

Response to the Rights of Way Improvement Plan Review consultation

Submitted by the Devon Countryside Access Forum

December 2023

Comments on document structure

- It would be helpful to review the structure of the final document so that it is easy to absorb and read.

Comments on initial section

- The RoWIP should be clear at the outset what the document is and expectations. A light touch review after 5 years would be useful.
- The new section on the consultation process is helpful.
- The Equality Act should be referenced.
- Under 'Consultation,' fourth paragraph. The changes over the last ten years would be better expressed as bullet points.
- A glossary is proposed as a useful part of the document, with links as appropriate.
- Areas of Outstanding Natural Beauty should be amended to their new name, National Landscapes, throughout the RoWIP.

Comments on Section A – Legal Status

Recommendations:

- Right to Apply under the Deregulation Act 2015 should be included in Section A. Regulations are awaited.
- Include a new policy on maintenance agreements and exploring opportunities to use s106 monies from development for Public Path Orders.

A22. *(Policy: The inclusion of walkers, horse riders and cyclists will be encouraged when negotiating appropriate permissive access arrangements.*

Recommendation:

- The policy should be amended to “the inclusion of all potential users including *walkers, cyclists, horse riders*, dog walkers, wheelchair and powered mobility scooter users etc.”

Comments on Section B – Management and Maintenance

B1. *(Objective: Ensure that the public rights of way network is maintained to appropriate standards)*

Recommendation:

- A target should be included outlining existing policy for PRow inspection every three years and yearly on the South West Coast Path and recreational trails. If the target could not be achieved, this would be useful information.

B5. *(Policy: Equality of access will be actively pursued, with emphasis on the Least Restrictive Option. Wherever practicable, access measures will reflect current good practice – for example the British Standard for Gaps, Gates and Stiles (BS: 5709: 2018) and guidance such as By All Reasonable Means 2020 (Sensory Trust).*

Comment

- Reference to By All Reasonable Means 2020 (Sensory Trust) to be updated by Outdoor Accessibility Guidance, Sensory Trust 2023 throughout the document.

B7. *(Policy: Multi-use trail design and surfacing will take account of environmental considerations, user needs, costs (including future maintenance) and guidance from relevant sources.....)*

Comments and recommendations:

- DCAF comments on multi-use surfacing have been seemingly ignored by planners. DCAF working group members recommended that tarmac and similar hard surfaces should not be used in rural and environmental settings. It was agreed that it is important to not urbanise the countryside and that tarmac should not always be the default position. A softer surface, more appropriate to the countryside, is picked up in later policies – F1. There is a desire to ensure that people using the countryside should realise routes are different and adjust speed and consideration accordingly.
- Cross-reference B7 to F1.
- Target to be added that budget available from March 2024 to trial alternative surface types on multi-use trails as a capital project.

B9. *(Policy: Green and white pointers will be used as the default specification for signposts. However, use of locally distinctive signposts – for example wooden signs, will be supported in certain circumstances such as National Parks and National Trails)*

Recommendations:

- Better conformity and use of simple language and images in signage is required so that users whose first language is not English or with low literacy, or unfamiliar with reading maps, can understand. This is particularly required for unmetalled roads when signs are replaced. For example, a footpath sign might be put on an unmetalled road at the road junction as it leads to a footpath. Simple, accurate signing is needed.
- Cross-reference to the C theme relating to equality of access, health and well-being.

B19. *(Policy: Support will be given to extending the ways in which individuals and groups can directly participate and contribute to maintaining and improving recreation and access. This includes through volunteering, work experience, apprenticeships, education, training, and skills development. Opportunities will also*

be sought to encourage and extend joint working with organisations such as Sustrans, Ramblers, Disabled Ramblers, and Trail Riders Fellowship.’)

Recommendation:

- Add British Horse Society to the list.

B19 or new topic. *(Topic: Collaborative Working, Funding and Resources (Participation and Involvement))*

Recommendations:

- Employee volunteering schemes should be added to potential groups who might assist in maintaining and improving the network.
- Care Experience People are now being treated as a protected characteristic by Devon County Council. A reference to linking with the Corporate Parenting team to identify barriers and opportunities, such as volunteering, for Care Experienced People should be included.

