy) was adopted in October 2011. The other Local Plans are still in production.

Local Plans set out a vision for how an area will develop and change over time, as well as being a guide for future development. It is important that these Plans identify opportunities to provide benefits and improvements to the local rights of way and Greenway networks in line with the principles of the NPPF.

The progression of Minerals and Waste Plans for Derby and Derbyshire and also the Peak District National Park provide opportunities for adoption of planning policies relating to public access provision through site reclamation and restoration.

### **Infrastructure Plans**

The Derbyshire Infrastructure Plan, adopted by the County Council in 2012, focuses on strategic infrastructure including highways and transport, surface water flood management, waste, broadband, green infrastructure, libraries, children and younger adults' services, education, adult care and public health and wellbeing. The Plan complements and provides a strategic overview for local Infrastructure Delivery Plans that are being prepared by local planning authorities.

The Derbyshire Infrastructure Plan provides evidence on the condition of and investment currently taking place in existing strategic infrastructure. It sets out strategic priority projects, delivery schedules for future investment and potential sources of funding. It has a key role in informing Local Plans, Local Infrastructure Delivery Plans and Community Infrastructure Levies. Consequently, it will play an important part in identifying and protecting opportunities for development of and improvements to rights of way and Greenways under either transport or green infrastructure projects.

More information on the Derbyshire Infrastructure Plan can be found here: [http://www.derbyshire.gov.uk/environment/planning/planning\\_policy/infrastructure\\_planning/default.asp](http://www.derbyshire.gov.uk/environment/planning/planning_policy/infrastructure_planning/default.asp)

Infrastructure Plans are also being produced by the District and Borough Councils and the Peak District National Park Authority.

In 2010, a Green Infrastructure Strategy was published for the 6C's area. This is a partnership between the respective City and County authorities around Derby, Nottingham and Leicester. Within Derbyshire this covers the areas of South Derbyshire, Erewash and Amber Valley, together with Derby City.

Green Infrastructure (GI), as defined in the GI Strategy comprises:  
*“Networks of multi functional greenspace which sit within, and contribute to, the type of high quality natural and built environment required to deliver sustainable communities. Delivering, protecting and enhancing these networks require the creation of new assets to link with river corridors, waterways, woodlands, nature reserves, urban greenspace, historic sites and other existing assets”*

The vision of the document is to maintain, develop, enhance and extend a multi-functional GI network. The rights of way and Greenway network is a key asset in the access element of this work, including links between existing and new development and the wider network. The development of proposed access corridors meets the vision set out in the GI Strategy for the 6C's growth points. This has also been incorporated by several local planning authorities in the County who have developed local GI proposals through the Local Plan and Infrastructure Planning process. These include:

- Supporting and providing links to new housing and regeneration projects.
- Helping to meet Government and local planning targets for new developments to be accessible on foot and by bicycle, including links to the surrounding path network.
- Encouraging the use of non-motorised transport corridors contributing to congestion targets and indicators.
- Stimulate further local usage of the path network as a green gym and meeting indicators for physical activity levels.
- Providing access to green corridors for urban based communities and contributing to a sense of place for local communities.
- Enhancing and linking places of interest and tourism destinations for local people and visitors to the area.

## **Neighbourhood Plans**

The Localism Act 2011 introduced a new right for communities to prepare Neighbourhood Plans. Community groups can now draw up planning policies for the use and development of land under a Neighbourhood Development Plan, including:

- Where new homes, shops and offices should go.
- Which green spaces should be protected.
- What new development should look like.

At the time of writing no Neighbourhood Plans have been adopted in Derbyshire, however, a number of Town and Parish Councils are in the process of preparing them.

More information about Neighbourhood Plans can be found here:

[http://www.derbyshire.gov.uk/environment/planning/neighbourhood\\_plans/default.asp?VD=ndp](http://www.derbyshire.gov.uk/environment/planning/neighbourhood_plans/default.asp?VD=ndp)

## **2.7 Other plans and strategies**

### **Peak District National Park Authority**

The Peak District National Park covers a significant area of the County. The National Park designation requires that the special qualities of the area relating to conservation, enjoyment and economic and social wellbeing have to underpin any decisions that affect the National Park area. The RoWIP will therefore take account of these principles with respect to actions within the Peak District National Park.

The Peak District National Park Authority has a number of relevant strategies and plans in place that are highly relevant to and complement the RoWIP. In addition to the Authority's Local Plan, these include the following:

- National Park Management Plan 2012-2017.
- Recreation Strategy and Action Plan for the Peak District National Park 2010-2020.
- Sustainable Transport Action Plan 2012-2017.

A list of other initiative plans and strategies that support or have a direct link to the preparation and development of the RoWIP can be found in Appendix B.

## **Section 3 – Statement of Action 2013-2017**

The Aims are listed in the same order of priority determined during the production of the first Statement of Action for the RoWIP in 2007-2012. Our statutory duties are covered in Aims 1 and 2 and the main actions that relate to the LTP and other strategies are covered in Aims 3 and 5. Aim 4 relates to the provision of information which is vital if the benefits of the actions within the other aims are to be realised.

The identified needs set out under each Aim have also been prioritised in the light



of the current economic climate. However this is not to say that those which are not assigned a high priority will be ignored and we will try to deliver them all.

The second Statement of Action will be supported by detailed annual work programmes that will take into account available resources at the time. These will set out more detailed plans and targets, list individual schemes and will be submitted to the Local Access Forums each year.

### **Key to Statement of Action tables**

#### **Resources required to deliver action points:**

- ★ Action point can be achieved within funding and staffing resources equivalent to those allocated for 2012/13.
- ★★ Action point could be achieved with a slight re-prioritisation of resources or where additional resources are required but are likely to be successfully sourced.
- ★★★ Actions that would require additional resources to be allocated by us or require external funding to be sought before they can be progressed. Within the current economic climate, these actions are more aspirational.

#### **Estimated costs:**

It is difficult to include precise figures for all action points. Instead, the following symbols have been used to cover potential revenue or capital costs. Where funding is achievable through the LTP programme or other committed sums this is indicated. If delivery is primarily a staffing issue then no symbol is recorded.

- £ Estimated cost less than £10,000 per year.
- ££ Estimated cost between £10,000 and £50,000 per year.
- £££ Estimated cost more than £50,000 per year.

#### **Main partnership delivery mechanisms:**

- No shading** Action point would be delivered primarily by ourselves.
- Light shading** Action point would be delivered through partnership working with other organisations.
- Dark shading** Action point would be delivered mainly by other partner organisations with our support and advice.

## Abbreviations for key partners/organisations:

<b>Access stakeholders</b>	Large landowners or other key organisations involved with access such as: National Trust, Forestry Commission, Severn Trent Water, United Utilities, UK Coal, large private estates such as Chatsworth, Sitwell or Welbeck, National Forest Company
<b>CLA</b>	Country Landowner and Business Association
<b>CRT</b>	Canal and River Trust (formerly British Waterways)
<b>DACES</b>	Derbyshire Adult Community Education Service
<b>DALC</b>	Derbyshire Association of Local Councils
<b>DCC</b>	Derbyshire County Council
<b>DDDC</b>	Derbyshire Dales District Council
<b>defra</b>	Department for Environment, Food and Rural Affairs
<b>GDD</b>	Groundwork Derby and Derbyshire
<b>HPBC</b>	High Peak Borough Council
<b>LAFs</b>	Local Access Forums (Peak District LAF and Derby and Derbyshire LAF - DADLAF)
<b>LNP</b>	Local Nature Partnership
<b>Local Councils</b>	Town Councils, Parish Councils and Parish Meetings
<b>NE</b>	Natural England
<b>NFU</b>	National Farmers Union
<b>PCT</b>	Primary Care Trust
<b>PDNPA</b>	Peak District National Park Authority
<b>SDDC</b>	South Derbyshire District Council
<b>TCV</b>	The Conservation Volunteers (formerly BTCV)
<b>TIC</b>	Tourist Information Centre
<b>TPT</b>	Trans Pennine Trail
<b>User Groups</b>	National and local groups representing all the different groups of users, examples of which include: Ramblers Association (RA), Peak and Northern Footpaths Society (PNFS), British Horse Society (BHS), Cyclists Touring Club (CTC), Sustrans, Trail Riders Fellowship (TRF).

## Other Abbreviations:

<b>LTP</b>	Local Transport Plan
<b>MMA</b>	Minor Maintenance Agreement (for Local Councils to manage some elements of path maintenance works on paths in their own area)
<b>NIA</b>	Nature Improvement Area
<b>PRoW</b>	Public Rights of Way
<b>RoWIP</b>	Rights of Way Improvement Plan
<b>SEA</b>	Strategic Environmental Assessment within LTP3
<b>SLA</b>	Service Level Agreement

## Aim 1: Ensure that the Public Rights of Way network is open and available for use

### Background

As a Highway Authority, we have a statutory duty to assert and protect the legal rights of the public to use and enjoy the existing network of PRow. We need to make sure that any improvements which benefit one class of user are not made at the expense of others and ensure that safety is paramount.

The existing PRow network as recorded in the Definitive Map and Statement is made up as follows:

<b>Public Rights of Way in Derbyshire (January 2013)</b>				
<b>Type of Route</b>	<b>Available to</b>	<b>Number of Routes</b>	<b>Total length km</b>	<b>% by length</b>
Footpaths (FP)	Walkers	8,953	4,509	87.5
Bridleways (BW)	Walkers, horse riders and cyclists	602	557	10.8
Restricted Byways (RB)	Walkers, horse riders, cyclists and horse drawn vehicles	86	63	1.2
Byways Open to All Traffic (BOAT)	Walkers, horse riders, cyclists, horse drawn vehicles and motor vehicles	29	26	0.5
<b>Total</b>		<b>9,670</b>	<b>5,155</b>	

<b>Length of Public Rights of Way by District (km)</b>					
<b>District</b>	<b>FP</b>	<b>BW</b>	<b>RB</b>	<b>BOAT</b>	<b>Total</b>
Amber Valley	663	47	15	0	725
Bolsover	229	43	0	0	272
Chesterfield	97	12	0	0	109
Derbyshire Dales	1,464	158	17	17	1,656
Erewash	224	20	3	0	247
High Peak	798	136	18	8	960
North East Derbyshire	525	82	4	1	612
South Derbyshire	509	59	6	0	574
<b>Total</b>	<b>4,509</b>	<b>557</b>	<b>63</b>	<b>26</b>	<b>5,155</b>
Peak District National Park (PDNP) area in Derbyshire	1,240	214	26	18	1,498

The above tables do not include the 234km of unsealed non classified highways (or green lanes) which are concentrated predominantly in the Derbyshire Dales and High Peak areas of the county. These appear on the County Council's "list of

streets” as routes which are publicly maintainable, but where the rights of the public to use them, other than on foot, is often unclear.

However, they are particularly important to horse riders and cyclists who rely on them to help create circular routes. Many are also subject to claims to record them in the Definitive Map and Statement as Byways Open to All Traffic and therefore have the potential to increase the network available to riders, as well as drivers of horse drawn carriages and recreational motor vehicles (see Aim 2).

The actions in this section should ensure that the existing PRow network is well signed, free from unlawful obstruction, safe and well maintained, thereby encouraging greater public use, enjoyment and confidence in a network which is welcoming to its users.

Focusing on making the existing network easier to use was one of the main priorities for all groups consulted during the production of the RoWIP in 2007. Consultees wanted to see paths correctly signposted, with well-maintained surfaces and structures, including the cutting back of intrusive vegetation and the efficient removal of illegal obstructions. This work is carried out with regard to the Environmental Statement for the RoWIP and our commitments under Theme A.

### **Progress and developments since 2007**

**Ease of use condition surveys:** We continue to carry out condition surveys to monitor progress on how well signed and easy to use the PRow network in Derbyshire is. These are based on the methodology developed for the former National Best Value Performance Indicator BVPI 178. The steady improvement recorded in the lead up to 2007, when the percentage of the network deemed ‘easy to use’ increased from 51.5% in 2003/04 to 70.6% in 2007/08, continued until 2011/12 when it reached 75.7%. In 2012/13 the overall pass rate fell to 68.8%. We have made a commitment to continue to carry out these surveys, but the possibility of raising the target above 72.5% would be difficult in the present economic climate. However, we will keep this under review and continue to analyse why paths are failing the assessment. The PDNPA also carries out its own ease of use surveys relating to the condition of the network for the whole of the National Park.

**Staffing resources:** In 2007, we identified that there was a need to redirect additional staffing resources into rights of way and access work. The annual target that we set ourselves, of allocating over 450 days of additional staffing or volunteer days from within the wider countryside service to support the work of the existing rights of way team, has been achieved. With access work still being a priority this is set to continue and therefore no longer needs a separate action. We now deal with the management of the public rights of way network in South Derbyshire ‘in house’ since the District Council withdrew from the agency agreement in 2009. As a result, we created an additional PRow inspector post to accommodate the extra work.

**Management and maintenance of the network:** There are still challenges to be faced in tackling the issues reported to us and, in order to help us improve our

service to the public, we published a Rights of Way (RoW) Charter in 2011 which is included as Appendix E. It provides details about the level of service a member of the public can expect when they contact the PRow section and also sets out the priorities that we will work to. Working to the Charter will be a key element in this next Statement of Action and we will report progress against it.

On average, we have 3,500 enquiries relating to the PRow network reported to us each year. We have steadily improved our performance in resolving obstructions and other related issues over the past five years with 76% resolved within 12 weeks in 2007/08 rising to 86% in 2011/12.

We set a target of investing at least £100,000 per year from the LTP2 programme to carry out capital surface repairs during the first five years. We have exceeded this figure each year and carried out large scale surface works to over 50 routes since 2007. Other paths have also been improved but are recorded under Aim 3 because the work was designed to fulfil specific actions in relation to access for all schemes or to provide better routes to local services or schools.

We have placed a high priority on improving the signposting of rights of way. The challenge has been to increase the number of paths that are signposted from the road and to improve the consistency and quality of information provided, whilst being mindful of the need to reduce any unnecessary roadside signage (in line with a countywide Highway Assets Review and Reduction Project). Over the past five years, we have replaced or installed over 2,200 roadside signposts. We now routinely provide additional information on our roadside signposts, such as destinations and distances where appropriate.

We have also placed a high priority on making the path furniture on the network as user friendly and accessible as possible. We have tightened up the procedures that we follow when authorising new structures and adopt a principle of the least restrictive option of gaps rather than gates, with stiles as a last resort.

The PDNPA contributes towards the upkeep of the PRow network within the Derbyshire area of the Peak District National Park through an SLA described in Aim 5.

**Capital Investment:** We have invested over £3 million through the LTP2 programme on schemes that provide RoWIP benefits. This has included specific projects, such as the development of the Greenway network, essential surface repairs (including some green lanes), improvements to path furniture and signage, and also the provision of safe road crossings or new links along highway verges.

In addition to the investment through the LTP programme, we have been successful in attracting over £2 million in grants from a variety of external sources. This has included monies from Natural England, to fund the development and maintenance of the Pennine Bridleway National Trail, central Government funding for several Greenway schemes, Heritage Lottery funding for Limestone Journeys and direct contributions as a result of planning gain.

## Changes within the Statement of Action tables

### Added in:

- Aim 1a) - We have included a section on how we deliver the routine management of the PRow network. This work will be governed by the RoW Charter and one of the ways of monitoring the outcomes will be via the ease of use surveys.
- Aims 1b) and 1c) - In the first Statement of Action, we developed an improved and more consistent signposting framework, along with a revised approach to authorising path furniture. Now this has been achieved, these approaches are part of our routine delivery and have been moved from Aims 3 and 4 into Aim 1.

