

Impact Assessment

Version 2017

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Assessment of:	Public Rights of Way - proposed revenue budget cut 2018/19
Service:	Public Rights of Way

Head of Service:	Meg Booth
Date of sign off by Head Of Service/version:	Consultation Draft – January 2018
Assessment carried out by (incl. job title):	Ros Mills, Public Rights of Way and Country Parks Manager

Section 1 - Background

Description:

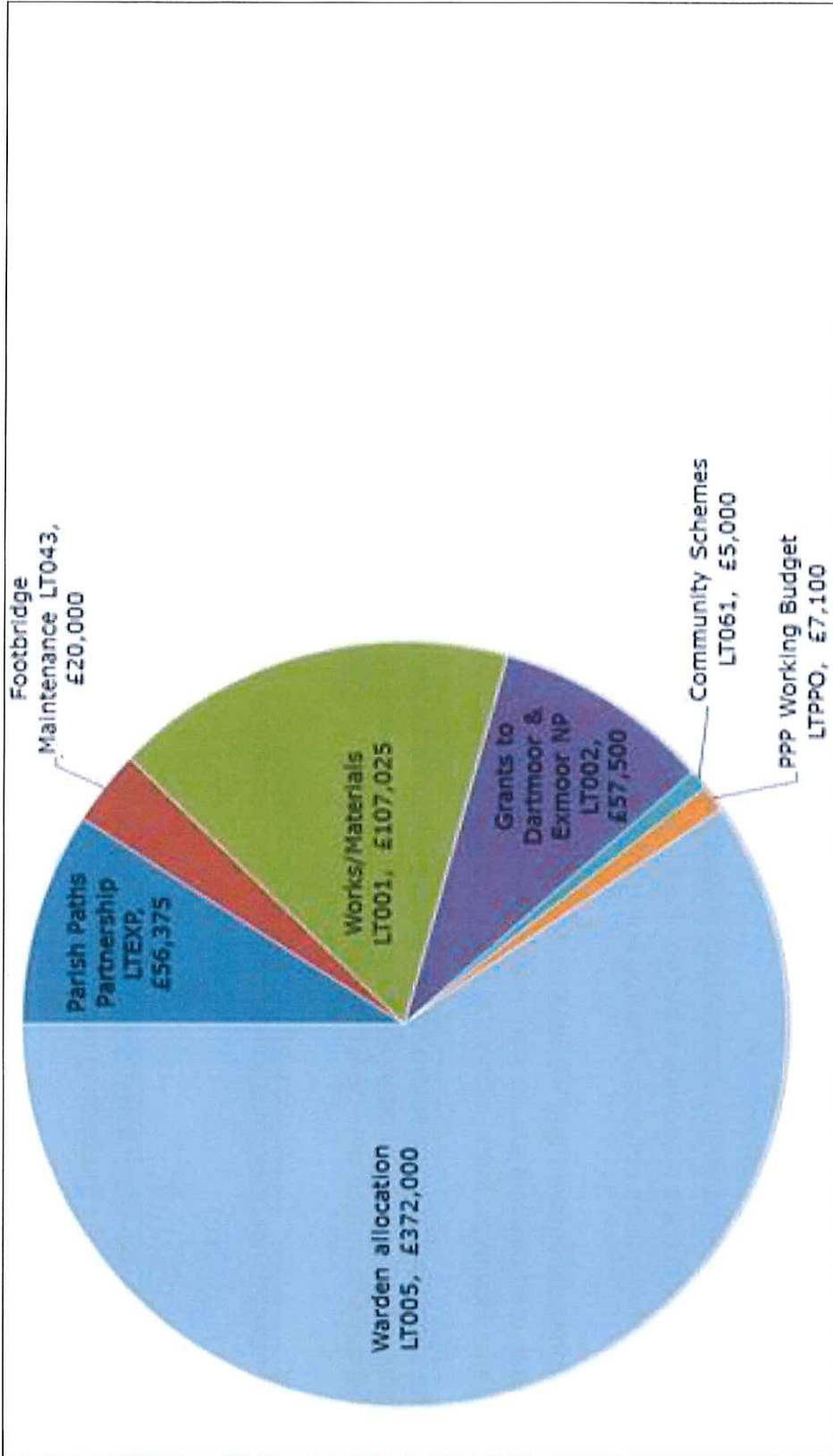
The Public Rights of Way (PROW) service sits within Highway Management.

As the Highway Authority for Devon, the County Council is responsible for 3,200 miles (4,960km) of public rights of way. For more information about the Council's responsibilities you can visit GOV.UK – [local highway authority responsibilities](#).

A revenue budget is allocated each year to maintain the network of paths and trails across the Devon County Council area, the budget includes:

- Maintenance of the path network including bridges.
- Allocations to Dartmoor and Exmoor National Parks to maintain the paths within their area.
- 25% matched funding towards the maintenance of the south west coast path national trail, with Natural England providing 75%. Funding is allocated onto each Devon District Council for the south west coast path within their area.
- The Parish Paths Partnership Scheme.
- Maintenance 570 km of unsurfaced county roads.

The budget is distributed as follows:



The annual revenue budget is proposed to be cut by £50K as part of a reduction in the total highways revenue allocation (plus, inflation of £31K).