B23. *(Policy: Opportunities will be sought to enable the use of existing private facilities by the public and encourage public/private partnerships, for example, the use of public house facilities in return for a small payment or purchase of goods, as already successfully developed in some places in Devon).*

Recommendations:

- The policy should be expanded to include exploring / encouraging increase in availability of accessible facilities close to routes (such as wheelchair accessible toilets, cafes, and public transport links).
- The policy should cross-reference to the C theme relating to equality of access, health and well-being.

B26. *(Policy: The development of off-road links between communities, in particular within market and coastal towns, will be encouraged).*

Recommendation:

- This should cross-reference to the Slow Ways project mentioned elsewhere in the RoWIP.

B27. *(Policy: Work with National Highways and other agencies to identify and implement improvements for vulnerable road users on and crossing the trunk roads, for example by raising the height of parapets on over-bridges that are used by horse-riders)*

Recommendation:

- More examples are required to illustrate improvements for vulnerable users on and crossing trunk roads. Other improvements for users at risk would be good, for example Pegasus crossings.

Comments on Section C – Accessibility, Social Inclusion, Health and Wellbeing

C1. *(Objective: Improve rights of way and access for blind or partially sighted people and others with limited mobility)*

Recommendations:

- After limited mobility, add ‘including mobility scooter and powered wheelchair users.’
- A new policy on safety to include sight lines and consideration of environmentally sensitive, low height lighting to support access for partially sighted people and enhance feelings of safety at night time in urban areas and on commuting/linking routes.

C4. *(Objective: Improve opportunities for under-represented and socially excluded audiences to use public rights of way and wider access networks). (Policy: Identify physical and other barriers that restrict access opportunities for socially excluded and under-represented audiences and seek positive actions so that these are addressed. This should include (but not be limited to) measures to improve representation for young people, women, ethnic minorities, those on low incomes, and people with limited mobility).*

(Target: From April 2024 onwards: Review and update inspection criteria, records, and research to collate more accurate information. This will be used to inform targeted policies and associated action plans.)

Recommendations:

- Under the examples of social inclusion add people with learning difficulties, mental health issues and include working with partners/organisations to provide the core information these users need prior to visiting key rights of way.
- The target for C4 should be amended. Whilst ‘ease of use’ criteria could be added as one possible target this does not necessarily pick up other aspects. The target should be extended to include a phrase along the lines of ‘to remove barriers to participation.’

C5 (walking) and C15 (cycling). *(Policy: The development of walking (cycling) in urban areas will continue to be supported: for utility use, to encourage people to switch from car use to sustainable transport; for health benefits; and for the economic benefits accruing from tourism and day trips)*

Recommendations:

- Mobility scooters and powered wheelchairs should be added to C5. Objective. Improve opportunities for walking.
- Discussion took place over specific urban policies at the DCAF working group. Whilst there are particular issues in urban areas, it is agreed the phrase ‘development of walking (C5) and cycling (C10) in towns, villages and other built-up areas’ would be preferable.

C6. (Policy: Priority will be given to the development of:

- Short routes and circular links of between 3km and 8km
- Routes linking towns, villages and attractions and providing a substantive off-road network for utility and leisure; and
- Appropriate links to and from the wider promoted recreational trail network.)

Recommendation:

- Opportunities to create longer routes for mobility scooters and powered wheelchairs should be added.

C10 and C20. (Policy: Upgrading of existing routes to public bridleway or restricted byway status will be supported/considered.....)

Recommendation:

- Although there is no mention of consulting landowners in these policies associated with upgrading footpaths, it was felt this is implicit. However, a link to the landowner section of the RoWIP should be made.

C18. (Policy: Public transport links will continue to be developed to help deliver circular and linear routes....)

Recommendation:

- It is suggested 'Public transport links will continue to be developed...' should be changed to 'Public transport links will be sought' as the development itself is outside the PRoW remit. A target of examples to illustrate progress is suggested.

C20. (Policy: The upgrading of existing public footpaths to public bridleway status will be considered where they are to be used as part of the cycle network. Within an urban setting, Cycle Track Orders may be more appropriate)

Recommendation:

- As there are no Cycle Track Orders in Devon, the preference being to keep footpath status with added permissive cycle use, the term CTO could be removed.

Comments on Section D – Network Development

D1. (Topic: Planning Policy and Plans. Policy: Influence and inform land use planning policy and development management to optimise and improve public rights of way and access as an important part of green space and green infrastructure, and to support social inclusion)

Recommendation:

- Opportunities for s106 and commuted funds to be added, along with maintenance agreements.