### Removed:

- We had a section in the first Statement of Action about working with landowners which has been moved to Aim 5.
- There was a separate section that included targets for tackling obstructions and ploughing and cropping issues which have been incorporated into Aim 1a) as they are now included within the RoW Charter.
- Information about investment in the network and external funding has been moved to Aim 3 since the external funding relates to improvement projects found in that section.
- Aim 1d) relating to surface vegetation clearance has been incorporated into the new Aim 1d) on surface condition.

### Aim 1: Ensure that the Public Rights of Way network is open and available for use

	Proposed Actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 1a) The efficient management and maintenance of the existing network of Public Rights of Way</b>						
i	To work to the RoW Charter set up to prioritise and deal with enquiries. Report progress annually.	★★	DCC	LAFs, User groups, Parish Councils, PDNPA	Ongoing	LTP3 Investment Protocol (IP7 RoW, IP51 Walking and IP52 Cycling), RoW Charter, DCC Service Plan
ii	To continue to carry out and report progress from an annual ease of use condition survey.	★	DCC, PDNPA	Volunteer surveyors, User groups	Ongoing	LTP3 Investment Protocol (IP7 RoW), DCC Service Plan

	<b>Proposed Actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
	Target a minimum of 72.5% of paths surveyed to pass the ease of use test.					
<b>Identified need: 1b) Ensure that the Public Rights of Way network is well signposted</b>						
i	Replace all roadside signposts recorded as missing at 1 April each year, including those affected by legal changes if funding permits. Report numbers replaced and repaired.	★ ££	DCC	PDNPA, Local Councils, User groups	Ongoing	
ii	Provide waymarking along routes if a need is identified. Report number of paths waymarked.	★ £	DCC	Local Councils, User groups, PDNPA	Ongoing	
<b>Identified need: 1c) Improve the quality and accessibility of path furniture on Public Rights of Way</b>						
i	Adopt least restrictive option of gaps, gates, stiles and observe the defra Good Practice Guidance on authorising structures on rights of way in line with the Equality Act 2010. Report achievements annually.	★ £	DCC	PDNPA, Local Councils	Ongoing	LTP3 Investment Protocol (IP7a RoW Access for All and IP51 Walking)

	<b>Proposed Actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
<b>Identified need: 1d) Improve the surface condition and drainage of routes</b>						
i	Carry out an annual programme to maintain the structural integrity of the PRow network prioritised by key routes in most need of surface improvements or which benefit the most users. Aim to carry out a minimum of £100,000 surface improvements each year to 2016.	★★ LTP3 £££	DCC		2013-16	LTP3 Investment Protocol (IP7b RoW, Structural Integrity, IP51 Walking and IP52 Cycling), DCC Service Plan, RoWIP Themes A and B
ii	Implement improvement works to routes carrying public vehicular rights for the benefit of all users where resources permit.	★★ £££	DCC, PDNPA	LAFs, Vehicle user groups	2013-16	DCC Management of Green Lanes 2012-2017, RoWIP Theme A
iii	Carry out an annual programme of surface vegetation clearance and make available the list of paths including timing and frequency of cut (taking account of wildlife and nature conservation concerns).	★ ££	DCC	Local Councils, PDNPA	Ongoing	LTP3 Investment Protocol (IP7c Protection and restoration of habitats and species alongside PRow), RoWIP Theme A



## **Aim 2: Provide an up-to-date and widely available Definitive Map and Statement**

### **Background**

As the Surveying Authority, we have a statutory duty to bring the Definitive Map and Statement up to date and keep it under continuous review, and to also make it available for public inspection.

The actions in this section will continue to address the need for an accurate, up to date and widely available Definitive Map and Statement for the whole of Derbyshire. They will also ensure that there is greater clarity over the legal status of routes.

During the original RoWIP consultation, people highlighted the need to tackle illegal or inappropriate use which could only be delivered against the background of a properly recorded PRow network. It was vital to speed up the process for determining the legal status of routes and deal with the backlog of legal orders.

### **Progress and developments since 2007**

**Resources:** During 2010, in recognition of the need for adequate resources to be dedicated to the processing of legal orders and definitive map work, a permanent post was created within the Rights of Way team, along with four additional two year posts (two in Legal Services and two in Rights of Way). The temporary posts have since been extended for a further two years until 2014 and all officers continue to contribute effectively in both areas of work.

**Digitisation of the Definitive Map and Statement:** With continuing support from Definitive Map officers, the two digitisers have accurately digitised 100% of the PRow network across the eight districts of the County. This information takes account of the legal changes which have taken place since the production of the original Definitive Maps and Statements. It is available to view on-line via the Derbyshire Mapping Portal. This electronic data can now be supplied directly to those who need it in a variety of formats and can be kept up-to-date more easily. The mapping team has also surveyed all paths affected by these legal changes and updated the definitive statements, prior to publishing these details on-line.

This work will assist the production of a new consolidated definitive map and statement for the county. The consolidation process brings together all the original definitive maps and statements that exist for Derbyshire into one, up to date document which incorporates the legal changes which have taken place. Because these changes have already been subject to public scrutiny, there is no further consultation required when the consolidated map and statement is published.

No definitive map was originally produced for the centre of Chesterfield, as this area was officially excluded from the survey of public rights of way carried out in the early 1950s. This was due to the fact that the area was already so built up and densely populated that a survey was considered to be inexpedient at the time.

There is now a requirement to produce a definitive map and statement for this formerly excluded area of Chesterfield. Where there is sufficient evidence to suggest that a public right of way exists, routes will be added to the definitive map and statement by means of individual modification orders, to which the public will have the opportunity to make objections or representations.

**Definitive Map Modification Orders (DMMOs):** The Rights of Way team has worked closely with officers in the Legal Services Division dealing with applications for DMMOs. The additional temporary staffing resource referred to above has enabled us to set improved targets for increasing outputs and, as a result, DMMO application cases are being scheduled for consultation and reporting to Committee up to 12 months ahead. The extra resources have contributed towards a reduction in the number of outstanding claims from 229 in 2007 to 152 at the present time.

**Legal orders:** Both LAFs have been consulted on a draft legal order priority framework which is currently being finalised before it is submitted to Cabinet for approval. The legal order priority framework will complement with the adopted RoW Charter.

**Registers of applications:** In addition to the registers of applications for DMMOs and Statutory Declarations, which are available on our website as the law requires, a list of temporary closures affecting the access network has also been set up to help people plan their routes or visits.

## **Changes within the Statement of Action tables**

### **Added in:**

- Aim 2a) - The lack of a Definitive Map and Statement for the central area of Chesterfield will be addressed through a programme of work for adding paths to this formerly excluded area.
- Aim 2b) - A new register of applications to extinguish, divert and create PRow under the Highways Act 1980 and Town and Country Planning Act 1990 will be published to complement those which are already available.
- Aim 2c) - Following the accurate digitisation of the PRow network, efforts will now concentrate on keeping that information up to date, as well as producing a new consolidated Definitive Map and Statement for the county.
- Aim 2c) - Work is also underway to publish a working copy of the definitive statements on-line. By selecting the PRow mapping information tool, it will be possible to view the definitive statement for each path, as well as report a problem via email. In the longer term, we also intend to provide further information about the location and type of path furniture on each route.

### **Removed:**

- The proposed action to improve the availability and quality of information about the Definitive Map and legal orders has been moved into Aim 4b) and combined with that for the whole range of access opportunities.
- There is no longer a specific action to make Definitive Map Modification Orders for non-classified highways (NCH's) likely to be rights of way. This action has been incorporated into that for other legal orders in Aim 2a).

**Aim 2: Provide an up-to-date and widely available Definitive Map and Statement**

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/other strategies</b>
<b>Identified need: 2a) Speed up the process for clarifying the legal status of routes</b>						
i	Develop priority framework (aligned with Rights of Way Charter) for dealing with legal orders and secure Member approval.	★	DCC	LAFs	2013/14	
ii	Produce an ongoing work programme, based on agreed priority framework for legal orders and applications. Report progress annually.	★★	DCC		From 2013/14	
iii	Continue to create a record of Definitive Map inconsistencies, including those affecting cross boundary routes. Prioritise within work programme identified in 2a) ii above.	★★	DCC	Adjacent highway authorities, LAFs	Ongoing	RoWIPs from adjacent highway authorities
iv	Develop a programme of work for adding paths within the formerly excluded central area of Chesterfield to the Definitive Map and Statement.	★★★	DCC		2014-17	

<b>Identified need: 2b) Improve the availability of information relating to the Definitive Map and Statement</b>						
i	Deliver access to accurate and up-to-date rights of way information, in a variety of formats which can be shared with other systems and applications, including investigating opportunities to exchange data and charge where appropriate.	★	DCC	Adjacent highway authorities, PDNPA, District and Local Councils, Ordnance Survey, User groups, Access stakeholders, Land managers, Statutory undertakers	Ongoing	
ii	Maintain existing registers/ lists of DMMO applications, statutory declarations and temporary closures.	★	DCC		Ongoing	
iii	Publish register of applications to extinguish, divert and create PRoW under the Highways Act 1980 and Town and Country Planning Act 1990.	★	DCC		2013/14	
<b>Identified need: 2c) Produce and maintain an up-to-date digital Definitive Map and Statement</b>						
i	Maintain an up-to-date digital working copy of the Definitive Map and Statement for the public to view via the Derbyshire Mapping Portal. Report number of legal changes made during the year.	★	DCC		Ongoing	

ii	Publish a working copy of the Definitive Statement on-line for each path. Report progress.	★	DCC		2013/14	
iii	Produce a new consolidated Definitive Map and Statement for the county.	★	DCC		2013/14	

### **Aim 3: Provide a more connected, safe and accessible network suitable for all users**

#### **Background**

The actions in this section are to ensure that the needs of individual user groups are considered and that safety is given a high priority. The emphasis is on providing a network that makes sense and connects to homes, facilities, public transport, places of interest, as well as providing circular links for recreational use. Where we have made significant developments in providing a good network of connected Greenways and trails, there have also been wider benefits for tourism and to the local economy as a whole which demonstrates the links to Theme C.

In the original consultation, everyone who was consulted expressed a high priority for having well connected paths, providing opportunities for circular routes. Most walkers cited the lack of suitable paths near to where they lived as the one of the main limitations. The general conclusion was that overall the footpath network in the County is quite good but that the situation for higher categories (bridleways, restricted byways and BOATs) is not so good. Horse riders and cyclists emphasised the fragmented nature of the bridleway network as being the most significant limiting factor. The need to provide easy access routes for people with limited mobility and other groups of users was identified as the top priority in the key issues consultation.

Many of the improvements identified in this Aim are tied in closely with the Accessibility chapter in the LTP3 and the Transport Infrastructure section of the Infrastructure Plan for Derbyshire.

#### **Progress and developments since 2007**

**Routes to benefit horse riders and cyclists:** Due to the fragmented nature of the bridleway network in the County, an emphasis was placed on providing more routes that benefit bridleway users (specifically horse riders and cyclists.). As a result, 30 bridleways (totalling 22.1km), 3 Restricted Byways (2.9km) and 21 BOATs (18km) have been added to the Definitive Map since 2007.

Specifically for horse riders we have:

- introduced a horse box parking scheme in the north-east of the County which has won a national award from the British Horse Society;
- completed two sections (4km) of the Pennine Bridleway on the ground and almost finalised landowner agreements for the remaining approved section of the route through Glossop;
- upgraded two significant sections of the Midshires Way for horse riders (Long Horse Bridge near Shardlow and Hopwell to Dale Abbey in Erewash). There are still major challenges in making the route fully rideable, but this will remain a target in the second Statement of Action;
- supported the PDNPA's Black Harry Trails project which has created opportunities for horse riding and mountain biking in the Longstone Edge area by improving the surface of several routes and providing better signage.

Specifically for cyclists we have:

- mapped the Chesterfield Cycle network, which is beginning to be developed and signed on the ground;
- carried out cycle audits in Long Eaton and Ilkeston and installed new cycle lockers at a variety of locations around the County;
- established a range of partnership working arrangements, such as with the Chesterfield Cycle Campaign in Chesterfield and Sustrans to deliver the Connect 2 project in Killamarsh. We are keen to build on these partnership opportunities in the future.

**Pennine Bridleway National Trail:** We have developed and maintained this route over the past 13 years through considerable investment from Natural England. Natural England is in the process of reviewing its input into National Trails and the capital grants for National Trail development are expected to cease beyond 2013/14. Grant offers are being secured for three of the four approved sections of the route, still to be constructed, but there is unlikely to be any further funding after that. This situation may also affect the Pennine Way, the other National Trail in the County, which is currently managed by the PDNPA and funded by Natural England.

**Open Access Land:** There are large tracts of mapped open access land within Derbyshire. The majority, approximately 370 sq km, are located within the Peak District National Park for which the PDNPA is the access authority. The remainder of open access land (851ha) is our responsibility as access authority. During the last five years, the Forestry Commission has designated all of the woodland in its ownership as access land. More needs to be done to improve signage and information about access land and to identify ways to improve the connections between centres of population and access land and between isolated pockets of access land. There is an opportunity to work with the two Local Access Forums to achieve this.

**Easy access improvements:** The introduction of the Equality Act 2010 and new defra publication "Authorising structures (gaps, gates and stiles) on rights of way - Good practice guidance on compliance with the Equality Act 2010" have provided the framework required to ensure that we work to make the countryside and rights

of way network as accessible as possible to all users. They have also removed the need to develop a separate policy.

- 17 schemes have been delivered to improve accessibility;
- access audits and various improvements have been carried out at four locations where tramper mobility scooters are hired out: at Tapton Lock Visitor Centre, Elvaston Castle Country Park, Shipley Country Park and on the High Peak Trail;
- we have made a considerable investment in new furniture to make paths easier to negotiate. Over the last 5 years, we have installed over 1,500 gates across the rights of way network, the majority of which replaced stiles. In 2009, we carried out a successful gates and stiles campaign where in addition to 281 gates being installed to replace stiles, 69 items of redundant furniture were removed altogether, leaving gaps instead of stiles or gates;
- we have made useful contacts with some local access groups and local disabled people but we can always do more and this is reflected in the Statement of Action.

**Greenways development:** 65km of new Greenways (exceeding the target of 60km), have been developed in Derbyshire, providing easy access routes catering for walkers, cyclists and horse riders. This brings the total length of the Greenway network across the county to 325km. Appendix F provides a list of the main Greenway schemes completed between 2007 and 2012. In addition a further 25km of our older trails have been upgraded to modern Greenway standards, including the Stockley Trail, Trans Pennine Trail, Chesterfield Canal and sections of the Five Pits and High Peak Trails.

As part of the planning process, Section 106 agreements have contributed to 22km of this length being delivered on the ground emphasising the importance of making good links into the Planning frameworks. The inclusion of the RoWIP and Greenway Strategies in the new County/District/Borough Council Infrastructure Plans and the Local Plans being produced by the local planning authorities should help to ensure that new routes are safeguarded or even developed in future through planning gain.

The increase in the extent of the Greenway network has led to the need to identify and quantify any ongoing maintenance commitments that we would become liable for and the challenge is to build in programmes that minimise any additional liabilities whilst still developing new key routes that provide local economic, tourism or transport benefits. The PDNPA is also tackling this through the development of a Management Plan for trails in its ownership.

The LTP3 and its Investment Protocol promotes a considered approach to new infrastructure, so each new Greenway will have to be judged on its merit. There is still considerable support for the continued development of Greenways due to the multiple benefits that they bring in providing the links that further the vision of creating an interconnected strategic network of safe off-road trails around the County. The current economic climate, together with a reduction in funding opportunities, many external funding sources having dried up, and considerable



uncertainty in the foreseeable future, means that we have to exercise a degree of caution in what can be achieved over the next five years. This is also recognised in LTP3 where there is a commitment within the Investment Protocol (IP52) to identify a strategic cycle route hierarchy in order to guide the decision making process. A list of current priorities and active projects can be found in Appendix F. This will form the basis for developing new schemes over the next five years as opportunities present themselves.

