

**STRATEGIC PLANNING,
SUSTAINABILITY &
TRANSPORTATION COMMITTEE**

**11 September
2018**

**Kent County Council Rights of Way Improvement Plan
(ROWIP) consultation**

Final Decision-Maker	Strategic Planning, Sustainability & Transportation Committee
Lead Head of Service/Lead Director	Rob Jarman, Head of Planning & Development
Lead Officer and Report Author	Anna Houghton, Planning Officer and Tay Arnold, Planning Projects and Delivery Manager (Strategic Planning)
Classification	Public
Wards affected	All

Executive Summary

Kent County Council is consulting on its Rights of Way Improvement Plan (ROWIP). The ROWIP sets out the objectives for Kent's Public Rights of Way network and wider public access for the next 10 years. This report sets out matters for inclusion in the Council's response to the consultation.

This report makes the following recommendations to this Committee:

1. That the response to the Rights of Way Improvement Plan set out in paragraphs 1.6 to 1.13 of this report be agreed.

Timetable

Meeting	Date
Strategic Planning, Sustainability & Transportation Committee	11 September 2018

Kent County Council Rights of Way Improvement Plan (ROWIP) consultation

1. INTRODUCTION AND BACKGROUND

- 1.1 Kent County Council is consulting on the Rights of Way Improvement Plan (ROWIP). The public consultation closes on 12 September 2018. The County Council is required to prepare a public rights of way improvement plan under Section 60 of the Countryside and Rights of Way Act 2000 and to update the plan every 10 years.
- 1.2 In 2017 a consultation was undertaken reviewing what had been achieved by the Rights of Way Improvement Plan 2007-2017 and the Countryside and Coastal Access Improvement Plan 2013-2017. A formal consultation response was submitted on behalf of Maidstone Borough Council. The ROWIP outlines the objectives for the Public Rights of Way (PROW) network and wider public access for the next 10 years.
- 1.3 The ROWIP looks to assess to what extent the present and future needs of PROW users have been met. The ROWIP outlines how the network will be improved over the next ten years. To do this six key themes have been identified. Each theme has a number of objectives and subsequent actions outlined in a delivery plan. The table below outlines the themes and corresponding objectives.

Theme	Objective
Active lifestyles	<ul style="list-style-type: none"> • Increase health and wellbeing benefits • Active travel • Tackling deprivation and disadvantage
Evolution of the network	<ul style="list-style-type: none"> • Modal shift to cycling and walking to reduce road air pollution • Improve green infrastructure • Safe travel • High standard good design routes • Strategic overview • Adaptation to Climate Change
Knowing what's out there	<ul style="list-style-type: none"> • Maintain the record • Better promotion • Sustainable tourism • A strong brand for Kent (Encouraging visits to Kent) • Promotion of National Trails • Grow new markets • More accessible information/increasing knowledge and confidence • Keep communication open
Well-maintained network	<ul style="list-style-type: none"> • Better network for leisure and daily use • A strong brand for Kent • PROW Asset Management Plan

	<ul style="list-style-type: none"> • The Intelligent Investment Tool
Rights with responsibilities	<ul style="list-style-type: none"> • Provide advice on PROW Network • Negotiate improvements • Compliance • Remove stiles and other limitations from the network • Promote responsible use
Efficient delivery	<ul style="list-style-type: none"> • Volunteers • Improved customer service • Increase awareness of ROWIP • Working in partnership • PROW network links to encourage Sustainable Travel • Programme and project assessment • Secure additional funding

1.4 It illustrates policies and strategies that share common objectives with the ROWIP. For example local plans, green infrastructure plans and neighbourhood plans. Further information on the consultation can be found here:
<https://consultations.kent.gov.uk/consult.ti/rightsofWayImprovementPlan2017/consultationHome>

1.5 The consultation questionnaire is made up of 15 questions, however not all questions are applicable to all organisations. The questions themselves relate to the content of the document seeking responses on matter such as whether the right key themes have been identified, to what extent the Council agrees or disagrees with the key themes, and the delivery plan. Draft responses to the relevant questions are provided below.

Proposed response

1.6 **Q5. Was the ROWIP document easy to understand? Please select one option.**

Yes

1.7 **Q5a. Please provide details in the box below:**

The ROWIP clearly outlines the actions which are required to address the themes.

