

**PUBLIC RIGHTS OF WAY COMMITTEE**

11 July 2024

**12 Rights of Way Improvement Plan**

Draft impact assessment



## Impact Assessment



**Assessment of:** Review of Objectives and Policies for the Rights of Way Improvement Plan (Draft)

**Service:** Public Rights of Way, Highways Asset Management, Highways and Traffic Management Group

**Head of Service:** Joe Deasy

**Version / date of sign off by Head of Service:** Joe Deasy, Highway Asset Management Team Manager (01 July 2024)

**Assessment carried out by (job title):** Richard Walton, Public Rights of Way and Country Parks Manager

### 1. Description of project / service / activity / policy under review

This draft impact assessment is for the review of the objectives and policies of the Devon Rights of Way improvement Plan. This review has been undertaken in line with requirements set out within the Countryside and Rights of Way Act 2000, and associated guidance from the Department for Environment Food and Rural Affairs.

### 2. Proposal, aims and objectives, and reason for change or review

The Rights of Way Improvement Plan (RoWIP) is produced by Devon County Council in accordance with the Countryside and Rights of Way Act 2000, and related guidance from the Department for Environment, Food and Rural Affairs, and Natural England. The key purpose is to encourage and guide improvements to the public rights of way network to provide a better experience for *walkers, cyclists, horse riders, horse and carriage drivers, people with mobility problems, and people using motorised vehicles, for example, motorbikes.*

The initial Rights of Way Improvement Plan (Devon on the move) was published in 2005. This was reviewed, with a summary document published in 2012.

The legislation sets out that the RoWIP should be reviewed every 10 years. This includes considering the role of the plan in:

- (a) *meeting the present and likely future needs of the public*
- (b) *opportunities provided for exercise and other forms of open-air recreation and enjoyment*
- (c) *accessibility to blind or partially sighted persons and others with mobility problems*
- (d) *such other matters relating to local rights of way as the Secretary of State may direct.*

This current review of the RoWIP commenced in 2022.

### 3. Risk assessment, limitations and options explored (summary)

The main risks would have been associated with not carrying out this review.

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## 4. People affected, diversity profile and analysis of needs

Census data from 2021 identifies Devon has a population of 811,640 of which 51.5% are recorded as Female and 48.5% as male.

The population includes:

- Approx. 20% children and young people aged between 0 and 19
- Approx. 55% aged between 18 and 64 and
- Approx. 25% aged 65 and over

With regards to disability, for 11.8% day to day activities are limited a little, and for 7.7% day to day activities are limited a lot (total disabled 19.5%).

0.34% of the population identify as trans gender/other; and approximately 3% identify as gay, lesbian, bisexual, pansexual or asexual.

The largest stated religion is Christian (46.89%) followed by no religion or belief (44.49%). Approximately 2% of the population identified as other religions or beliefs, with 6.63 % not answering.

Tourism and day visitors are also of significance in considering the RoWIP. Visitor Economy data for 2019 indicated that:

- Total staying visitor nights: 24m
- Total day visits: 30m
- Total visitor related spend Devon: £2.5bn.

## 5. Stakeholders, their interest and potential impacts

The main stakeholders are;

- Local residents using the public rights of way and wider access network for travel, exercise, and leisure. This includes walking for health, accessing local facilities, social interaction, and connecting to public transport.
- Visitors to Devon walking as part of day visits and longer stays involving overnight accommodation.

## 6. Additional relevant research used to inform this assessment

Demographic information has been sourced from the Office for National Statistics Census 2021 website.

Tourism data is from Devon Tourism and Hospitality Impacts / Prospects for 2021 (Devon County Council).

## 7. Description of consultation process and outcomes

The proposed new bridge is a high priority within the local community, the need being expressed through two public petitions, media articles, customer enquiries, and MP letters. Consultation has included a site meeting and discussions with the Devon County Council ward member, and with local community representatives from the Parish Council. High public demand has directly contributed to this proposal being progressed.

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## Background information

## 8. Equality analysis

Under the Equality Act 2010, the local authority must consider how people will be affected by a 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 across protected characteristics of age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership (for work), sex, sexual orientation, race, and religion and belief. 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.

- a) Is this group negatively or potentially negatively impacted, and in what way?
- b) What could be done or has been done to remove the potential for direct or indirect discrimination, harassment or disadvantage and inequalities?
- c) In what way do you consider any negative consequences to be reasonable and proportionate in order to achieve a legitimate aim?
- d) What can be done to advance equality further? This could include meeting specific needs, ensuring equality of opportunity and access, encouraging participation, empowering people, making adjustments for disabled people and action to reduce disparities and inequalities.
- e) Is there a need to foster good relations between groups (tackled prejudice and promote understanding) and help people to be safe and protected from harm? What can be done?