**Motorised vehicle users:** We have carried out a long awaited revision of our policy on the Management of Motorised Vehicles in the Countryside which went out for public consultation in 2011. The final document, entitled 'Management of Green Lanes' was produced in 2012 and can be found in Appendix G. At the same time, the PDNPA has been reviewing its own equivalent document.

The focus for this element of our work since 2007 has been in the Peak District. We have worked very closely with the PDNPA, the Peak District LAF and representatives from the vehicle users to develop a pilot project in the Peak District National Park to identify and produce a series of management plans for sustainable vehicular use of routes in the area. In connection with that project, we have also been involved in two successful joint projects organised with the Police, vehicle user groups and PDNPA to tackle illegal use of the network.

## **Changes within the Statement of Action tables**

### **Added In:**

- There are still a series of actions that support individual groups of users: horse riders and cyclists, walkers, those benefiting from easy access provision and motorised vehicle users.
- There is more about working with partners on identifying and mapping particular access networks under Aim 3a) following on from the successes in the 2007-12 Statement of Action, such as the Chesterfield Cycle Project. We have already been discussing possible projects with partners, such as the National Trust, Eastern Moors Partnership and several cycling/horse riding groups, such as Sustrans, Chesterfield Cycle Network, Choose Cycling, Peak Horsepower and also with the PDNPA about developing a National Park-wide Cycling Strategy as part of its Recreation Strategy. This will recognise the need to accommodate horse riders wherever possible.
- We have added a new action into Aim 3c) to specifically support the development of a Greenway loop between Matlock and Buxton, a scheme that has generated much support over the past few years.
- New section Aim 3g) (from Aim 1) about the amount of external funding levered in as most of this is for improvement or development monies that relate to actions in Aim 3. The capital funding element that relates to capital maintenance, particularly through the LTP programme, will continue to be reported in Aim 1.

### **Removed:**

- There is less in Aim 3 about working with landowners as some of this has been moved into Aim 5.



- The actions relating to path furniture, particularly in relation to gaps, gates and stiles under Aim 3c), is now being reported in Aim 1 as any improvement work has now become standard practice.
- There are no specific actions under Aim 3a) to promote circular bridleway links but these will still be considered under Aim 4 within the section about improvements to promoted routes.
- There are no targets in Aim 3b), with respect to improving access within the National Forest Tender scheme, as this was investigated and completed in the first Statement of Action for 2007-12.
- Several actions within Aim 3e), relating to the safety of vulnerable users (road crossings, use of verges, etc), have been combined as the few that were reported in 2007-12 tended to be incorporated into single schemes. There is also a presumption in the LTP3 Investment Protocol against any new road crossings unless they are linked to wider schemes, such as new Greenway developments.

**Aim 3: Provide a more connected, safe and accessible network suitable for all users**

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 3a) Improve the provision of routes for bridleway users</b>						
i	Prioritise bridleway claims (upgrades or new routes) or creations and dedications that contribute to or improve the safety and connectivity of the existing bridleway network and that of the Greenway network. Report number of orders/ agreements processed per year.	★	DCC	PDNPA, User groups, LAFs National Trust, Forestry Commission, Eastern Moors/ Sheffield Moors Partnerships	2013-17	Policy for tackling legal orders in preparation, RoWIP Theme C Links to Aim 2a)
ii	Work with partners to support individual projects to identify, map and promote access networks for horse riders and cyclists.	★★ £	DCC, PDNPA	LAFs, User groups, Sustrans, District Councils, Access stakeholders,	Ongoing	LTP3 Investment Protocol (IP7 RoW, IP52 Cycling and IP91 Complete routes for

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
				National Trust, Forestry Commission, Eastern Moors/ Sheffield Moors Partnerships		healthy cycle networks), RoWIP Theme C
iii	Complete the Pennine Bridleway route through Glossop between Monks Road and Glossop Road.	★ Natural England £££	DCC	Natural England	2013/14	National Trails, RoWIP Themes B and C
iv	Continue to improve route of Midshires Way to make it accessible to horse riders where opportunities and funding permit.	★★★ £££	DCC	User groups, Land managers	Ongoing	LTP3 Investment Protocol (IP7 RoW, IP52 Cycling and IP99 New assets), RoWIP Theme C
<b>Identified need: 3b) Improve the provision of circular or connected routes</b>						
i	Integrate RoWIP principles into relevant County/ Districts Plans and encourage PProW improvement and protection through the development control process via Section 106 legal agreements and Community Infrastructure Levy.	★	DCC, District Councils, PDNPA	Private developers	Ongoing	DCC and District Council Infrastructure Plans, RoWIP Themes B and C

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
ii	Negotiate and support others in identifying new links that will enhance the usability of the network by connecting existing routes and creating local circuits where opportunities permit. This can be achieved (through the use of public path orders, creation agreements or concessionary routes for which the Authority would cover the costs and fast track the work if there was sufficient public gain.	★★★ ££	DCC, PDNPA	Land managers, District and Local Councils, Public bodies, National Forest, Forestry Commission, Natural England, LAFs, Local volunteers, National Trust, Eastern Moors/ Sheffield Moors Partnerships	Ongoing	RoWIP Themes A, B and C
iii	Identify opportunities and negotiate improved access to open access land and provide links between rights of way and other open access land to help create circular routes.	★★★ £	DCC, PDNPA LAFs	Forestry Commission, Access stakeholders, Natural England	Ongoing	RoWIP Theme C
iv	Investigate the dedication of public access routes on County Council owned land, specifically Countryside sites.	★★	DCC		2013-15	

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 3c) Continue with the development of the Greenway programme for the County</b>						
i	Combine the three existing Greenway Strategies under one policy document to be accompanied by 3 separate sets of area based route maps. Keep sections under rolling 10 year reviews, starting with the East Derbyshire area.	★	DCC	District Councils, Local Councils, User groups, Access stakeholders	2013 onwards	LTP3, Local Plans, Greenway Strategies, RoWIP Themes B and C
ii	Continue to develop a multi-user Greenway network and protect future routes. A list of possible schemes can be found in Appendix F. Schemes will be judged on their own merit based on the multiple benefits that they can contribute towards the LTP.	★★LTP3, Landfill Tax, Planning gain, Private Industry	DCC	District Councils, Network Rail, Sustrans, Private land owners, UK Coal	2013-17	LTP3 Investment Protocol (IP7a RoW Access for All, IP52 Cycling, IP54 Local travel to railway stations, IP78 Safer routes to school, IP91 Complete routes for healthy cycle networks, IP94 Access to green space and IP99 New assets) Infrastructure Plan for Derbyshire, Greenway Strategies, Active Derbyshire Plan, RoWIP Themes B and C

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
iii	Work with partners to support and deliver a 'White Peak' Greenway loop between Matlock and Buxton.	★★★ LTP3, External funding	DCC, PDNPA, HPBC, DDDC	Peak Cycle Links, Sustrans, Peak Rail	2013-17	LTP3, RoWIP Themes B and C
iv	Identify ongoing maintenance and management liabilities for the Greenway network and seek the necessary resources for its upkeep.	★★ £££	DCC, PDNPA, Sustrans	Volunteers	2013-17	LTP3 Investment Protocol (IP7b RoW structural integrity, IP94 Access to green spaces and IP83 New Infrastructure)
<b>Identified need: 3d) Provide more easy access routes</b>						
i	Work with Local Access Groups and other organisations to identify existing easy access routes and small scale improvements to paths or associated facilities for delivery as funding permits. Report projects achieved.	★★LTP3 £	DCC, PDNPA, Local Access Groups	LAFs, Local Councils, National Forest, Health Walk Groups, Forestry Commission, CRT, Moors for the Future	2013-16	Equality Act 2010, LTP3 Investment Protocol (IP7a Rights of Way Access for All), RoWIP Themes B and C

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 3e) Provide a safer network for all users</b>						
i	Carry out systematic and targeted improvements on existing routes to make best use of what we have got with a preference for local routes and links from strategic networks to local facilities and services. Links to Aim 3b) ii	★★LTP3 £££	DCC		2013-16	LTP3 Investment Protocol (IP7a RoW Access for all, IP51 Walking, IP72 Quiet Lanes, IP92 New Pedestrian Networks and IP99 New Assets), RoWIP Themes B and C
ii	Develop safer routes to schools to encourage walking and cycling - work with safe routes to schools team to identify suitable paths/trails.	★★LTP3 Sustrans £££	DCC	Sustrans	2013-16	LTP3 Investment Protocol (IP51 Walking, IP52 Cycling, IP78 Safer routes to school, IP91 Complete routes for healthy cycle networks and IP99 New Assets), RoWIP Themes B and C

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
iii	Using collision/ casualty data and other information, identify and undertake initiatives (eg, safer road crossing points, use of verges) to reduce the number of road casualties among vulnerable users of the access network. Report projects.	★★★ LTP3 £	DCC	PDNPA, User groups, LAFs	2013-16	LTP3 Investment Protocol (IP51 Walking, IP72 Quiet Lanes, IP92 New Pedestrian Networks and IP99 New Assets), RoWIP Theme A Relevant to Aims 3a, 3b and 3e
<b>Identified need 3f) Improve the management of recreational motorised vehicles in the countryside</b>						
i	Work to the new DCC "Management of Green Lanes 2012-2017" Policy. Report outcomes.	★★	DCC	PDNPA, Vehicle users, LAFs, Access stakeholders	2013-17	LTP3 Investment Protocol (IP7b and IP7c RoW, IP82 Community Safety Improvement), RoWIP Theme A
ii	To assist PDNPA where appropriate with their work on managing recreational motorised vehicles.	★	PDNPA, DCC, LAFs	Vehicle users, Access stakeholders	2013-17	PDNPA Vehicle Strategy and TRO Policy, RoWIP Themes A and B
iii	Address the illegal use of the network. Record information and work with the Police. Consider the need for physical barriers.	★★	DCC, PDNPA, Police	Community safety partnerships, PDNPA, User groups,	Ongoing	DCC Managing Green Lanes Policy, LTP3 Investment Protocol (IP82

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
				Access stakeholders, Local communities, LAFs, Land managers		Community Safety Improvement)
<b>Identified need: 3g) Improve the investment in the access network</b>						
i	Secure funding through LTP3 to maintain the investment in the access network and carry out improvements in line with the Investment Protocol. Report the amount of investment achieved annually.	★ LTP3 £££	DCC		2013-16	LTP3 Investment Protocol
ii	Bid for funding through other external bodies and support other bids by partner organisations to support schemes delivering actions listed in the RoWIP and the LTP Investment Protocol. Report amount of extra funding received annually.	★★ £££	DCC	Funding bodies (private and public), PDNPA	2013-17	DCC Service Plan, LTP3 Investment Protocol (IP99 New Assets)

#### **Aim 4: Improve the promotion, understanding and use of the network**

##### **Background**

The actions in this section will address the need for better co-ordinated and targeted information to be made available to as many people as possible, to encourage a more diverse, responsible and sustainable use of the access network.



It is also important that any signage or key messages are informative, consistent and as welcoming as possible to help people feel more confident in their ability to use the network.

In the original consultation, users wanted to know where they could go and what or who to expect on routes. Disabled people also needed information about associated facilities, such as car parking and toilets. They also pointed out that any written information should take account of the needs of people who are blind or partially sighted.

Other suggestions included the possibility of a path grading system, similar to that used to designate ski runs, and improved, consistent signage with clear information about who could use the different types of route, details of destination and distance or the estimated time to reach a particular destination. This has to be combined with the challenge to avoid cluttering the countryside, road network or the route itself.

There was a commitment to encouraging a more responsible and sustainable approach to the use of the access network through an increased understanding of other peoples' needs, the implications for wildlife and nature conservation, along with closer links to public transport provision.

## **Progress and developments since 2007**

**Resources:** A considerable amount has been achieved through partnership working and the pooling of resources in this area of work, particularly with the PDNPA.

**Websites:** Our own website has been considerably improved over the past five years, making it much easier to get the right messages across to users of the access network. New facebook and twitter pages have been added to promote use of the countryside and our sites. There has been a greater emphasis on providing information electronically and less on printed promotional material. Improvements to the PDNPA's website have included pages for the Peak District LAF, Open Access restrictions and motor vehicles/green lanes. Our own web pages focusing on responsible recreational driving of motor vehicles in the countryside will be produced alongside our new "Management of Green Lanes" policy. The ability to download or print off maps is limited by Ordnance Survey copyright. However, we have established strong links with the OS to provide and correct the PRow information shown on Explorer maps.

**Signage:** Through working closely with the PDNPA we have:

- Provided signage on the Greenway and promoted route networks with additional information about destinations and local amenities. Examples include the Limestone Way, Monsal and Silverhill Trails.
- Designed signs with symbols showing who can use a particular route and started to install these on the Greenways/Trails network, for example on the Cromford Canal towpath, High Peak Trail and Black Harry Trails at Longstone Edge.

- Produced and installed other advisory signs for vehicular routes to encourage safe and responsible use.
- Established a new signposting protocol for roadside signage incorporating information about who can use a route and providing destination and distance information where appropriate.

**Information for different users:** We have produced a promotional banner, leaflet and new easy access web page to publicise the hire of tramper mobility scooters and list of suitable countryside sites. We have supported the development of several audio trails, e.g. at Shaw Wood near Alfreton and around North East Derbyshire. We have also provided a new Horse Ride Derbyshire leaflet, promotional banner and web page with links to other local horse riding groups and organisations. Path grading information has been introduced on our path survey forms which are shared with others. PDNPA initiatives have included a series of leaflets for the Pedal Peak District and Black Harry Trails projects which encourage more people to cycle for health and sustainability reasons, as well as promoting the trails themselves, local attractions and businesses.

**Codes of Conduct:** We have started to develop and promote the codes of conduct to encourage tolerance and respect between different users of the network in conjunction with the LAF and PDNPA.

**Events and festivals:** Along with a range of other organisations, including the PDNPA, we have organised and supported numerous events and festivals around the county with the aim of encouraging more people to visit the countryside and use the access network.

**Healthy lifestyles:** National changes within the health authorities will result in us taking on the public health role. The RoWIP has a role to play in providing the resources and messages to encourage healthy lifestyles, through active recreation and outdoor play opportunities, especially for new users and to also promote the associated mental health benefits. We have already helped set up seven new walking for health groups in the Bolsover area, created a new Trim Track and cycling for health event at Shipley Country Park and in Chesterfield. Links have also been established with Jog Derbyshire and the Active Derbyshire Partnership meetings. There is also an opportunity to develop links with the two Local Nature Partnerships (LNPs) which have recently been established in Derbyshire to enhance the natural environment, promote health & wellbeing and benefit the local economy. They may also be a potential source of funding for helping to deliver some of the RoWIP actions.

**Promoted routes:** Our countryside area staff and volunteers have inspected over 625 miles of promoted routes each year. We have produced seven new publications, including one for the Phoenix Greenways on the Bolsover and Nottinghamshire border. We have also identified and started to deliver an alternative route for the Archaeological Way as part of the Limestone Journeys project in the north-east of the County and have contributed to the establishment of the Erewash Valley Trail, a circular walking and cycling route on the border with Nottinghamshire.

**Sustainable travel:** We have provided a range of information and facilities to encourage more walking, cycling and visits by public transport, eg, the Events booklet and cycle lockers/ bike stands at several locations around the County.