The county council has a statutory duty to maintain the public rights of way network. The options for where the cuts should fall are outlined below:

- **Unsurfaced county roads which do not meet set criteria.**

Reason for change/review:

Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

Options Appraisal and Recommendations:	<p>The review seeks to cut budget lines which will have <i>least</i> effect on:</p> <ul style="list-style-type: none"> • Legal challenges due to lack of maintenance of types of routes. • The engagement with the community and parish councils through the parish paths partnership scheme (P3). • The health and wellbeing of Devon residents and visitors. • The economy and tourism. • Long term sustainability of the network. <p>Options have been considered:</p> <ul style="list-style-type: none"> • Reductions evenly across each budget line. • Reductions of individual budget lines. • Reductions of types of routes being maintained. <p>The analysis showed that the least impact on the key drivers is to reduce maintenance on the unsurfaced county road network and to work more closely with volunteers to keep that network available against set criteria. However, there will be a knock-on effect to the public rights of way network.</p>
Social/equality impacts (summary):	<p>The criteria will identify where routes are important for those with limited mobility; where it is the only off-road route within a parish or connection to a settlement, school, shop, sustainable transport link such as a bus stop. This aims to reduce the impact on health and wellbeing, social isolation and connectivity.</p>
Environmental impacts (summary):	<p>The network not being maintained may decline, possibly increasing flood and drainage issues.</p>
Economic impacts	<p>The criteria will reflect if the route forms part of a regional promoted trail or connects with an existing public right of way. However, the farming community may find that certain routes are not available to access their land and</p>

<p>Economic impacts (summary):</p>	<p>The criteria will reflect if the route forms part of a regional promoted trail or connects with an existing public right of way. However, the farming community may find that certain routes are not available to access their land and the contractors on the public rights of framework contract may have reduced income.</p>
<p>Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'):</p>	<p>Public Rights of Way Committee. Devon Countryside Access Forum and key user groups such as the Ramblers, the British Horse Society, the Trail Riders Fellowship, Landowners.</p>
<p>How will impacts and actions be monitored?</p>	<ul style="list-style-type: none"> • Public Rights of Way committee. • Feedback from users through report/ complaint monitoring

Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

Section 3 - Profile and views of stakeholders and people directly affected

People affected:	Local users of the rural and urban networks of paths and trails. Tourism visitors to Devon.
Diversity profile and needs assessment of affected people:	Population profiles for Devon are available at https://new.devon.gov.uk/factsandfigures/
Other stakeholders (agencies etc.):	Contractors on the County Council's PROW framework contract
Consultation process and results:	The Devon Countryside Access Forum will be consulted at their meeting on 25 January 2018
Research and information used:	<p>Devon County Council Local Nature Partnership – data on health and wellbeing https://www.naturaldevon.org.uk/priorities-and-projects/naturally-healthy/naturally-healthy-documents-and-links/</p> <p>ADEPT Public rights of way data and best practice.</p> <p>Devon County Council Rights of Way Improvement Plan https://new.devon.gov.uk/prow/rights-of-way-improvement-plan/</p> <p>Economic benefits of outdoor tourism http://sramedia.s3.amazonaws.com/media/documents/7bbac57d-977f-4077-960e-e54ee55b4653.pdf</p> <p>http://jech.bmj.com/content/jech/early/2017/07/08/jech-2017-208987.full.pdf</p>

Section 4a - Social Impacts

Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity and
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

Characteristics	<p>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</p> <p>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</p>	<p>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, 'close gaps')?</p> <p>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</p>
<p>All residents (include generic equality provisions):</p>	<p>Criteria will try to reflect aspirations and access for such groups and individuals where reasonable.</p>	<p>Liaise with statutory user groups, Devon Countryside Access Forum and promote best practice.</p>
<p>Age:</p>		
<p>.Disability (incl. sensory, mobility,</p>		

<p>mental health, learning disability, ill health) and carers of disabled people:</p>		
<p>Culture and ethnicity: nationality/national origin, skin colour, religion and belief:</p>		
<p>Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).</p>		
<p>Sexual orientation and marriage/civil partnership:</p>		
<p>Other socio-economic factors such as families, carers, single</p>		

<p>people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation.</p>		
<p>Human rights considerations:</p>	<p>There are no human rights issues.</p>	

Supporting independence, wellbeing and resilience?

Give consideration to the groups listed above and how they may have different needs.

<p>In what way can you support and create opportunities for people and communities (of place and interest) to be independent, empowered and resourceful?</p>		<p>Criteria will consider health and well-being goals where reasonable</p>
<p>In what way can you help people to be safe, protected from harm, and with good health and wellbeing?</p>		
<p>In what way can you help people to be connected, and involved in community activities?</p>		

Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

	Devon County Council's Environmental Review Process for permitted development highway schemes.
	Planning Permission under the Town and Country Planning Act (1990).
	Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment".

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Reduce waste, and send less waste to landfill:		
Conserve and enhance biodiversity (the variety of living species):		

<p>Safeguard the distinctive characteristics, features and special qualities of Devon's landscape:</p>		
<p>Conserve and enhance the quality and character of our built environment and public spaces:</p>		
<p>Conserve and enhance Devon's cultural and historic heritage:</p>		
<p>Minimise greenhouse gas emissions:</p>		
<p>Minimise pollution (including air, land, water, light and noise):</p>		
<p>Contribute to reducing water consumption:</p>		
<p>Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter</p>	<p>Drainage systems may be affected and sustainability reduced.</p>	

summers; more intense storms; and rising sea level):		
Other (please state below):		

Section 4c - Economic impacts

	Describe any actual or potential negative consequences. (Consider how to mitigate against these).	Describe any actual or potential neutral or positive outcomes. (Consider how to improve as far as possible).
Impact on knowledge and skills:	PROW Framework contractors.	
Impact on employment levels:		
Impact on local business:		

