



Rights of Way Improvement Plan (ROWIP) Review

Initial Consultation Document

Newport City Council

Newport City Council gives notice of its intention to review its Rights of Way Improvement Plan (ROWIP) and seeks comment on the process and timetable set out below, for the purpose of section 61 (1) of the Countryside and Rights of Way Act 2000.

Please find below the background, outline of process, terms of reference and user facing timetable relevant to the review.

Any comments should be submitted to Luke Stacey by 16th February 2018 at the following address:

Luke Stacey
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Newport City Council
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Newport, NP20 4UR
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This document is also available in Welsh / Mae'r ddogfen hon ar gael yn Gymraeg

A. Background

There are approximately 300kms of PROW within the local authority area. The table below shows that the vast majority (85%) of currently recorded PROW in Newport have footpath status. Each length of path from its junction with a road or another path is counted as a separate path or *link*, and given a unique number.

TYPE	NUMBER	Kilometres	Miles
Footpath	743	287	179.4
Bridleway	15	6.8	4.3
Restricted Byway	17	6	3.8
BOATs	3	0.3	0.2
All	778	300.1	187.7

In 2007 Newport City Council published its Rights of Way Improvement plan (ROWIP). This plan would provide a 10 year plan outlining how the local authority would manage and improve its rights of way network and access opportunities.

As the 10 year plan comes to an end local authorities are required to make a new assessment which must include a review of the previous ROWIPs. At this stage a decision can be made whether to amend the original ROWIP. As there have been a number of legislative changes over the last ten years it is anticipated that all Welsh Authorities will produce new ROWIPs and that these will be published between 2017 and 2019.

The purpose of this initial consultation document is to outline the proposed timetable, the assessment to be made and how the authority will review the existing Rights of Way Improvement Plan.

B. Outline of Process

The publication of the original ROWIP was subject to government guidance which was made available in 2002. This document outlined how the ROWIP should be produced and the stages involved. The review and republication is also subject to updated Welsh Government Guidance. Similar to the earlier release this guidance outlines the process to be followed providing for:

- Evaluation of the delivery of the previous ROWIP
- Evaluation of the current condition of the network and its legal record
- Evaluation of future needs and opportunities
- Development of a new statement of plans
- Development of delivery plans
- Publication of draft and consideration of representatives
- Implementing the new ROWIP

The new ROWIPs will differ from earlier ROWIPs in the following ways:

Additional ‘Delivery plans’ – Delivery plans are annexes to the ROWIP. These will provide the opportunity to regularly review progress and any changes in circumstances thus creating a more flexible focussed plan that can be changed when necessary.

Assessment of previous ROWIP – The extent to which actions in last ROWIP have been addressed will be considered and any outstanding actions highlighted to take forward.

Review of limitations and authorised structures - as part of the review authorities are required to make a brief evaluation of the completeness of their record of limitations and authorised structures on the public rights of way network

Links to new plans/ strategies – links to other plans and strategies that have been developed since first ROWIP will be identified. In Newport, the Draft Corporate plan 2017-2022 makes reference to maximising environmental opportunities, promoting the city’s open spaces, coastal path and promoting healthy lifestyles. Local Development Plan 2013, Living Levels Project and Active Travel Maps will all be incorporated, where appropriate, into the ROWIP Review.

Focus on non-participants – consideration of the needs of the wider public including those who currently do not participate in outdoor recreation regularly.

Focus on blind, partially sighted and mobility user - A greater emphasis on taking into account needs of blind or partially sighted people and those with mobility issues will be included

The following key pieces of legislation have also been enacted since publication of the previous ROWIP and will further assist in shaping the new plan:

- **Well-being of Future Generations (Wales) Act 2013** – focus on Well-being for all those living in Wales and set out 7 key well-being goals: A prosperous Wales, a resilient Wales, a healthier Wales, a more equal Wales, a Wales of cohesive communities and a Wales of vibrant culture and thriving Welsh.
- **Active Travel (Wales) Act 2013** – places duty on Local Authority's to secure new active travel routes e.g. walking, cycling in order to promote active travel journeys e.g. to school, work. Active Travel Maps have been produced for each LA identifying key new routes to be created.
- **Equality Act 2010** – this builds on the earlier Disability Discrimination Act 1995 and basically introduces a whole new set of 'protected characteristics' of the public which it is unlawful to discriminate against and places duty on LA's in carrying out its functions to give regard to this.
- **Environment (Wales) Act 2016**- Section 11, Area statements developed under this Act.
- **Local Government Act 1999** - this piece of legislation was in place at the time of the first ROWIP and will again need to be considered in this review as Part 1 point 3 enquires local authorities to secure continuous improvements and to consult service users.