### Changes within the Statement of Action tables

#### Added in:

- We have re-organised and re-labelled the identified needs within Aim 4 in order to create a more logical order. This includes a new section about promoting the benefits of the access network for healthy lifestyles, sustainable living, tourism and the local economy (new Aim 4b) and expands Aim 4c) relating to information about easy access to include information that will benefit all users.
- Aim 4c) - The action to improve the availability and quality of information about the definitive map and legal orders has been moved from Aim 2b) and combined with that for the whole range of access opportunities.
- Aim 4c) - The provision of targeted information for all users has been combined under this aim.
- Aim 4c) - A commitment to investigate the provision of additional map based information has been introduced to this section.

#### Removed:

- The actions to provide new signage for PRow with symbols showing who can use each type of route, along with distance and destination details, have been moved to Aim 1 because this is now part of our routine work.
- Aim 4e) - This section has been incorporated into another dealing with how we can promote the network better. The action to carry out a review of routes promoted by partner organisations has been replaced by one in which we support routes promoted by partner organisations that complement RoWIP aims and themes.

### Aim 4: Improve the promotion, understanding and use of the network

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 4a) Ensure that path/route signage is as informative as possible</b>						
i	Provide new signs with additional information, such as destination and distance, to connect to and from the Greenways/trails network, in addition to motivational	★★ £	DCC, PDNPA, Local Councils	User groups	Ongoing	LTP3, RoWIP Theme B

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
	signage along the routes themselves as budgets permit.					
ii	Respond to requests for signage to benefit local businesses, landowners, tourism destinations or other places of interest as funding allows.	★★★ £	DCC, PDNPA, National Forest	Destination Management Partnership, Local businesses and tourism organisations	Ongoing	PDNP Management Plan, National Forest Plan, RoWIP Theme C
iii	Ensure that access land is well signed.	★★ £	DCC, PDNPA	LAFs, Natural England, Land managers	Ongoing	
iv	Install signs that provide users with information about who is entitled to use each category of route and encourage responsible use where appropriate. The priority will be to start with the Greenways/Trails network.	★ £	DCC, PDNPA	User groups, LAFs	Ongoing	RoWIP Theme A
<b>Identified need: 4b) Promote the benefits of the access network for healthy lifestyles, sustainable living, tourism and the local economy</b>						
i	Provide information about the social and health benefits of walking, cycling and horse riding.	★★	DCC, PDNPA	Groundwork Trusts, PCTs, Derbyshire Sport, LNPs	Ongoing	LTP3, Active Derbyshire Plan, RoWIP Theme B

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
ii	Promote the network as a resource that can be used by health schemes (walking for health, Jog Derbyshire, cycling and mental health projects) or for health referrals by health professionals.	★★★	DCC, PDNPA	Groundwork Trusts, District Councils, PCTs, Walking for Health schemes, Derbyshire Sport, LNPs, DACES	Ongoing	LTP3, Active Derbyshire Plan, RoWIP Theme B
iii	Encourage the promotion of routes to support tourism, the local economy and complement RoWIP themes and aims eg new National Forest Way, Derwent Valley Heritage Way and Monsal Trail.	★★★ £	All partners with promoted routes, PDNPA, Tourism bodies	Local and District Councils, User groups, National Forest, Groundwork Trusts, Access stakeholders, LNPs, Tourist destinations	Ongoing	RoWIP Themes B and C
iv	Increase opportunities to promote a more sustainable use of the access network, through links to public/ community transport or park and ride/walk opportunities or combined promotional information with transport providers.	★★★ £	DCC, PDNPA	Public Transport providers	Ongoing	RoWIP Themes B and C

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 4c) Improve the availability and quality of information about the access network for all users</b>						
i	Continue to develop websites and other options to provide information about the whole range of access opportunities, including improvements to on-line PRoW mapping.	★★	DCC, PDNPA		From 2013/14	RoWIP Themes B and C
ii	Investigate the feasibility of introducing a path grading system for individual paths.	★★★	DCC	PDNPA, LAFs, User groups	From 2013/14	RoWIP Theme B
iii	Provide targeted information about easy access paths and facilities (including mobility scooters and electric bike network) providing links to web pages and information in local access guides.	★★ £	DCC, PDNPA	Local Access Groups, LAFs, Other disability organisations	Ongoing	ROWIP Themes B and C
iv	Promote cycling around the county and specifically to keep the Cycle Derbyshire leaflet and associated information up to date.	★★ £	DCC, PDNPA	Sustrans, User groups, Tourism interests	Ongoing	Tourism, Active Derbyshire Plan, PDNPA Recreation Strategy, RoWIP Themes B and C

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
v	Promote horse riding around the county and specifically to keep the Horse Ride Derbyshire leaflet and associated information up to date. Seek opportunities to expand the horse box parking scheme.	★★ £	DCC, PDNPA	BHS, User groups	Ongoing	PDNPA Recreation Strategy, RoWIP Themes B and C
vi	Produce publicly available information, focusing on responsible recreational driving of motor vehicles, providing specific information targeted at motorised vehicle users. New DCC web page planned for 2013/14.	★★ £	DCC, PDNPA	LAFs, User groups	2013/14	RoWIP Theme C
vii	Ensure that our existing promoted routes and trails are inspected regularly, are in good repair and review the promotion/ alignment of these routes, starting with the Archaeological Way.	★★ £££ HLF	DCC	Volunteers, Local Councils/ community groups, User groups, PDNPA, Creswell Crag Heritage Trust	Ongoing	RoWIP Themes B and C

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 4d) Encourage responsible use and develop people's confidence in the use of the access network</b>						
i	Promote the countryside and moorland visitor codes to encourage more responsible use of the countryside and open access land, along with respect for the people who live and work there.	★★	Natural England, Moorland Association, PDNPA, DCC	TICs, LAFs, User groups, Moors for the Future, Land managers	Ongoing	RoWIP Theme A
ii	Continue to develop Codes of Conduct for all users and raise awareness with land managers and user groups.	★★ £	DCC, PDNPA	LAFs, Adjacent authorities, User groups, NFU/CLA, Land managers	Ongoing	PDNPA Recreation Strategy, RoWIP Themes A and B
iii	Develop confidence among current non users through provision of events and support programmes and development of new technology (MP3 players, mobile phones, Bluetooth, audio trails etc).	★★	DCC, PDNPA	Derbyshire Sport, PCTs, District Councils, Groundwork Trusts, Walking for Health schemes	Ongoing	Active Derbyshire Plan, PDNPA Recreation Strategy, RoWIP Theme B

## **Aim 5: Encourage greater community involvement in managing local rights of way**

### **Background**

The actions in this section will ensure that there is appropriate support and ample opportunities for communities to be actively involved in monitoring, maintaining and improving their local rights of way network.



The key conclusions from the original assessment carried out for the RoWIP identified the need to develop closer partnership working with local people and make better use of volunteers. This has since been emphasised further with the national introduction of the Localism Act 2011.

## **Progress and developments since 2007**

**Minor Maintenance Agreements (MMA) with local councils:** we continue to work with local councils through MMAs and still have 141 parish/town councils registered with the scheme. About half of these actively carry out work on the ground (mainly in the form of strimming, minor vegetation clearance, waymarking and minor path repairs), and make yearly claims for payment. We had made a commitment in the first Statement of Action to review this scheme but, with reducing revenue budgets, we are not currently in a position to do this. We will honour the agreements that we have in place, providing that we have the money available, and look to provide support to local councils in other ways.

**SLAs:** We have developed four successful SLAs to generate added value to the work that we can deliver on our own. These SLAs have been with the PDNPA, BTCV (now TCV) and two Groundwork Trusts: Groundwork Derby and Derbyshire and Groundwork Creswell. The work that has been carried out through these schemes is varied and includes contributions by the Peak Park Conservation Volunteers to access related work within the National Park, project working based around specific parishes by the Groundwork Trusts and general volunteer tasks on access projects by BTCV. The SLAs have changed and developed over the five years and we will need to keep them under review to take advantage of any opportunities that arise to deliver access projects and also to ensure value for money.

**Condition surveys:** Path surveys have been completed in 74 parishes over the period from 2007-11 using volunteers through SLAs and work with area countryside staff. In addition, volunteers from local user groups have contributed to the twice yearly ease of use condition surveys of public rights of way.

**Work with user groups, other stakeholders and volunteers:** The majority of the work with other groups and individuals is carried out through our area countryside staff. More user groups than ever are keen to help with practical tasks such as the local Ramblers Association (RA) group in Chesterfield and North East Derbyshire working with our north area staff and local RA members in the Derbyshire Dales area carrying out parish surveys with Groundwork and PRow Inspector support. More local parish based footpath and bridleway groups have also been set up in conjunction with local councils or local community groups to whom we have provided support to for delivering access improvements.

Over the past five years, we have generated in excess of 6,000 volunteer days on access projects through the various SLAs and through supporting local groups and individuals. We want to improve on the amount and quality of the work that we do with volunteers of all ages and have recently seized on the opportunity to establish

a new Project Officer for working with volunteers as part of a review of the countryside service.

### Changes within the Statement of Action tables

#### Added in:

- The need to investigate how best to harness local interest, what are the options and alternatives (Aim 5b) ii).
- A section on working with landowners previously identified as actions within Aims 1 and 3 in the first Statement of Action.

#### Removed:

- The specific actions relating to signposting have been incorporated into routine work in Aim 1.
- The specific actions with respect to path surveys, as these are mainly carried out within Aim 5b) i through SLAs or other types of involvement with groups/ volunteers.

### Aim 5: Encourage greater community involvement in managing local rights of way

	Proposed actions	Resources	Delivered by	Key Partners	Time scales	Link to themes/ other strategies
<b>Identified need: 5a) Increase involvement of user groups and other volunteer groups/individuals in managing and improving local rights of way</b>						
i	Give greater emphasis to work with user groups and other local community/ volunteer groups to deliver actions in the RoWIP either through use of SLAs or otherwise. Report number of groups active, number of volunteer days provided and any outputs achieved.	★ ££	DCC, PDNPA	User groups, LAFs, District and Local Councils, PDNPA, Ground-work Trusts, TCV, Civic Voice, Youth Forums	Ongoing	RoWIP Themes B and C

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
<b>Identified need: 5b) Increase involvement of local councils in managing local rights of way</b>						
i	Continue to work with parish and town councils still signed up through the existing Minor Maintenance Scheme.	★ ££	DCC	Local Councils	Ongoing	RoWIP Themes B and C
ii	Provide support and advice and where feasible small amounts of funding to enable parish and town councils to undertake surveys, repairs or improvements to local rights of way that deliver RoWIP actions. Any funding to be identified through the LTP funding programme.	★★★LTP3 £££	DCC	Local Councils, User groups, Community groups/ volunteers, DALC	2012-16	LTP3, RoWIP Themes B and C
<b>Identified need: 5c) Increase involvement of land managers in managing and improving local rights of way</b>						
i	Work with landowners/ managers to raise awareness of shared PRow responsibilities.	★★	DCC PDNPA	Land-owners and managers, CLA/ NFU, PDNPA, LAFs	Ongoing	
ii	Work with landowners/ managers to help to identify and secure improvements to the network (providing financial	★★ £	DCC PDNPA	Land-owners and managers, CLA/NFU, PDNPA, LAFs		RoWIP Themes A & C Links to 3d) i

	<b>Proposed actions</b>	<b>Resources</b>	<b>Delivered by</b>	<b>Key Partners</b>	<b>Time scales</b>	<b>Link to themes/ other strategies</b>
	incentives in respect to new path furniture, legal orders and where appropriate implementing work on the ground).					

### **Equality Analysis**

The RoWIP with its Statement of Action has an important role to play in providing the physical resources and messages to encourage active healthy lifestyles and physical wellbeing for all ages. It has significant benefits for each of the protected characteristic groups as defined by the Equality Act 2010.

We have carried out an equality analysis which is set out in Appendix F. The findings have been incorporated into the new Statement of Action and will be reflected in the annual work programmes for delivering the RoWIP through to 2017. Three additional actions were identified to help address some of the issues affecting the protected characteristic groups:

<b>Identified Actions</b>	<b>Timescale</b>
1. Target Protected Characteristic Groups to be consulted on specific actions as appropriate during the delivery of the RoWIP	2013-2017 as required
2. Large scale projects within the RoWIP Statement of Action should have their own Equality Analysis if appropriate	2013-2017 as required
3. Carry out a periodic review of how we are engaging with the Protected Characteristic Groups and include a section on Equalities within the RoWIP Annual Monitoring Reports to ensure that this work remains high profile	Annually throughout 2013-2017

## **Section 4 - Implementation and Monitoring**

### **4.1 Implementation**

The Statement of Action has been structured in order to identify the level of resources required, provide an indication of the estimated costs for a particular action and the level of partnership working that would be required to deliver the action.

We will be implementing this new Statement of Action during what will be a very challenging time for local authorities as we are faced with significantly reduced

budgets over the coming years. We will not be able to implement all the actions immediately or on our own. This is why it will be necessary for us to work in partnership with other organisations and individuals. We will also have to look to attract additional internal and external funding as opportunities arise. Many of our larger projects are realised through funding packages consisting of more than one source and it is common practice to match fund several funding sources to secure a total project budget. Within the current economic climate, these funding streams are increasingly difficult to secure.

The public consultation exercise which was carried out on the draft Statement of Action has helped to identify and set the priorities which, in turn, will affect its implementation. The second Statement of Action will be supported by comprehensive annual work programmes that will take into account the resources available at the time. These will set out more detailed plans and targets, list individual schemes and will be submitted to the LAFs each year.

## **4.2 Monitoring and Review**

We will produce annual monitoring reports to demonstrate progress made against the Statement of Action and the links to the three key themes. These will be reported to the two Local Access Forums for the county and published on our website.

The LAFs will also have a role in the implementation and monitoring of the RoWIP, in addition to its formal ten year review in 2017.

## **Appendix A - Glossary of Terms Used**

**Access Authority** - local highway and national park authorities with powers and responsibilities for areas of open access land.

**Biodiversity** - a way of looking at the whole picture relating to wildlife which includes both habitats and species, and the relationship between them.

**Community Infrastructure Levy** – this is a new levy that local authorities can choose to charge on new developments in their area. The money can be used to support development by funding infrastructure that the Council, local community and neighbourhoods want. Charges are based on the size and type of the new development.

**Countryside and Rights of Way (CROW) Act 2000** - creates a legal right of access for people on foot to certain types of open land. Additionally, it made changes to the law governing PRow and strengthened nature conservation legislation to facilitate better management of Areas of Outstanding Natural Beauty (AONBs).

**Definitive Map and Statement** - the legal record of PRow, showing their position and status. A surveying authority may produce a new consolidated Definitive Map and Statement for the whole of its area, effectively combining all the separate documents that were originally published for the former rural and urban districts or which have been inherited in part from other authorities as a result of county boundary changes.

**Derbyshire Mapping Portal** - provides a single point of access to geographic information held by councils throughout Derbyshire, including PRow and adopted highways. Using web-mapping technology, it overlays many types of information on one map and, where available, provides links to the relevant council's website.

**Ease of Use Survey** - based on BVPI 178, a former national Best Value Performance Indicator which was used to monitor the 'ease of use' of public rights of way. The assessment is made using a set of criteria relating to the presence of signposting or unlawful obstructions, surface condition and that of any path furniture. Each route is also assessed on the basis of its ease of use for the different groups entitled to use it.

**Equality Act 2010** - replaces most of the Disability Discrimination Act (DDA) and provides the legal framework to tackle disadvantage and discrimination. It applies in several areas, including employment, education, functions of public bodies and access to goods, services and facilities.

**Greenways** - largely car-free, off-road routes connecting people to facilities and open spaces in and around towns, cities and the countryside; for shared use by people of all abilities on foot, bike or horseback, for car-free commuting, play or leisure.

**Highway Authority** - the body responsible for maintaining public highways, including rights of way, and keeping them free from obstruction.