There is acknowledgement regarding the contribution from the ROWIP to policies and strategies produced by Maidstone Borough Council. The diagram on page 11 indicates which policies and strategies KCC believes that the ROWIP shares its common objectives with. This includes Local Plans and Neighbourhood Plans. It would be helpful to re-order these by weighting and show how the different policies or strategies correlate with one another.

The Delivery Plan on page 30 includes symbols to show the level of what is referred to as resource/limitation for each objective. However, the majority of objectives have been classified under all three resources/limitations and it is therefore not clear what value these add. What is also not clear is whether the symbols relate to the individual actions within each objective.

It would be helpful to make this distinction to provide clarity as to how the objective can be all three.

1.8 Q6. To what extent do you agree or disagree that we have identified the correct themes? Please select one option.

Strongly agree

1.9 Q6a. Please provide further details in the box below:

The Maidstone Borough Local Plan (MBLP), supported by the Integrated Transport Strategy (ITS), Walking and Cycling Strategy (WCS), the Infrastructure Delivery Plan (IDP) and the Green and Blue Infrastructure Strategy (GBIS), looks to provide attractive and safe walking and cycling routes. The improvement of the public rights of way network is present throughout the MBLP. Strategic Policy SP23 Sustainable Transport, outlines that the Council, working with its partners, will protect and enhance public rights of way. Within some strategic allocations there are requirements to upgrade the PROW network (Policy H1(5) Langley Park, Sutton Road is an example). Additionally, developers are required under Policy DM3 Natural Environment to ensure new developments protect and enhance the natural environment which includes the creation of new links to the PROW network. The Local Plan policies reflect the ROWIP themes of 'Evolution of the network', 'Well-maintained network' and 'Rights with responsibilities' which look to improve the PROW network and encourage more users.

One of the objectives of the ITS is to develop, maintain and enhance walking and cycling provision, through network improvements and encouraging uptake amongst the population. The ITS aims to increase walking and cycling mode share by 2031. To achieve these targets, the ITS includes a number of actions. Alongside the ITS is the Walking and Cycling Strategy (WCS) which provides the evidence base for walking and cycling actions outlined in the ITS. Improvements to the network and encouraging greater uptake supported through the ITS and WCS reflect the all of the ROWIP themes.

The Infrastructure Delivery Plan identifies infrastructure schemes which are required to support the development proposed in the MBLP. There are a number of schemes which look to improve the walking and cycling environment. Therefore, the IDP and the ROWIP share the common objective of improving the network (themes of 'Evolution of the network', 'Well-maintained network' and 'Rights with responsibilities').

The Green and Blue Infrastructure Strategy Action Plan looks to facilitate delivery of projects and the Local Plan. KCC PROW has been identified as delivery lead for a number of projects such improving accessibility of the footpath network. There is a similarity between the Action Plan and the ROWIP key themes of 'Active Lifestyles', 'Evolution of the network', 'Well-maintained network' and 'Rights with responsibilities'.

The Council's Lower Emissions Strategy promotes active travel and the WCS. There is also the Maidstone Health Inequalities Action Plan which outlines actions for improving the health of residents which include access to the PROW network. Both of these documents reflect the need for improvements to the network to accommodate active travel as outlined in 'Active lifestyles'.

Furthermore, the Council in its Strategic Plan 2015-2020 has a commitment to delivering the ITS and WCS to meet the strategic priority of securing

improvements to the transport infrastructure of the Borough. Therefore, the Strategic Plan reflects all of the ROWIP key themes.

It is clear that there are similarities between the key themes outlined in the ROWIP and the objectives of the Maidstone Borough Local Plan and other key documents. There is a shared common objective of improving the PROW network for current and future users.

1.10 Q7. To what extent do you agree or disagree with each of our six themes? Please select one option.

	Strongly agree
Active lifestyles	X
Evolution of the network	X
Knowing what's out there	X
Well-maintained network	X
Rights with responsibilities	X
Efficient delivery	X

1.11 Q8. The Delivery Plan details actions required to deliver each theme and can be found on page 30 of the ROWIP. If you have any comments on the Delivery Plan's actions, please provide details in the box below:

As mentioned in the response to Q5a, the majority of objectives have been classified as all three resources/limitations. It would be helpful to clarify whether the classifications reflect the individual actions within each objective or the objective as a whole.

The key partners are listed as part of the actions; it would be helpful to include an explanation of the process of engagement with those key partners.