D5. *(Topic: Active Travel. Policy: Create new routes and enhance quality of existing paths to support and encourage non-car based travel. This includes improving connectivity between residential areas, recreational destinations, places of work, public transport, and other local facilities. Design and construction should respect local character and avoid urbanising rural locations).*

Recommendations:

- This links to policy B7 on multi-use.
- Routes as green ways/greenspace should be included as part of the construction. This should be included under D5 or as a separate point.

Comments on Section E - Information, Education and Technology etc.

E1. *(Topic: Communication) (Policy: Regular review and improvements in quality and availability of information (including on-line information and communication will be sought, including: local facilities, including refreshments, car parks and toilets).*

Recommendation:

- Accessible toilets should be added.

Comment: One of the bullet points in the policy section – ‘countryside access and public transport’ - occurs twice.

E2. *(Policy: A range of media will be utilised to optimise understanding and awareness of delivering the RoWIP; accessing the countryside; feeding back and reporting. This includes utilising ranger, warden, and community networks).*

Recommendation:

- It is suggested that examples which work well should be included. People need accurate information as to where they can go.

E4. *(Policy: Provision of appropriate information about walking dogs in the countryside will be encouraged, particularly when in the vicinity of livestock and where there is potential disturbance to wildlife, for example, ground nesting birds.*

Recommendation:

- A reference to encouraging opportunities to develop locally and nationally consistent information about responsible dog walking should be included.

E5. *(Policy: Joint working with user and interest groups will be encouraged and supported. This will include a potential project with the Trail Riders Fellowship to improve uUCR mapping and inclusion of this as a layer on publicly accessible online maps)*

Recommendations:

- The policy statement should be broadened to include school and community interest groups.

- The significance and value of the PRow network should be referenced within the ROWIP to ensure children and young people are informed about and helped to make good use of it.
- The project with the Trail Riders Fellowship should be in the target column, rather than as a policy, and the word potential deleted.

E10. *(Policy: Targeted information will be encouraged to enable greater use by under-represented and excluded people e.g. looked after children, children with additional educational needs and disabilities, and blind and partially sighted people.)*

Recommendations:

- The examples should include people with learning difficulties, mental health issues etc.
- Either as part of E10 or as a separate policy there should be reference to engaging with community organisations working with under-represented groups to support the use of PRow and access to green spaces.

E12. *(Policy: Parish Paths Partnership groups will continue to be supported in their production of local route leaflets, including in making these available on-line.)*

Recommendation:

- The reference to supporting Parish Paths Partnerships should be expanded to include other projects and partnerships.

Section F – Environment and Climate

F1. *(Objective: Ensure that the management of public rights of way and access respects Devon’s environment and positively contributes to carbon reduction measures)*

Recommendation:

- This links to B5 and D7.

Section G – Land Use and Economy

G2. *(Policy: Opportunities to enhance and promote access in areas of little or no current tourism will be encouraged, and existing opportunities to extend Devon’s attractiveness to tourists will be developed. Schemes which have the added benefit of providing local access for Devon’s residents will be particularly supported).*

Recommendations:

- This section should include SANGS sites (Suitable Alternative Natural Green Space) and other measures to encourage recreation in less sensitive locations.
- A link to the public transport section would be useful.
- Add reference to supporting year-round tourism.

G5/G6/G7. (*Topic: Agriculture and land management. Objective: Encourage and support a positive attitude and understanding between path users, local residents, and landowners/land managers*).

Recommendations and comments:

- Points should be expanded to include information and guidance to landowners and land managers about best options for livestock management, for example best design for self-closing gates. Also, information to path users about how to walk through livestock. It should include communication around stray dogs and reference that cattle can harm people. The Health & Safety Executive may have figures which might be useful to include.
- G6 should be not only include the phrase liaison with landowners and representative organisations but should include support for landowners and help to positively address issues, for example cycling on footpaths and across farmland.

New G sections to be added or incorporated:

- Right to Apply under the Deregulation Act 2015.
- Forestry and ash dieback. This should either be a new section or incorporated in an existing section. Where PRow are affected by felling or disease there may be opportunities for diversions.
- Support to landowners should be expanded – for example through additional waymarking and appropriate signage, as clear routes and guidance can reduce management issues for landowners/managers. This section and policy could also link to the opportunities for landowners/managers to offer alternative routes where public path orders might not be viable (but keeping the definitive route open and available).
- Working with landowners to consider upgrade of footpaths to bridleways to create circular routes and possible introduction of more permissive routes.