### **Legal Orders**

- Definitive Map Modification Orders
- Public Path Orders
- Traffic Regulation Orders, including temporary closures

**Limestone Journeys** – this is a five year programme (2011-2015) of activity funded through the Heritage Lottery scheme which focuses on the unique landscape and heritage of the North East Derbyshire Magnesian Limestone area. There are several access related projects within this programme, the main one being the re-alignment and re-development of the Archaeological Way.

**Local Access Forum (LAF)** - this is a statutory body established under the CROW Act to provide strategic advice on matters connected to outdoor recreation and access. There are two within Derbyshire: the Peak District LAF and the Derby and Derbyshire LAF (DADLAF).

**Local rights of way** - these include the following paths and access opportunities: PRow (Footpaths, Bridleways, Restricted Byways and BOATs, off-road cycle tracks, Greenways (multi-user trails), permissive paths through woodland, parks, estates or along canal towpaths, open access land and Non Classified Highways.

**Minor Maintenance Agreements (MMA)** - an agreement between the County Council and selected local councils for them to manage some elements of path maintenance works on PRow in their own area.

**National Forest** - the National Forest was established by the Government in April 1995 and is sponsored by defra. It covers a 200 square mile area that straddles the borders of Derbyshire, Staffordshire and Leicestershire, and is being created through working partnerships and with community participation with a view to transforming the area into a range of land uses framed by woodland.

**Non-Classified Highway (NCH)** - a minor public highway. Some are unsurfaced and commonly referred to as “green lanes”. The terminology cannot be relied on to determine the legal status of a route, only the fact that it is maintainable at public expense.

**Open Access Land** - a specific area of land where a new right of access on foot applies (often referred to as the “Right to Roam”). These areas were designated under the CRow Act 2000.

**Permissive Path** - a path which the landowner has given permission for the public to use. These are also sometimes referred to as concessionary paths.

**Promoted Route** - a route which has been endorsed by the County Council, with accompanying information (usually a leaflet or guide book) or which is actively promoted in some other way, eg, with signage or through a website.

**PRoW - Public Rights of Way:**

(i) **Public Footpath** - a route for people on foot only (but can be used in wheelchairs or with pushchairs).

(ii) **Public Bridleway** - a route for walkers, horse riders and pedal cyclists.

(iii) **Restricted Byway** - a route for walkers, horse riders, pedal cyclists and drivers of horse drawn carriages, which motorised vehicles are not entitled to use.

(iv) **Byway Open to All Traffic (BOAT)** - a route that is mainly used for the purposes for which footpaths and bridleways are used, ie, by walkers, horse riders and pedal cyclists, but which motorised vehicles are allowed to use.

**Quiet Lanes** - minor rural roads, carrying light levels of vehicular traffic that can be made more attractive to those people who wish to walk, cycle or ride a horse along them whilst linking other off-road routes.



**Section 106 Agreements** – these are developer contributions (Section 106 Planning Obligations) that can be used to help mitigate the potential negative impacts of new development and minimise any loss or damage to services and facilities, and environmental resources on or adjacent to a development site. In addition to planning conditions, planning obligations can be used where they would help to make new development proposals acceptable.

**Statutory Declarations** – these are statements and maps that landowners have given to the Council which identify the PRow on their land. They then make an associated declaration stating that they do not intend to dedicate any further rights of way on their land. These declarations, which have to be renewed at regular intervals, help prevent new rights of way being claimed across the landowners land.

**Strategic Cycle Network** – this is the cycle network identified in the LTP and relates mainly to the off-road opportunities for safer cycling in the County but there may be some short linking on road sections.

**Surveying Authority** - the body responsible for the preparation and upkeep of the Definitive Map and Statement of PRow.

**Sustrans** - a charity which works on practical projects to help reduce motor traffic, including provision of the National Cycle Network and Safe Routes to Schools. Often used by Government to channel funding for cycle related projects.

## **Appendix B - Summary of Relevant Plans and Strategies**

Statutory guidance issued by defra in November 2002 suggests that a wide range of plans and strategies may be of relevance in the preparation of the RoWIP. The following is not an exhaustive list, but represents the range of interests that overlap with rights of way and wider countryside access issues:-

### **National Government Policies and Guidance**

- National Planning Policy Framework (NPPF)
- Active Travel Choices: Cycling and Walking (Department for Transport (DfT) 2010)
- Guidance for Authorising Structures (gaps, gates and stiles) on PRow – Good Practice Guidance on Compliance with the Equality Act 2010 (defra 2010)
- Strategy for the Horse Industry in England and Wales (defra 2011)
- At Least Five a Week: evidence on the impact of physical activity and its relationship to health. A report by the Chief Medical Officer (Department for Health 2004)

### **Other National Strategies, Plans and Information**

- UK Biodiversity Action Plan (UK Biodiversity Partnership)
- By All Reasonable Means: inclusive access to the Outdoors for disabled people (Natural England 2005)
- Sustrans - various initiatives: Improving access by foot and bike, promoting sustainable travel; Liveable Neighbourhoods; Safe Routes to Schools
- Walking facts and figures!: The benefits of walking (Ramblers Association 2010)
- The Economic and Social Value of Walking in England (Ramblers Association 2003)
- The Health Benefit of Horse Riding in the UK (British Horse Society)

### **Regional Policy and Strategies**

- On Trent Initiative 2005-2024
- The National Forest Strategy 2004-2014
- The National Forest Cycling Strategy 2002
- Putting Wildlife Back on the Map: A Biodiversity Strategy for the East Midlands
- Green Infrastructure Strategy – 6C's Area (2010)

### **County Policies, Plans and Strategies**

- Derbyshire Leading the Way County Council Plan 2010-2014
- DCC Environmental Services Departmental Service Plan 2012-2013
- Sustainable Community Strategy for Derbyshire
- Derbyshire Health and Wellbeing Strategy
- Derby and Derbyshire Mineral Local Plan
- Derbyshire LTP3 2011-2026
- Derbyshire Infrastructure Plan and Developer Contributions Protocol
- Active Derbyshire Plan – Derbyshire Sport.
- Biodiversity Action Plans for Derbyshire (Lowland and Peak District)
- 3 Greenway Strategies for Derbyshire
- The Landscape Character of Derbyshire
- Transport Asset Management Plan

### **Local Plans and Strategies**

- 8 District/Borough Council Local Plans
- Derby City Council Local Plan
- Peak District National Park Authority (PDNPA) Core Strategy
- Recreation Strategy and Action Plan for the Peak District National Park 2010-2020
- PDNPA Sustainable Transport Action Plan 2012-2017
- District/Borough Economic/Regeneration Strategies
- District/Borough Community Strategies
- Chesterfield Canal Access Strategy
- Derwent Valley Mills World Heritage Site Management Plan

## Appendix C - Environmental Statement for the RoWIP

### Introduction

The LTP3 2011 - 2026, sets out the long term strategic priorities for the promotion of safe, integrated, efficient and economic transport from and within Derbyshire County Council's area.

Throughout the development of the Derbyshire LTP3, a Strategic Environmental Assessment (SEA) and Habitats Regulations Assessment (HRA) have been used<sup>1</sup> to ensure a high level of environmental protection and the integration of environmental considerations into its preparation and decision making process. The RoWIP is included within the Derbyshire LTP3 as a more detailed transport-related plan to help deliver our priorities and therefore the aims contained within the RoWIP were subject to environmental consideration through the development of the LTP3 preferred strategy.

By including the RoWIP as a linked Plan, the SEA and HRA were able to incorporate the aims of the RoWIP into the development of the Derbyshire LTP3. This new Statement of Action to be updated for 2012-2017 enables the RoWIP to be fully aligned with the Derbyshire LTP3, its environmental considerations and actions to address these. The SEA and HRA can be found using the link [www.derbyshire.gov.uk/localtransportplan](http://www.derbyshire.gov.uk/localtransportplan).

### Addressing Environmental Issues

As part of the SEA and HRA, we identified the key environmental issues and potential future trends that were related to transport (including rights of way), and its wider influences in Derbyshire using a wide range of evidence. The result of this stage was the development of 13 environmental objectives, with further sub-objectives to ensure that more detailed environmental considerations were made. These 13 objectives and their sub-objectives have been embraced within this review of the RoWIP Statement of Action for 2012-17 and form the environmental objectives for taking the RoWIP forward.

#### Environmental Objectives

**SEA1** Protect and enhance the natural character (landscapes, townscapes and the historic and natural environment) including the setting of heritage assets, of the whole plan area, with due regard to areas of environmental sensitivity.

<sup>1</sup> SEA is required for certain plans which include LTPs, under European Directive 2001/42/EC, which was transposed into English law through The Environmental Assessment of Plans and Programmes Regulations 2004 (Statutory Instrument 2004 no 1633). Habitats Regulations Assessment is required under European Directive 92/43/ECC and have been transposed in England by the Conservation of Habitats and Species Regulations 2010.

- Maintain the transport asset for local travel to protect landscape character, sense of place and the natural and historic environment.
  - Reduce light pollution and help to preserve dark skies.
  - Avoid damage to the World Heritage Site and all heritage assets, including their setting.
  - Help preserve remoteness and tranquillity within the Peak District National Park and other areas of tranquil countryside.
  - Prevent damage to the landscape and biodiversity assets within it due to increases in recreational walking, cycling, motorcycling etc.
  - Reduce the visual impact of transport infrastructure.
- SEA2** Protect and enhance European Sites, legally protected species and national sites designated for their biodiversity and geological interests, ensuring that these receive the highest level of consideration at all times, and consider other local sites, habitats and species, including measures to reduce habitat fragmentation and enhance connectivity.
- SEA3** Support a resilient economy.
- SEA4** To reduce motorised traffic growth through a combination of demand management measures, land-use planning and encouragement of the use of more sustainable transport modes.
- Promote behavioural change to encourage healthier, more sustainable travel habits.
  - Support sustainable tourism.
  - Improve access to key services and facilities using sustainable travel modes of transport.
  - Improve health by encouraging walking and cycling, reducing pollution and reducing health inequalities.
  - Influence the location of development to make efficient use of existing physical infrastructure and to help reduce the need to travel.
- SEA5** Minimise noise and vibration impacts.
- SEA6** Ensure the provision of transport and services considers the needs of elderly people, particularly in rural areas.
- SEA7** Improve road safety through targeted interventions and make travel feel safer, particularly by non-car modes.
- SEA8** Improve community safety, reduce crime and the fear of crime.
- SEA9** Enhance well-being and sense of community by reducing traffic impacts, creating more opportunities for social contact and better access to leisure facilities and the natural environment.
- SEA10** Reduce transport's emissions of carbon dioxide and other greenhouse gases with the desired outcome of tackling climate change.
- SEA11** Reduce the emission of air pollutants from transport in declared Air Quality Management Areas which relate to local traffic.
- SEA12** Enhance the network's resilience to climate change, eg reduce the risk of flooding.
- SEA13** Minimise the use of environmental resources.
- Minimise energy usage and reduce dependency on non-renewable resources.
  - Increase the proportion of re-used and recycled materials used in roads and rights of way construction and maintenance.
  - Use locally sourced materials wherever feasible.

## Environmental Effects

The SEA and HRA identified that there should be no significant negative effects of the Derbyshire LTP3 Strategy. In addition it was likely that there would be significant positive effects.

## Predicted effects of the Derbyshire LTP3 Strategy

	Timescale of impact		
	Short	Medium	Long
SEA 1 Protect and enhance the landscape character (landscapes, townscapes and the historic and natural environment), including the setting of heritage assets, of the whole plan area, with due regard to areas of multiple environmental sensitivity.	-	0	+
SEA 2 Protect and enhance nature (biodiversity, geodiversity, wildlife flora and fauna) and take measures to reduce habitat fragmentation and enhance connectivity.	0/+	+	+
SEA 3 Support a resilient economy.	0	+	+
SEA 4 To reduce motorised traffic growth through a combination of demand management measures, land use planning and encouragement of the use of more sustainable transport modes (also climatic).	+	+	+
SEA 5 Minimise noise and vibration impacts.	?	+	+
SEA 6 Ensure the provision of transport and services considers the needs of elderly people, particularly in rural areas.	+	+	++
SEA 7 Improve road safety through targeted interventions and make travel feel safer, particularly by non-car modes.	+	+	+
SEA 8 Improve community safety, reduce crime and the fear of crime.	+	+	+
SEA 9 Enhance well-being and sense of community by reducing traffic impacts, creating more opportunities for social contact and better access to leisure activities and the natural environment.	+	+	++
SEA 10 Reduce transport's emissions of carbon dioxide and other greenhouse gases, with the desired outcome of tackling climate change.	0	+	++
SEA 11 Reduce the emission of air pollutants from transport in declared Air Quality Management Areas which relate to local traffic.	0	0	+
SEA 12 Enhance the network's resilience to climate, change e.g. reduce the risk of flooding.	0	0	+
SEA 13 Minimise the use of environmental resources.	+	+	++
<b>Key</b>			
<b>++ Significant Positive</b>	<b>+ Minor Positive</b>	<b>0 Neutral effect</b>	<b>- Minor negative</b>
			<b>? Uncertain</b>

In coming to this conclusion, we recognised that this assessment was based upon a number of uncertainties in what would actually be delivered. Therefore, there was a degree of risk of negative impacts from the Plan's

implementation. To help minimise this risk, as part of the development of the RoWIP Statement of Action, we reviewed the relevant actions contained within the Derbyshire LTP3 related to rights of way against the SEA and HRA environmental considerations required to mitigate any negative effects and to accentuate the positive effects.

### **Minimising Negative Effects**

The key actions to minimise negative effects are:

- Minimising visual impact arising from transport assets, e.g. new rights of way or Green Infrastructure.
- Minimising the potential for increased traffic and its associated effects by people accessing rights of way and Greenways, e.g. visual intrusion from traffic and parking, localised congestion, carbon emissions, noise and air pollution, including nitrogen deposition on habitats.
- Minimising energy usage, carbon emissions and light pollution from street lighting on new or existing rights of way or Greenways.
- Minimising the impact on habitats and species (particularly European sites and species), from an increase in recreational activity e.g. disturbance of species, damage to habitats or deaths of protected species.
- Minimising damage to landscapes, historical assets, geological interests and biodiversity, particularly from motorised vehicles in the countryside.
- Minimising the use of primary materials through new infrastructure or maintenance regimes.

### **Taking Opportunities for Positive Effects**

The key opportunities for significant positive effects are:

- Ensuring that rights of way and Greenway provision considers the needs of elderly people, particularly in rural areas, e.g. improving and promoting their use for accessing services.
- Enhance well-being and sense of community by promoting smarter choices to reduce traffic impacts, creating more opportunities for social contact and better access to leisure activities and the natural environment, e.g. increasing access to green space.
- Contribute to reducing transport's emissions of carbon dioxide and other greenhouse gases, e.g. by promoting smarter choices.
- Re-use materials and use recycled materials through new infrastructure or maintenance regimes.

Other opportunities for positive effects are:

- Use of appropriate materials and good design principles to enhance landscapes, townscapes and historic environments.
- Improve health by providing rights of way and Greenways to be used for physical exercise and to promote healthier lifestyles.
- Using rights of way and Greenway corridors to provide habitats or link up habitats, e.g. Green Infrastructure.
- Improving and promoting rights of way and Greenways to support local economies, access local services and to support sustainable tourism.
- Reduce the number and risk of vulnerable road users being killed or seriously injured in road collisions.
- Reduce crime/fear of crime for people using rights of way and Greenways.
- Enhance resilience to climate change and consider flood risk.



## **Appendix D - Extract from LTP3 Investment Protocol (2011) relevant to the RoWIP**

The following is a summary of the LTP3 Investment Policies which are most relevant to the RoWIP.

Further details and documentation about the LTP and Investment Protocol can be found at [www.derbyshire.gov.uk/localtransportplan](http://www.derbyshire.gov.uk/localtransportplan).