### All residents by geographic area

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Positive:

Local residents across all parts of Devon will benefit from this review of the objectives and policies for the RoWIP. Emphasis is on encouraging and supporting positive actions to maintain and improve the public rights of way and the wider access network – meeting the present and future needs of the public.

## Age

Positive:

The objectives and policies include measures to improve awareness and accessibility across all age groups.

## **Disability (includes sensory, mobility, mental health, learning disability, neurodiversity, long term ill health) and carers of disabled people**

Positive:

The objectives and policies include focus on identifying and addressing physical and social barriers to access. This will result in improved accessibility for people with disabilities.

## **Race and culture: nationality/national origin, ethnic origin, skin colour, religion and belief, asylum seeker and refugee status, language needs**

Neutral to positive:

There will be no adverse impacts.

Objectives and policies within the RoWIP include measures to improve knowledge, awareness, and physical works to improve access opportunities for under- represented and/or excluded groups. This includes actual and perceived barriers to participation.

## **Sex and gender identity and reassignment (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed)**

Neutral to positive:

There will be no adverse impacts.

Objectives and policies within the RoWIP include measures to improve knowledge, awareness, and physical works to improve access opportunities for under- represented and/or excluded groups. This includes actual and perceived barriers to participation.

## **Sexual orientation, and marriage/civil partnership if work related**

Neutral to positive:

There will be no adverse impacts.

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Objectives and policies within the RoWIP include measures to improve knowledge, awareness, and physical works to improve access opportunities for under- represented and/or excluded groups. This includes actual and perceived barriers to participation.

## Other relevant socio-economic factors and intersectionality

This includes, where relevant: income, housing, education and skills, language and literacy skills, family background (size/single people/lone parents), sub-cultures, rural isolation, access to services and transport, access to ICT/Broadband, children in care and care experienced people, social connectivity and refugee status/no recourse to public funds. Also consider intersectionality with other characteristics.

In addition to facilitating regular community use, public rights of way and the wider access network provides essential infrastructure, and acts as a direct attraction to visitors, who in turn contribute financially towards the local economy. The tourism sector is a key component of the Devon economy, directly and indirectly supporting economic activity and employment.

Measures such as encouraging and supporting improved links to public transport will be of benefit to lower income households without access to a car. The objectives and policies also include improved opportunities to access the network close to where people live.

## 9. Human rights considerations:

We 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).

No adverse impacts or implications have been identified with regards to human rights.

## 10. Environmental analysis

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 mark X in the relevant box below and proceed to the 11, otherwise complete the environmental analysis information below):

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<b>Devon County Council's Environmental Review Process</b>	
<b>Planning Permission</b>	
<b>Environmental Impact Assessment</b>	
<b>Strategic Environmental Assessment</b>	

- a) Description of any actual or potential negative consequences and consider how to mitigate against these.
- b) Description of any actual or potential neutral or positive outcomes and consider how to improve as far as possible.

## **Reduce, reuse, recycle and compost**

Positive: Objectives and policies include using recycled and sustainably produced products.

## **Conserve and enhance wildlife**

Positive: Design and physical works will be based on safeguarding and enhancing wildlife. The objectives and policies support adding to natural greenspace of benefit to wildlife.

## **Safeguard the distinctive characteristics, features and special qualities of Devon's landscape**

Positive: Objectives and policies include safeguarding and enhancing setting and design, with related works sensitive to special qualities.

## **Conserve and enhance Devon's cultural and historic heritage**

Positive: Objectives and policies include safeguarding and enhancing setting and design, with related works sensitive to special qualities.

## **Minimise greenhouse gas emissions**

Positive: Objectives and policies include that design, materials and works for path creation and improvements are sensitive to local character, heritage and biodiversity; and positively contribute to Devon County Council's target to reach net zero carbon by 2030.

## **Minimise pollution (including air, land, water, light and noise)**

Positive: Objectives and policies include that design, materials and works for path creation and improvements are sensitive to local character, heritage and biodiversity; and positively contribute to Devon County Council's target to reach net zero carbon by 2030

## **Contribute to reducing water consumption**

No negative impact is envisaged.



## **Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level)**

Positive: Objectives and policies include measures to address issues of erosion and flooding attributable to wetter winters, storms etc.

### **Other (please state below)**

## 11. Economic analysis

- a) Description of any actual or potential negative consequences and consider how to mitigate against these.
- b) Description of any actual or potential neutral or positive outcomes and consider how to improve as far as possible.

As referenced under the heading 'socio-economic factors', improving the public rights of way network and safeguarding and improving non car based access will be of benefit to local businesses – both in terms of use by local residents and also by visitors to Devon.

### **Impact on knowledge and skills**

Positive with opportunities for knowledge and skills engagement as part of information provision, physical works and public participation. There will also be educational opportunities relating to access to the natural and historic environment.

### **Impact on employment levels**

Neutral or positive, with recreational access particularly important in contributing to the tourism sector.

### **Impact on local business**

As above.