It would be helpful to provide more detail within the actions to identify if there are baseline figures when measuring progress.

As part of the key partners, there is not a reference to public health bodies. It is noted that local authorities are included as a key partners, as well as planning authorities. It would be helpful to clarify which department within the local authorities are the key partner in each scenario.

There are also actions where local authorities should be included as a key partner – these include KT02, KT03 and KT06.

1.12 Q9. Do you have any other comments on the ROWIP?

Page 23 includes a list of developments where the PROW and Access Service will work with planners and developers to secure PROW enhancements and improvements. Below is a list of allocations within the Maidstone Borough Local Plan which require improvements to the ROW network that should be incorporated into the list.

Retail and mixed use site allocations

- RMX1(4) Former Syngenta Works, Hampstead Lane, Yalding.

Housing site allocations

- H1(5) Langley Park, Sutton Road, Boughton Monchelsea
- H1(9) Bicknor Farm, Sutton Road, Otham
- H1(10) South of Sutton Road, Langley
- H1(50) North of Henhurst Farm, Staplehurst
- H1(59) North of Heath Road (Older's Field), Coxheath

In addition, the Local Plan identifies broad locations for housing growth.

- H2(1) Maidstone Town Centre
- H2(2) Invicta Park Barracks, Maidstone
- H2(3) Lenham

1.13 Q10. We have completed an Equality Impact Assessment (EqIA) on the draft ROWIP. An EqIA is a tool to assess the impact any service change, policy or strategy would have on age, gender, gender identity, disability, race, religion or belief, sexual orientation, pregnancy or maternity, marriage and civil partnership and carer's responsibilities. The EqIA is available online at www.kent.gov.uk/rightsofwayimprovementplan or on request. We welcome your views on our equality analysis and if you think there is anything we should consider relating to equality and diversity. Please add comments in the box below.

The Council is pleased to see that the EqIA is comprehensive. The EqIA covers not only the impact of the physical infrastructure but also covers the need to refine engagement methods to encourage more people to use the ROW network.

2. AVAILABLE OPTIONS

- 2.1 Option 1 – The Committee decide not to submit a response.
- 2.2 Option 2 – The Committee agrees the consultation response outlined in paragraphs 1.6 to 1.13.
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3. PREFERRED OPTION AND REASONS FOR RECOMMENDATIONS

- 3.1 The preferred option is Option 2. This will ensure that the Council's viewpoint is taken into account by Kent County Council.
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4. RISK

- 4.1 The risks associated with this proposal, including the risks if the Council does not act as recommended, have been considered in line with the Council's Risk Management Framework. We are satisfied that the risks associated are within the Council's risk appetite and will be managed as per the Policy.
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5. NEXT STEPS: COMMUNICATION AND IMPLEMENTATION OF THE DECISION

- 5.1 Subject to agreement by Committee, the consultation response will be submitted on 12 September 2018. The consultation period also ends on 12 September. The consultation responses will be used to produce the final Rights of Way Improvement Plan.
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6. CROSS-CUTTING ISSUES AND IMPLICATIONS

Issue	Implications	Sign-off
Impact on Corporate Priorities	We do not expect the recommendations will by themselves materially affect achievement of corporate priorities.	Rob Jarman, Head of Planning and Development
Risk Management	Already covered in the risk section	Rob Jarman, Head of Planning and Development
Financial	The proposal set out in the recommendation are all within already approved budgetary headings and so need no new funding for implementation.	Ellie Dunnet, Head of Finance
Staffing	We will deliver the recommendations with our current staffing.	Rob Jarman, Head of Planning and Development
Legal	There are no specific legal implications arising from this report	Cheryl Parks, Mid Kent Legal Services (Planning)
Privacy and Data Protection	There are no specific legal implications arising from this report	Cheryl Parks, Mid Kent Legal Services (Planning)
Equalities	The recommendations do not propose a change in service therefore will not require an equalities impact assessment.	Equalities and Corporate Policy Officer
Crime and Disorder	N/A	Rob Jarman, Head of Planning and Development
Procurement	N/A	Rob Jarman, Head of Planning and Development

		& Section 151 Officer
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7. BACKGROUND PAPERS

The Rights of Way Improvement Plan and supporting documents can be found here:

<https://consultations.kent.gov.uk/consult.ti/rightsofWayImprovementPlan2017/consultationHome>