### **SUPPORT**

- IP1 Carriageway maintenance
- IP2b Footway maintenance key routes
- IP3 Bridges, structures, retaining walls and highway boundary structures maintenance
- IP4 Gully and drain management
- IP5 Asset replacement/removal
- IP6 Lighting
  - IP6a Switching off streetlights
  - IP6b Removing unnecessary lighting
- IP7 Rights of way
  - IP7a Access for All
  - IP7b Rights of Way Structural Integrity
  - IP7c Protection and restoration of habitats and species alongside Public Rights of Way in accordance with the findings of the statutory Environmental Assessments
- IP10 Highway maintenance environmental checklist
  - IP10a Listed highway structures
  - IP10b Road verge reserves
  - IP10c Conservation of character
  - IP10d Waste management
- IP23 An evidence based approach to transport network management
- IP26 Route Management Planning
- IP31 Enhancing the street scene
- IP33 Parking management
- IP34 Incident management and emergency responses
- IP36 Securing developer funding
- IP47 Schemes to reduce animal deaths – protected species
- IP48 Schemes to minimise water pollution
- IP51a Pedestrian quality networks
- IP52a Cycling networks
- IP53 Bus
- IP54c Local travel to and from rail stations (by bus, walk and cycle)
- IP56 Travel Planning

IP59a Transport information  
IP59b Personalised travel marketing project  
IP59c Transport provision mapping  
IP62d Equality impact analysis  
IP74 Evidence-based casualty reduction initiatives  
IP75 Road Safety Partnership working  
IP76 Road safety audit procedures  
IP78 Safer routes to school  
IP82 Community Safety improvement measures  
IP91 Complete routes for healthy cycle networks  
IP92 New pedestrian networks  
IP94 High quality network of (access to) green spaces  
IP95 Transport infrastructure and new developments  
IP96 Transport and spatial planning liaison  
IP97 Developer contributions  
IP98 Environmental assessment, mitigation and enhancement (new infrastructure)  
IP102 Environmental mitigation and enhancement (overarching)  
IP105 Smarter travel packages of measures for targeted locations  
IP106 Sustainable Drainage Systems

**USE SPARINGLY – NOT LIKELY TO BE WIDESPREAD**

IP14 Renewable energy (to increase from current levels)  
IP15 Noise reduction  
IP67 New footways or bridges  
IP72 Quiet lanes  
IP83 New infrastructure which creates a net increase for the authority to maintain  
IP99 New assets

**NO SUPPORT (UNLESS EXCEPTIONAL CIRCUMSTANCES)**

**IP16 Porous surfacing**  
**IP20 Hard surfacing of low frequency footway networks**  
**IP50 Park and Ride (permanent schemes)**  
**IP84 Remedial measures where there is no evidence of a casualty problem**  
**IP103 New street lighting**  
**IP104 Provision of (new) parking facilities**

## **Appendix E - Rights of Way Charter 2011**

# **Rights of Way Charter**

**Derbyshire County Council**

**A guide to the level of service you can expect from  
the Council's Rights of Way Service**

Ian Stephenson  
Strategic Director – Environmental Services

June 2011

## **1. Introduction**

This Charter complements the County Council's Rights of Way Improvement Plan. It explains how we will prioritise enquiries we receive from our customers. This Charter is not intended to describe the way in which the Council carries out its duties.

The Rights of Way Team implements the Council's statutory duties and policies in respect of the protection and management of the public rights of way network. The Council manages 3,200 miles (5176 km) of public paths, approximately 9,311 paths.

The Council has a duty to assert and protect the rights of the public to the use and enjoyment of any highway for which it is the highway authority (Section 130 Highways Act 1980). This includes public rights of way. In addition to this the Council has powers which are available to it to manage the rights of way network. The Council recognises that it is important to balance the resources it needs to exercise its powers, for example making public path orders, against its duties prescribed in the legislation. The Council will therefore continue to use its powers in order to provide a service to the landowning community and the visitors to the county.

Public rights of way provide opportunities for recreation as well as providing an intricate transport network for access to schools, businesses as well as the day to day movement of people. In addition, the Council seeks opportunities to create and enhance public access to the countryside where ever possible. To this end we will work with landowners and their tenants to ensure that paths are maintained free of obstruction.

We will also continue to work closely with local voluntary and community groups, parish councils and other stakeholders utilising existing and, where appropriate, external funding to deliver an enhanced Service.

This Charter will be made available as a download on the Council's web site. It will also be published as a leaflet in an abbreviated form and made available at libraries and a selection of public places including Tourist Information Centres.

## **2. How we will deal with your enquiry**

The Council receives enquiries in 4 different ways:

- Telephone.
- Letter (including FAX).
- Email (including online web forms).
- In person.

All enquiries are logged into a Customer Management System. This ensures all enquiries are traceable. You may request a reference number to assist you with any follow up enquiries.

### **2.1. Resolving your enquiry**

Enquiries vary in complexity and response times may be influenced by the volume of work. Furthermore we will forward enquires that cannot be resolved by the Rights of Way Team to the correct body but we cannot guarantee in those circumstances that your enquiry will be resolved in line with the time-scales in this Charter. We will explain this to you when we respond.

- We will acknowledge the receipt of your letter within 10 working days and your email within 24 hours or the nearest working day.
- We will programme your enquiry and then advise you when we intend to investigate your enquiry within 10 days of receipt.
- Public safety reports will be inspected within 2 working days.
- Non-rights of way matters will be passed to the appropriate body within 10 workings days of receipt.
- We shall notify you when we have resolved your enquiry.

Our response will include one or more of the following elements:

- A full response to your enquiry.
- An indication when your enquiry will be resolved if it requires further research.
- If you have reported a maintenance issue you will be advised when or if the work will be carried out. If you have reported a missing signpost you will be advised when it will erected.
- If you have requested a Public Path Order you will be advised of charges that apply, when the process will commence and the anticipated timescale to completion.
- Some issues are the responsibility of other bodies in which case we will inform you who will be dealing with your query.

Reported problems on paths are investigated in line with their severity and all reports will be dealt with in line with our scheme of priorities. Lower priority reports may be investigated at the same time as reports of a higher priority provided they are in the same locality. The current work programme will be made available on the Council's web site.

## **3. Prioritising Enquiries**

The Rights of Way Team receives a large number of enquiries each year. This inevitably impacts on our ability to resolve every reported issue in a timely way. It is important therefore that we prioritise enquiries. By prioritising enquiries we are better able to program our work. We take into account the level of danger to the public and the effect a reported problem may have on access. This is then used as the basis for placing your enquiry into one of 4 priorities.

For information on how we deal with Public Path Orders and Definitive Map Modification Orders please refer to our policy framework for action<sup>1</sup>.

The four priority categories are listed below with examples of the types of reports that fall into each category. Please note, this list is not exhaustive and is intended to provide an indication of the types of work which will fall into each category.

### **3.1. Priority A Enquiries**

Definition: Emergencies, public safety, non-rights of way issues. Examples include:

- Public Safety
- Harassment and intimidating behaviour or notices
- Potentially dangerous bridge or structure on a right of way
- Unauthorised use by motorised vehicles/horses/bicycles
- Not within the power of the Public Rights of Way Team to resolve. These will be passed to responsible agency for action. Some examples given below:
  - Abandoned vehicles on paths
  - Fly-tipping
  - Litter
  - Dog fouling

**Target: Resolve within 10 working days of receipt except Public Safety which will be investigated and/or resolved within 2 working days which will include appropriate and immediate action to minimise further risk.**

### **3.2. Priority B Enquiries**

Definition: Issues directly affecting or limiting access. Examples include:

- Drainage and flooding issue
- Obstruction and encroachment
- Surface damage, vegetation preventing use by public
- Ploughed path or obstruction by crops
- Stile or gate fault
- Electric fencing
- Erection of a signpost
- Commence processing Public Path Order applications

**Target: Resolve within 14 weeks from receipt**

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<sup>1</sup> To be published in 2011

### **3.3. *Priority C Enquiries***

Definition: Issues that do not affect access to a significant degree.

Examples include:

- Request for Barriers
- Handrail repairs
- Willful removal of a signpost in order to mislead the public
- Waymarking.

**Target: Resolve within 28 weeks from receipt**

### **3.4. *Priority D Enquiries***

Definition: A group of issues which will be dealt with as soon as practicable.

Examples include:

- Misleading Notices
- Path improvement requests not covered by higher priorities
- Minor obstruction/encroachment with alternative route
- Major works funded by capital bids
- Enquiries relating to non-definitive paths.

**Target: Dealt with as soon as practicable but not as a priority**

## **4. Dealing with complaints**

If you wish to complain about our services you may do so in writing, by fax, email or via the Council's web site – [www.derbyshire.gov.uk](http://www.derbyshire.gov.uk).

## **5. Freedom of Information**

The Freedom of Information Act 2000 and the Environmental Information Regulations creates significant rights of access to recorded information held by public authorities.

The Council will strive to make as much information about rights of way available to the public as reasonably practicable. Full use will be made of the Council's web site as well as more traditional means of distributing information such as libraries and tourist information centres.

## Appendix F - Greenways Delivered and Proposed Schemes

### A. Greenway delivery 2007-2012

The following list provides details of the 65km of Greenways that have been developed on the ground during the period covered by the first Statement of Action:

Greenway Routes completed Nov 2007/2012	Km	On Road	Comments
<b>East Derbyshire Greenway Strategy (Amber Valley, Bolsover, Chesterfield, Erewash and North East Derbyshire)</b>			
Killamarsh	2.80		Killamarsh Greenway + connections to Half Way and Rother Valley via Sustrans Connect 2 scheme
Eckington Bridleway	1.85		Bridleways 119 and 147. Safe routes to school
Chesterfield Canal	0.60		Renishaw
Shirebrook Colliery	4.80		Mineral restoration site UK Coal
Phoenix Greenways	2.90		Newton Link + Temple Normanton Link + Pleasley Trails (continues in Nottinghamshire) and Hilcote Community Link
Archaeological Way	2.90		Pleasley County Park + New Houghton link + Poulter Country Park station link, contribution towards HLF Limestone Journeys project
Wingerworth Setts	0.35		
Chesterfield Cycle Network	3.20		Hipper Valley to Rother Washlands + Spital to Station Link housing development + Royal Hospital Link + A61 Corridor (includes planning gain)
Midshires Way	4.90		Long Horse Bridge Shardlow Greenway (British Waterways Partnership Project and 6C's funding) and Hopwell to Dale Abbey
Erewash Valley Trail	3.50		Partnership project – 6C's funding
Great Northern Greenway	2.90		Breadsall and Links to Breadsall (including grant from emda)
Sandiacre Canal	1.30		
Swanwick Greenway	0.40		Crays Hill. In partnership with Amber Valley BC
<b>South Derbyshire Greenway Strategy (South Derbyshire)</b>			
Great Northern Greenway	2.60	0.50	Hilton (from Housing Development) and Etwall
Trent Valley Greenway	0.50		Barge Bridge and Cranfleet Lock link
Conkers Circuit	1.90		Heart of the National Forest
Swadlincote Church Gresley	1.70		Planning gain linked to housing development
Swadlincote NCN63	2.60	2.10	0.2km planning gain Rink Drive to Highfields Road.
<b>West Derbyshire Greenway Strategy (Derbyshire Dales and High Peak)</b>			
Peak Forest Canal	6.00		Partnership project with British Waterways
Peak Forest Tramway	2.25		Bugsworth to Chinley
Pennine Bridleway National Trail	4.10		Glossop section. Funded by Natural England
Sett Valley Trail	0.50		Links into the Torrs, New Mills
Monsal Trail	9.10		Delivered by Peak District National Park Authority
Shallcross Incline	1.10		In conjunction with Whaley Bridge Town Council
<b>Total</b>	<b>64.75</b>		



## **B. Proposed Greenway Schemes 2013-2017**

Three Greenway Strategies have been developed to set out the proposed opportunities for Greenway development. These are:

- East Derbyshire Greenway Strategy 1998,
- South Derbyshire Greenway Strategy 2006
- West Derbyshire and High Peak Greenway Strategy 2008.

Each of the Strategies contain proposal maps which suggest a series of recommended Greenway routes for further investigation, together with a series of tables providing information about the proposed routes. Collectively, at the time of writing, 660km of proposed network has been identified that could be achieved across Derbyshire.

The routes represent the best known opportunities at the times of writing but are constantly updated as new opportunities arise. Many routes have fixed locations awaiting development whilst numerous community links and network connections require further site investigation or development opportunity.

The proposed Greenway routes are listed in the three individual Derbyshire Greenway Strategies which can be viewed separately at:

<http://www.derbyshire.gov.uk/leisure/countryside/access/greenways/strategies/default.asp>

It should be recognised that the projects suggested in the Greenway Strategies reflect a snap shot at the time of writing and do not represent a definitive list. New opportunities arise all the time and alignment options change.

Whilst any of the routes listed in the Greenway strategies could be developed if the right opportunities present themselves, our priority will be to fill in gaps in the existing network. In accordance with the LTP3 Investment Protocol, new routes will only be developed if they have a strategic importance and/ or likelihood of related planning gain or funding becoming available. The following list provides our best indication of the routes most likely to be developed over the next 5 years:

Projected Greenway Projects 2013-2017	Comments
<b>East Derbyshire Greenway Strategy (Amber Valley, Bolsover, Chesterfield, Erewash and North East Derbyshire)</b>	
Phoenix Greenways	Planning gain Blackwell Trail 2.25km: Westhouse sidings: Alfreton Station Link: Batley Lane Bridge
Chesterfield Cycle Network	Somersall to Holymoorside 1km: Station Link
Bolsover - Castle Fields Greenway	Safe route to school 0.7km
Arkwright Open Cast Site	Planning gain UK Coal Restoration 5.6km
Archaeological Way	Langwith Branch Line 1.6km: Creswell Link: Shirebrook to Pleasley Vale: Pleasley Village
Bolsover Loop	Clowne Branch Line acquisition and development
Park Brook to Woodall	UK Coal restoration site and link to Rotherham
Holmebrook Valley to Linacre	In partnership with Severn Trent Water
Great Northern Greenway	Broomfield to Morley 1.8km: Morley to Stanley
Aldercar to Ironville	UK Coal Restoration Forge and Monument 4.4km
Little Eaton Branch Line	Acquisition and development, route spans both Erewash and Amber Valley
Golden Valley-Swanwick Junction, Butterley	In partnership with Midland Railway Centre
Bentley Plantation, Shipley to Erewash Canal	Link between Shipley Country Park and Erewash Canal/Erewash Valley Trail
<b>South Derbyshire Greenway Strategy (South Derbyshire)</b>	
Trent and Mersey Canal	In Partnership with Canal and River Trust
Rosliston Greenway from Swadlincote	In partnership with Heart of the Forest Forum
Newhall Greenway, Swadlincote	Former railway
<b>West Derbyshire Greenway Strategy (Derbyshire Dales and High Peak)</b>	
White Peak Loop - Matlock to Buxton	Matlock to Oaker 2.5km: Oaker to Rowsley: Rowsley to Bakewell: Wyedale to Buxton
Pennine Bridleway National Trail	High Lane to Green Lane and Dinting Wood 4.7km: Bottoms Reservoir to Etherow
Ambergate – Lockwoods	Land sale condition 0.7km
Peak Forest Tramway	Possible link to planning gain opportunity Chinley to Dove Holes Quarry
Hathersage to Brough	Route to Hope College

**Appendix G - Management of Green Lanes 2012-2017**

DERBYSHIRE COUNTY COUNCIL  
COUNTRYSIDE SERVICE

Management of Green Lanes

2012 - 2017

# 1 Introduction

In 2003 Derbyshire County Council published its first policy dealing with the management of motorised vehicles in the countryside. Since that point in time not only have there been key legislative changes but there has also been an increase in public awareness of the use of vehicles in the countryside.