C. Terms of reference

The Countryside and Rights of Way (CROW) Act 2000 is the legal mechanism for the draft and review of ROWIPs. The review will be carried out by reference to the statutory and supplementary matters contained therein:

Statutory Matters

- The extent to which local rights of way meet the present need of the public
- The opportunities provided by local rights of way for exercise and other forms of open air recreation and the enjoyment of the authorities area
- The accessibility of the rights of way to blind or partially sighted people and others with mobility problems

Supplementary Matters

- The degree to which the previous ROWIP has been delivered
- The present condition of the network and its records

- The opportunities to contribute to Active Travel objectives, Well-being objectives and the delivery of other plans and priorities.

Consideration will also be given to any directives from Welsh Government that may arise from the “Improving opportunities to access the outdoors for the responsible recreation” consultation and any other legislative changes.

D. User facing timetable

The timetable below sets out the different stages to be followed in order to produce a new up to date revised Rights of Way Improvement Plan for Newport City Council.

It may be necessary to change or develop some tasks as a result of views raised by the many organisations and groups that will be consulted and so the dates are open to review.

Consultations have a minimum of 12 week period and there is a 12 month time limit to produce the ROWIP review once the initial consultation has been made.

Upon completion of the ROWIP the local authority may update and monitor it as it sees fit over the next 10 years.

Stages	Task	Target Date
Stage 1	<p style="text-align: center;">Review Planning</p> <ol style="list-style-type: none"> 1. Project inception 2. Produce user facing background 3. Produce outline of process (to include differences to previous ROWIP) 4. Produce draft terms of reference 5. Produce draft timetable 	July 2017 – September 2017
Stage 2	<p style="text-align: center;">Initial Consultation</p> <ol style="list-style-type: none"> 1. Issue documents <ol style="list-style-type: none"> a) Publish background, outline, and draft documents to stakeholders as part of initial consultation addressing structure of the review and what is required. b) Publish to website and consult the following: <ul style="list-style-type: none"> • Each Highway Authority adjoining Newport City Council • Every town/community Council in Newport • Local Access Forum • Natural Resources Wales (NRW) • Statutory consultees for Public Path Orders • Internal stakeholders e.g. highways, health board, tourism, social services, leisure. 	November 2017

	<ul style="list-style-type: none"> • Any other local relevant person/bodies <p>2. Collect and compile responses and review</p> <p>a) Produce consultation response report b) Amend programme timetable and terms of reference if required</p>	<p>February 2018</p> <p>December 2017 – February 2018</p>
Stage 3	<p style="text-align: center;">Review of 2007 – 2017 ROWIP</p> <p>1. Evaluation of the delivery of the previous ROWIP 2. Summarise key matters identified in the previous assessment and ROWIP 3. Summarise previous ROWIP statement of action 4. Assess the extent of delivery of previous ROWIP 5. Itemise outstanding actions 6. Prepare summary report</p>	<p>November 2017 – July 2018</p>
Stage 4	<p style="text-align: center;">New Assessment</p> <p>1. Evaluation of the current condition of the network and its legal record</p> <p>a) Assess the current condition local rights of way and access</p> <p>b) Assess accuracy of records</p> <ul style="list-style-type: none"> • Volume of outstanding modification and public path orders • Records of limitation. • Potential for 2026 closure of records • Processes for recording, changing <p>c) Assess how information and advice is made available d) Highlight key issues</p> <p>2. Evaluation of future needs and opportunities</p> <p>a) Consider relevant studies, assessments and plans that were previously unavailable</p> <ul style="list-style-type: none"> • The welsh Outdoor Recreation Survey • Natural Resources Wales’ Good for People Toolkit • Active Travel Maps • Local well-being Assessments and Plans • Area Statements • Development Plans • Newport City Council Objectives <p>b) Undertake targeted consultation and stakeholder engagement</p>	<p>July 2017 – September 2018</p> <p>November 2017 –</p>

	<ul style="list-style-type: none"> • Consultation event with local communities • Engagement with groups of people who share relevant protected characteristics, or potential partners in delivery a) Produce evidence based summary of public need <ul style="list-style-type: none"> • Identify needs that exist and are not being met • Consider plan that identify need • Other specific criteria – geographical area, groups of people, or high value improving. 	September 2018
Stage 5	<p style="text-align: center;">Prepare Draft ROWIP</p> <ol style="list-style-type: none"> 1. Consider areas of previous ROWIP that require update or amendment 	January 2018 – December 2018
Stage 6	<p style="text-align: center;">Publish Final ROWIP</p> <ol style="list-style-type: none"> 1. Ensure all agreed amendments to draft plan and annexed ‘Delivery Plans’ made 2. Place final copy on deposit at principal office 3. Provide copy of new ROWIP on website 4. Send notice of completion to relevant parties 5. Undertake any other appropriate publicity 	December 2018
Stage 7	<p style="text-align: center;">Set up on-going monitoring procedure</p> <ol style="list-style-type: none"> 1. Monitor and update ‘Delivery Plans’ over life of ROWIP. 2. Review plan again in 10 years 	On-going

Any comments regarding the above outline process to deliver the new ROWIP should be submitted to Luke Stacey by 16th February 2018 at the following address:

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