In 2007 the County Council published the first Rights of Way Improvement Plan (ROWIP). Aim 3f identified steps required to improve the management of recreational motor vehicles in the countryside.

This revised policy takes on board lessons learned over the past years including the ongoing period of implementation of the ROWIP. It sets down the Council's strategy for managing motorised vehicular use of routes throughout the County. The County Council has worked closely with the Peak District National Park Authority on issues relating to the management of motorised vehicles and recognises that National Park has a key role to play in the management of motorised vehicles in the countryside. Indeed this refreshed Policy will compliment that of the National Park. The County Council shall, at all times, have proper regard for the functions of the National Park.

This policy supersedes the previous Policy for the Management of Motorised Vehicles in the Countryside Policy.

This policy does not impact upon private rights of way and therefore references to rights of way and motorised vehicular access in this document are intended to refer to public rights.

## 2 Terminology

This policy covers carriageway highways that are mainly un-sealed. These are generally routes that should be recorded in the definitive map and statement as Byway Open to All Traffic (BOAT). The policy may also be applied to any mainly unsealed ways that are not currently so recorded which Council may consider at any time to be more likely than not to be carriageway highways.

The following words and acronyms [and phrases] are generally used in this Policy as abbreviations, as follows:

- **Byway/BOAT** – Byway Open to All Traffic as defined in the W&CA 1981.

- **Definitive Map** - The definitive maps & statements kept by the Council pursuant to Part III of the W&CA 1981.
- **Mechanically propelled vehicle (MPV)** - All motorised vehicles excluding mobility scooters as defined in The Use of Invalid Carriages on Highways Regulations 1988 (Statutory Instrument 1988 No. 2268).
- **Non Classified Highway (NCH)** - A highway maintainable at the public expense which is not classified as an A, B or C class road or as any other type of road.
- **Recreational driving** covers the driving or riding of mechanically propelled vehicles as a recreational pursuit on BOAT's and other unsealed NCH routes to which this policy applies. It does not include the driving of horse drawn carriages.
- **Stakeholders** refers to anyone who has an interest in the management and maintenance of BOAT's and other unsealed NCH routes and includes user groups, landowners and local authorities.
- **The network** covers the highways to which this policy applies and those carriageway highways not covered by the policy which connect them.
- **TRO** covers any type of Traffic Regulation Order made pursuant to sections 1 or 14 of the Road Traffic Regulation Act 1984.

### 3 Our Aim

Throughout the process of developing this revised policy we have been acutely aware of the need to consider the legal rights of passage for all types of use. The Council listens to the many views expressed by local communities and all user groups including those groups representing recreational drivers. A balance often has to be struck between enjoyment of vehicular use rights over a route and the impacts that continued enjoyment of those rights could have on amenity for the local community, the environment, and other types of use.

Our dialogue with representatives of recreational driving groups has highlighted their desire to pursue and promote only lawful and responsible activity. However it has also served to underline the need at many levels for effective communication to users about precisely which rights can be assumed to exist over a particular route and which cannot be used.

### **Policy Statement 1**

The Council aims to protect opportunities for recreational driving where conflict with other types of use is kept to a minimum and where this activity does not have an unacceptable detrimental impact on the environment or communities.

To pursue this aim, the County Council will continue to invite and take advice via the Local Access Fora and to liaise with representatives of recreational driving vehicle groups.

## **4 Recording of Public Rights**

The Definitive Map should show all public rights of way which existed at the Relevant Date<sup>1</sup>. It is amended by order where the Council considers from evidence available that an additional way exists as a right of way or that a way should be shown as a different kind of highway. Consequently some routes are upgraded to a “higher” status on the Definitive Map, and others are added to it as new routes. Less commonly, routes can be removed or down-graded.

This policy applies to Byways Open to All Traffic (BOAT) and unsealed NCH's other than any NCH over which the Council considers public vehicular rights do not exist. For any NCH over which the Council considers public vehicular rights do not exist, it will generally seek to maintain signs at the relevant junctions to that NCH to indicate highway users that public vehicular rights do not exist over it.

The List of Streets is the record of highways maintainable at public expense, including NCH's, which the Highways Act 1980 requires the Council to keep. This data for Derbyshire is available from the Council's website, which includes depictions of the relevant streets in map form. The List does not record the level of public rights for any street.

Some routes which are recorded on the List of Streets as NCH are also shown in the Definitive Map and Statement, e.g. as a Public Bridleway. These routes are sometimes called “Dual Status”. Although some of them have been the subject of claims for BOAT rights, it appears that the Natural and Rural Communities Act 2006 (the NERC Act) has extinguished rights for driving MPV's over many others. This means that the route cannot be a BOAT even where it could previously have been recognised as one. In other cases the route may be exempt from extinguishment of rights by the NERC Act, e.g. because when it was on the List of Streets and not in the definitive map and statement.

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<sup>1</sup> The Relevant Date is a term used to state the date that the rights of way shown on the Definitive Map legally existed.

Numerous claims for BOAT's to be recorded on the definitive map and statement were received by the County Council following the introduction of the Countryside and Rights of Way Act 2000. A substantial number of these are currently being processed. The County Council website will provide updated information about these claims.

## **5 Sustainability**

The County Council's duty to keep in repair highways which are publicly maintainable includes most public rights of way and the great majority of the routes which are of interest to vehicle users<sup>2</sup>.

The County Council, acting in the public interest, strives to maintain highways in a condition in keeping with their designations and importance. However resources are limited. In practice, maintenance varies widely according to the differing characteristics of the highways concerned. In contrast to other carriageways, BOAT's which are publicly maintainable are not generally maintained so as to promote ease of use by vehicles. This is reflected in the W&CA 1981 (as amended by C&RoWA 2000). Under s55(7) of the Act, certain ways previously shown as roads used as public paths and subject to certain types of modification orders also become highways maintainable at the public expense. However, s.55(8) states that s55(7) "does not oblige a highway authority to provide, on a way shown in a definitive map and statement as a BOAT, a metalled carriage-way or a carriage-way which is by any other means provided with a surface suitable for the passage of vehicles". Where a sealed carriageway is unsuitable for general MPV use this can be marked by 'Unsuitable for Motors' warning signs. The unsuitability of unsealed BOAT's for general MPV driving (as opposed to use by recreational drivers with MPV's with some 'off-road' capability) is generally self-evident from their appearance.

Failure to keep a route in repair is neither a ground for seeking to extinguish a route nor for making a TRO. Nevertheless, for some BOAT routes, no realistic maintenance specification to can be found to secure its establishment as a suitable facility for bridleway and/or footpath uses as well for as vehicular types of use. This may be due to a combination of factors such as climate, topography, deterioration over many years exacerbated by inclement weather, and in some instances erosion from use by vehicles. In some cases more robust standards of repair may provide a solution. For instance, sustainability surveys by the Peak District National Park Authority have recommended investment in the infrastructure of several routes.

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<sup>2</sup> Some highways are privately maintainable. That is, there is a public right to pass and re-pass over the highway but the landowner has the duty to maintain the highway.

Nevertheless, in the County Council's experience, challenging situations can arise where the only physically sustainable maintenance solution compatible with unrestricted vehicular access would be to introduce tarmac as a preventative measure against continued erosion. This change to the character of a route may be considered to be unacceptable on amenity or environmental grounds.

The County Council will therefore take a pragmatic approach to the management of these routes, which strives to ensure that the use of the route by vehicles is preserved without having a damaging impact, and distinguishes those cases where this is not practicable.

A combination of positive and well publicised management is a key to the preservation of these routes for the enjoyment of all. This encompasses restricting, as and when necessary, those routes that are enjoyed for recreational driving. This may be by TRO, which may entirely prohibit MPV traffic on routes, or impose particular limitations e.g. to particular times.

The following measures that could be introduced to ensure that BOAT's which are identified as being acceptable for recreational driving remain suitable for continued BOAT use:

- Encouraging local groups to watch-over routes and report problems to the County Council.
- Encouraging user-groups to "adopt" a route and maintain it on behalf of the County Council, the Council providing expert advice and materials
- Ensuring that routes are included in formal County Council inspection regimes. Ensuring that any reported localised damage is repaired immediately to reduce higher levels of expenditure in the future.

Some BOAT's will have to be brought up to a reasonable standard before any long-term management will bear dividend. To this end the County Council will need to commit to long-term progressive investment in the network to ensure that the basic requirements of users are met. Regular inspection and clearance of drainage channels, combined with a scheduled programme of maintenance, is the key to preserving these routes in a serviceable condition. The days when a "lengthsman" was employed with the specific task of inspecting these routes have passed however the Council will commit itself to a yearly inspection of those routes which have been improved as well as an inspection following adverse weather conditions in order to avoid failure of the route. Immediate repairs should be brought forward to avoid more costly



intervention in the future e.g. to avoid catastrophic failure of the surface of the route due to the cumulative effects of failed drains, scoured surfaces etc.

The County Council is also under a duty as stipulated in S40 NERC which requires every public authority to have regard to conserving biodiversity.

**Policy Statement 2**

2a) In recognition of the necessity to improve some routes the County Council will invest over the next 5 years to improve the off-road vehicular routes.

2b) The County Council will encourage and support voluntary management schemes to assist with the management of off-road vehicular routes.

2c) The County Council will commit to a yearly inspection of routes where improvements have been made.

## **6 Management of Vehicular Use**

The County Council recognises the importance of ensuring that BOAT's are understood for what they are. To this end the County Council will ensure that routes are signed appropriately and where practical, include a destination. Furthermore, we will reduce any misunderstanding that may exist over what public rights exist by making information widely available.

**Policy Statement 3**

3a) The County Council will publish and maintain a list of vehicular routes that contains sufficient information to allow all users to exercise their judgement whether a route is useable.

3b) Whenever possible this shall include information about suitability throughout the year.

### **6.1 Control Measures**

It is regrettable that in some instances it may be necessary to introduce a TRO. This may be to preserve the character of the route or to ensure that the route is not damaged when at its most vulnerable. Any request to consider traffic control will be judged against those criteria that allow regulation. The current relevant criteria are under the Road Traffic Regulation Act 1984.

## **6.2 Voluntary Restraint**

“Voluntary restraint” is another potential method for seeking to reduce impact on particular routes. The practice involves liaison with user groups to ensure that conditions stipulated within voluntary restraint agreements are respected. These agreements are not legally binding however their adoption may cause sensitive routes to be used in a way so as to minimise impact on the surface; for example, during periods of adverse weather, a voluntary one way system may counteract damage caused by up-hill acceleration. Where a voluntary restraint agreement is reached but does not succeed in changing the use of the way, it may be necessary to introduce more robust management measures (e.g. by TRO).

### **Policy Statement 4**

4a) Derbyshire County Council will support voluntary restraint wherever it considers this to be appropriate and workable temporary solution.

4b) Voluntary restraint will not over-ride or preclude any form of management the Council may wish to implement.

## **6.3 Traffic Regulation Orders**

The Road Traffic Regulation Act 1984 empowers the Council to restrict, prohibit or regulate the use of roads open to the public, including rights of way. The Council has used these Traffic Regulation Order powers effectively to manage routes.

A TRO can provide an immediate solution to a traffic problem or combination of traffic problems arising on any type of road. However, there are a number of symptoms that often simulate requests for a TRO. These include:

- The persistent misuse of a route by ignoring the status.
- The deterioration of the surface.
- Conflict between different types of use.
- Damaged surface causing users to veer off the route.
- Imminent danger to users.

This is non-exhaustive list but serves to demonstrate the range of issues often presented to the County Council. The County Council will consider every case on its merits. It will consider whether a TRO is appropriate for a specific situation. It will have regard to official advice currently in the guidance set out in the revised version of ‘Making the Best of Byways’ and Guidance document entitled ‘Regulating the Use of

Motor Vehicles on Public Rights of Way and Off-Road”. The County Council however cannot be expected to follow Government advice in every case.

The County Council will not unreasonably impose a TRO. Where a problem cannot be resolved by other reasonable means, the County Council may be expected to impose one expeditiously. In other situations consultation will be carried out and the responses analysed to ensure that a TRO is appropriate. This may result in:

- A TRO restricting all MPV traffic.
- A TRO restricting use to certain class or classes of MPV traffic.
- A seasonal TRO to protect the environment and character of the route for example.
- A TRO restricting access at certain times of the day and/or year
- Identification of another method to resolve the problem.

**Policy Statement 5**

Traffic Regulation Orders shall be considered where

5a) No other reasonable solution exists to resolve conflict between types of use.

5b) There is a clear danger to vehicle users.

5c) The safety of other users is compromised through continued use by vehicles.

5b) Any other relevant legal criterion is satisfied.

## **7 Barriers**

The County Council has powers to erect structures within the highway to protect the safety of users. It is likely that it will be necessary to erect barriers where there is unlawful use of bridleways for example by motorised vehicles. In these circumstances the County Council will consider erecting a suitable structure to either prevent or frustrate attempts to use a way.

Continued use of some routes by motorised vehicles has lead to a gradual deterioration in the quality of the route. Where this occurs, to the extent that the safety of lawful users is prejudiced, then a barrier may be erected to prevent use.

**Policy Statement 6**

The use of barriers or similar structures will be considered for use on routes not carrying public motorised vehicular rights where the safety of the public is at risk.

The Council will ensure that any structure that is erected does not impede access for other users.

## **8 Monitoring**

It is important that the County Council is able to make informed decisions in respect of the management of routes subject to recreational vehicular use. To this end the County Council will carry out monitoring of traffic (e.g. by placing vehicle loggers (devices that monitor the volume and type of vehicular traffic)) on routes.

## **9 Misuse of non vehicular highways**

Many routes that are recorded as being other than BOAT's or other public carriageways are still in use by motorised vehicles. These include Restricted Byways and Bridleways. This misuse is regrettable, and may be perceived to discredit legitimate recreational driving. The Council will work in an advisory capacity with the Police and where possible, vehicle user groups, to discourage this activity. Consideration may also be given to imposition of TRO's on such routes.

### **Policy Statement 7**

7a) Use of non-vehicular routes by motorised vehicles will be referred to the Police.

7b) The County Council will erect appropriate notices on such routes with the aim of reducing use by motorised vehicles.

## **10 Motorised Vehicle Trials**

On 7<sup>th</sup> May 2009 the County Council approved a guideline for motor vehicle trials. This advisory document is currently under review and will be published in due course. It will aim to support well organised trials.

### **Policy Statement 8**

The County Council will support efficiently organised Motor Trial events where organisers can demonstrate that liaison with the Police, local communities, landowners and conservation bodies has been carried out.

## **11 Consultation**

Throughout the production of this document the Council has listened to

many issues relating to motorised vehicular access in the countryside. It is inevitable that this Policy will not satisfy the wishes of every person however the County Council will review this Policy every 5 years and where necessary make amendments based on experience and comment from the public, stakeholders and partners.

## **12 Policy Summary**

For convenience a summary of the policy statements is provided below.

### **Policy Statement 1**

The Council aims to protect opportunities for recreational driving where conflict with other types of use is kept to a minimum and where this activity does not have an unacceptable detrimental impact on the environment or communities.

### **Policy Statement 2**

2a) In recognition of the necessity to improve some routes the County Council will invest over the next 5 years improve the off-road vehicular routes.

2b) The County Council will encourage and support voluntary management schemes to assist with the management of off-road vehicular routes.

2c) The County Council will commit to a yearly inspection of routes where improvements have been made.

### **Policy Statement 3**

3a) The County Council will publish and maintain a list of vehicular routes that contains sufficient information to allow all users to exercise their judgement whether a route is useable.

3b) Whenever possible this shall include information about suitability throughout the year.

### **Policy Statement 4**

4a) Derbyshire County Council will support voluntary restraint wherever it considers this to be appropriate and workable temporary solution.

4b) Voluntary restraint will not over-ride or preclude any form of management the Council may wish to implement.

### **Policy Statement 5**

Traffic Regulation Orders shall be considered where:

5a) No other reasonable solution exists to resolve conflict between types of use and there is a clear danger to vehicle users the safety of other users is compromised through continued use by vehicles or

5b) any other relevant legal criterion is satisfied.

**Policy Statement 6**

The use of barriers or similar structures will be considered for use on routes not carrying public motorised vehicular rights where the safety of the public is at risk.

**Policy Statement 7**

7a) Use of non-vehicular routes by motorised vehicles will be referred to the Police.

7b) The County Council will erect appropriate notices on such routes with the aim of reducing use by motorised vehicles.

**Policy Statement 8**

The County Council will support efficiently organised Motor Trial events where organisers can demonstrate that liaison with the Police, local communities, landowners and conservation bodies has been carried out.

## **Appendix H - Equality Analysis**

### **Derbyshire County Council Equality Analysis on the new Statement of Action 2013-2017 Rights of Way Improvement Plan for Derbyshire**

#### **Introduction**

This Equality Analysis has helped to inform the preparation and priorities of the new Statement of Action for Derbyshire's Rights of Way Improvement Plan (RoWIP) to cover the period from 2013-2017.

#### **Background to the RoWIP and Statement of Action**

The RoWIP, produced in 2007, is a strategic document which sets out how we intend to improve the management, provision and promotion of the rights of way and access network in the County. Within this, the Statement of Action identifies the steps we propose to take for managing the network and securing an improvements based on assessments of existing provision and the needs of different types of users.

The RoWIP was based on extensive consultations to help assess the extent to which local rights of way meet the needs of the public and identified a series of key themes and aims which form the basis for the production of both the first Statement of Action (2007-2012) and the second Statement of Action (2013-2017).

The three key themes are:

- Theme A – Seek to preserve Derbyshire's heritage, landscape and wildlife
- Theme B – Promote the sustainable use of the present and future network, encouraging healthier and more sustainable travel choices
- Theme C – Encourage and create routes that support the local economy and boost tourism

The Statement of Action is organised around five aims as follows:

- Aim 1 - Ensure that the public rights of way network is open and available for use
- Aim 2 - Provide an up-to-date and widely available Definitive Map and Statement
- Aim 3 - Provide a more connected, safe and accessible network suitable for all users
- Aim 4 - Improve the promotion, understanding and use of the network
- Aim 5 - Encourage greater community involvement in managing local rights of way

The RoWIP with its Statement of Action has an important role to play in providing the physical resources and messages to encourage active healthy lifestyles and

physical wellbeing for all ages. It has significant benefits for all of the Protected Characteristic Groups as defined by the Equality Act 2010.

The Statement of Action for the RoWIP (2013-2017) was developed in consultation with the Peak District and Derby and Derbyshire Local Access Forums, each with a statutory role to provide advice on the improvement of public access for the purpose of open air recreation and enjoyment of the area. The document was the subject of a 12 week public consultation exercise from 6 August 2012 to 29 October 2012.

## **Equality Analysis**

### **The Assessment Team:**

The core assessment team involved the following staff:

- Wayne Bexton (Greenways & Countryside Officer) – Divisional representative for equalities and diversity with expertise in equality assessments. Chair of Assessment Team
- Gill Millward (Countryside Access Improvement Officer – job share) – expertise in public rights of way, improving access to the countryside and diversity issues and joint lead for the production of the RoWIP
- Claire O'Reilly (Countryside Access Improvement Officer – job share) – expertise in public rights of way, improving access to the countryside and diversity issues and joint lead for the production of the RoWIP
- Alan Marsden (Project Engineer – Transport Projects) – expertise in transport planning and equality, health and mental wellbeing assessments

### **The Scope of the Analysis**

This report considers the proposed actions that are in the new Statement of Action and assesses:

- What impact the actions will have on any of the Protected Characteristic Groups (throughout the process consideration was also given to groups classed as 'social deprivation'), how well they meet the needs, requirements and expectations of the different groups?
- If there are any potential barriers whether there is scope to mitigate their effects?
- Are resources available to facilitate the proposed changes?

Because the document is a Strategic Plan, the assessment is relatively broad in nature and scope.



## Additional data

The following sources of data have been referred to as they are relevant to this assessment:

Source	Reasons for using
RoWIP for Derbyshire 2007-2012	Background document for the revised Statement of Action.
Consultation and Assessment of Needs Report for the RoWIP (Appendix B of the RoWIP)	This was a full analysis of the consultations that were carried out prior to the production of the RoWIP.
DCC Equality Impact Assessment for the Local Transport Plan 3 (LTP3) 2011	The RoWIP is identified as a linked Plan within the LTP and forms a distinctive strand within it.
DCC Countryside Service - Equality Impact Assessment for Cycle Hire, Cycle Routes and Health Promotion 2009	These assessments have contributed to the actions identified in the Statement of Action

## What impact will the actions have on any of the Protected Characteristic Groups and what scope is there to mitigate their effects?

### Religion/Belief:

Traditionally groups from ethnic minority communities are under-represented in the countryside and levels of participation in countryside access are significantly lower than other groups<sup>1</sup>. Potential barriers faced by these groups include a lack of awareness of opportunities, language, cultural differences and a lack of confidence.<sup>2</sup>

Actions under Aims 3 and 4 within the proposed Statement of Action will try and address some of these potential barriers by providing clearer information about what is available in terms of the access network and other facilities. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

In providing improved levels of information we need to be aware of the need to ensure that the information is available in different languages if required and that any imagery used dispels the perception that the countryside is mainly for white/middle class groups. Since the majority of people within this Protected Characteristic Group live in larger urban areas and visit more urban areas<sup>1</sup>, we need to make sure that any information that is produced is available in these areas and provides information about opportunities to use paths and trails within the urban/urban fringe area. Within Derbyshire this particularly applies to Derby City but the county is ringed by larger conurbations such as Greater Manchester, South Yorkshire and Nottingham so these locations need to be borne in mind.

**Gender:**

Women do have a fear of being alone when visiting the countryside and using paths and trails and there is a perception that the countryside can be unsafe<sup>2</sup>. There are also issues for men walking alone in the countryside.

When implementing new schemes such as the Greenway development under Aim 3 we take this into consideration at the design stage and make sure that we design new routes to be as wide and open as possible to minimise safety concerns. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

**Age:**

There are fewer people aged over 65 and in the 16-24 age range visiting the countryside, with the majority of the 16-24 year olds staying closer to urban areas<sup>1</sup>. Younger people tend to suffer from a lack of understanding about where they can go and what they can do, have less organised or appropriate activities for them to take part in and also have less access to a car and are therefore have a lower level of access to the wider rights of way network<sup>2</sup>. Older people tend to suffer from physical access problems (including difficult stiles or steep, uneven paths), anxiety about safety, distances from help and like to have more facilities available<sup>2</sup>.

There are many actions identified in the Statement of Action to help address these issues. Aim 1 includes a section on improving access furniture to promote a least restrictive option of gaps and gates with stiles as a last resort. Aim 3 has a whole section on making provision for easy access opportunities. Aim 4 has several actions about improving information about what is available, the nature of the paths and also making more use of modern technology such as bluetooth hubs on sites, use of audio trails that can be downloaded and making much more use of the web pages and internet (including twitter and facebook) to attract younger users. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group as well as encouraging greater involvement through volunteering opportunities.

**Race:**

Traditionally groups from black and ethnic minority communities are under-represented in the countryside and levels of participation in countryside access are significantly lower than other groups<sup>1</sup>. Potential barriers faced by these groups include a lack of awareness of opportunities, language, cultural differences and a lack of confidence.<sup>2</sup>

Actions under Aims 4 and 5 within the proposed Statement of Action will try and address some of these potential barriers by providing clearer information about what is available in terms of the access network and other facilities as well as encouraging greater involvement through volunteering opportunities. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

In providing improved levels of information we need to be aware of the need to ensure that the information is available in different languages if required and that any imagery used dispels the perception that the countryside is mainly for

white/middle class groups. Since the majority of people within this Protected Characteristic Group live in larger urban areas and visit more urban areas<sup>1</sup>, we need to make sure that any information that is produced is available in these areas and provides information about opportunities to use paths and trails within the urban/urban fringe area. Within Derbyshire this particularly applies to Derby City but the county is ringed by larger conurbations such as Greater Manchester, South Yorkshire and Nottingham so these locations need to be borne in mind.

### **Disability:**

There are many potential barriers to disabled groups using paths and trails around the County whether it be people with physical disabilities, visual or hearing disabilities or learning difficulties. The barriers consist of physical access problems, including stiles, gates, bridges, steep, rough or uneven paths, distances to be covered, lack of shelter, resting points or support facilities such as changing facilities, obstructions, access to information, confidence and communication issues<sup>2</sup>.

The RoWIP is charged specifically within the government guidance to:

- Consider the needs of all users, both now and in the future
- The accessibility of local rights of way to blind or partially sighted people and those with limited mobility or other impairments

There are therefore many actions with the Statement of Action that try and address some of the barriers identified: Aim 1 includes a section on improving access furniture to promote a least restrictive option of gaps and gates with stiles as a last resort and provides for a programme of work to improve the surface condition of paths and trails. Aim 3 has a whole section on making provision for easy access opportunities and has a programme for developing the County's network of Greenways. Aim 4 has several actions about improving information about what is available, targeting that information to specific groups and also providing suitable events (with back up facilities such as changing places toilets and tramper disability scooters) to encourage more use and confidence within this Protected Characteristic Group. The topography of the county is such that there are many areas where access is difficult but it is recognised that we need to do more to identify projects that can make key paths and trails more accessible. Actions under Aim 4 will also promote the health and mental wellbeing benefits of using the access network which will benefit this group.

### **Sexual Orientation:**

No information is collected or is available in order to assess the impact of the RoWIP on this Protected Characteristic Group but it is not considered that there will be any adverse impacts on this group as a result of the actions identified in the Statement of Action for the RoWIP. Any improvements to access to the Countryside or information provision would benefit any of the Protected Characteristic Groups. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

**Social Deprivation:**

The Natural England MENE research has identified that people living in areas of greatest deprivation are least likely to have visited the natural environment and if they have they will stay within built up areas close to where they live<sup>1</sup>. The barriers to these people are largely connected to lack of money and transport and a perception that the countryside is dominated by white, middle class groups<sup>2</sup>. The Marmot Review<sup>3</sup> has found that there is a social gradient of health with a clear link between deprivation and poorer levels of health. Marmot also found that to reduce the social gradient of health that you should not focus solely on the most disadvantaged but that the actions should be universal which ties in well with the actions being proposed within the RoWIP Statement of Action.

There are several actions within the Statement of Action, particularly under Aim 4 that seek to promote the use of the countryside as a resource that is free and on people's doorstep and the use of which promotes health and wellbeing. There are also actions within Aim 4 that promote the need to improve links between the use of paths and trails and public transport. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

**Marriage and Civil Partnership:**

No information is collected or is available in order to assess the impact of the RoWIP on this Protected Characteristic Group but it is not considered that there will be any adverse impacts on this group as a result of the actions identified in the Statement of Action for the RoWIP. Any improvements to access to the Countryside or information provision would benefit any of the Protected Characteristic Groups. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

**Pregnancy and Maternity:**

Women do have a fear of being alone when visiting the countryside and using paths and trails and there is a perception that the countryside can be unsafe<sup>2</sup>. There are also considerations around the need for easy access for heavily pregnant women or for parents with pushchairs also requiring other facilities such as toilets/baby changing.

Actions with Aims 3 and 4 will help to provide more easily accessible paths and trails and better information for this Protected Characteristic Group. Actions under Aim 4 will also promote the health and wellbeing benefits of using the access network which will benefit this group.

**Social Relationships/Community Cohesion:**

There is robust evidence that good quality social relationships across the life course protect health and are associated with a wide range of other beneficial outcomes. Rights of way enhance the provision of public space where social interaction can take place and help to strengthen community cohesion which is why it was felt that this additional element warranted consideration.

Social relationships can be affected however where conflicts occur, particularly between visitors and residents. Residents could be affected through issues such as increased/ insensitive visitor parking in rural villages or through littering/ damage/ poor behaviour of others. Visitors could be affected through similar issues such as arguments over legal parking or legal use of rights of way etc.

There are several actions within the Statement of Action, particularly under Aims 1, 3 and 4 that seek to promote the use of the countryside that can encourage social interaction. Actions under Aims 1, 3 and 4 will encourage more people to access public space and social interaction helping to change communities for the better and increased social cohesion. Aim 5 includes actions that will help foster community relationships in delivering other actions. To reduce conflicts, Aim 4 includes actions to promote responsible use of the countryside and Aim 3 includes actions to reduce illegal activities. To reduce conflicts over parking, Aims 3 and 4 include actions to encourage more use of public transport, including linking circular walks etc into public transport.

### **Are resources available to facilitate this?**

We are producing the new Statement of Action during what is a very challenging time for local authorities as we are faced with significantly reduced budgets over the next five years. The delivery will be through costed Annual Work Programmes and be reported through Annual Monitoring Reports. However, it is anticipated that many of the actions that will benefit the Protected Characteristic Groups particularly around the need to improve the quality of information about the access network will still be able to be delivered.

### **Consultation and Feedback**

A list of potential actions was drafted as part of the Draft Equality Analysis to address the issues. These actions specific to the Equality Analysis, together with the original public consultation for the Statement of Action were the subject to a formal public consultation period which closed at the end of October 2012. In addition to a general public consultation, available on our website, the Equality Analysis consultation was targeted at forums and groups representing the Protected Characteristic Groups. Information was sent out to local Access Groups in the County; the BME, Youth and Over 50's Forum Groups and specific local ethnic community groups and Mental Health organisations. Press releases also accompanied the consultations.

One of the actions concerned the consultation exercise and identified the need to target Protected Characteristic Groups to be consulted on the draft Statement of Action 2012-2017 for the RoWIP, to make sure information about the consultation was available within the Derby City area and that it be made clear that it was available in different languages if required. All of this was carried out.

Most of the feedback related to the actions identified in the draft Statement of Action rather than in the Equality Analysis. Comments received on the Equality Analysis were largely positive saying that the document provided a balanced and

comprehensive view. Another comment considered that we had achieved our objective of being broad enough in nature and scope for a strategic plan but providing a considered enough review to encourage and promote better utilisation by groups within the protected characteristics.

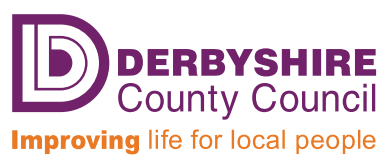
There were no comments specifically relating to the proposed actions so apart from removing the one relating to the consultation process these actions are identified below:

### Identified Actions

Actions	Lead Officer	Timescale
1. Target Protected Characteristic Groups to be consulted on specific actions as appropriate during the delivery of the RoWIP	Claire O'Reilly/ Gill Millward	2013-2017 as required
2. Large scale projects within the RoWIP Statement of Action should have their own Equality Analysis if appropriate	Claire O'Reilly/ Gill Millward	2013-2017 as required
3. Carry out a periodic review of how we are engaging with the Protected Characteristic Groups and include a section on Equalities within the RoWIP Annual Monitoring Reports to ensure that this work remains high profile	Claire O'Reilly/ Gill Millward	Annually throughout 2013-2017

### Implementation

The findings from this Equality Analysis will be incorporated into the final Statement of Action 2013 – 2017 for the RoWIP and be reflected in the Annual Work Programmes for delivery of the RoWIP. Progress on delivery of the Equality Analysis and the annual work programmes for the RoWIP will be reported to the two Local Access Forums for the County and published on our website.



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