FLINTSHIRE COUNTY COUNCIL

RIGHTS OF WAY IMPROVEMENT PLAN

2018- 2028

Table of Contents

1   Introduction

1.1   Background to the second ROWIP

The first Rights of Way Improvement Plan (ROWIP) was published in October 2008 and covers the period through to the end of September 2018. In the foreword to the ROWIP, its aims were expressed as being to, "…secure improvements to the management, maintenance, protection and recording of the [public rights of way] network, to ensure that it becomes more open and accessible to the public." The Executive Summary to the first ROWIP is included as Annex 1.

This second ROWIP assesses the 2018 network and evaluates progress made since 2008. It looks specifically at progress against the first ROWIP's Statement of Action. The current (2018) policy context is examined, priority areas are identified and a new-style Statement of Action put forward.

In July 2016, the Welsh Government issued guidance to Local Highway Authorities (LHA) in Wales for the review and redrafting of ROWIPs (Welsh Government, 2016.). This guidance has been used to direct the preparation of Flintshire's second ROWIP. Experience with the first ROWIPs highlighted the need for greater flexibility in the plans. The guidance suggests the inclusion of 'Delivery Plans' as an annex to the main ROWIP and that these are used as an opportunity to regularly review progress, especially in the light of any significant changes of circumstance. It is intended that a Delivery Plan will be produced and maintained as an annex to this ROWIP.

1.2   The area covered

This Plan covers the County of Flintshire. But it should be noted that there are other influences affecting parts of Flintshire and the management of those parts of the public rights of way (PRoW) network. In particular, Flintshire includes part of the Clwydian Range and Dee Valley Area of Outstanding Natural Beauty (AONB). Denbighshire Countryside Service, takes general responsibility for the day to day management of PRoW within the AONB, although Flintshire Council, as the Local Highway Authority, retains overall responsibility for the paths in its area and leads on non-routine issues such as any definitive map questions.

1.3   Method

Preparation of the plan involved the following areas of activity.

Research

Data searches and analysis, on-line searches and review of printed material have all been used to provide the evidence behind the assessment stage. This ROWIP makes extensive use of data recorded on Flintshire's digital Countryside Access Management System (CAMS), which includes data from a 33% survey of the network undertaken in 2017 and a full network survey from 2010. No further on-the-ground research was carried out for this ROWIP.

Consultation with stakeholders

The following organisations were consulted:
- BHS Clwyd Branch
- Exercise Referral Scheme, Deeside Leisure Centre
- Flintshire Disability Forum
- FLVC
- FUW
- NFU
- NRW
- Public Health Wales
- Ramblers Flintshire (Footpaths Officers)
- Walkabout Flintshire

Meetings were held with:
- Flintshire Disability Forum, Shotton Area Group
- FUW Flintshire
- Ramblers Flintshire
- Walkabout Flintshire

An electronic survey disseminated to members of Ramblers Flintshire and Walkabout Flintshire walk leaders received 40 responses.

2 Evaluating delivery of the first ROWIP

2.1 Key priorities in ROWIP 1

The first ROWIP identified the following areas as being key priorities for 2008-18:

1. Management of the network:
   - Development, adoption and promotion of a set of Enforcement Policies and Procedures;
   - Seeking additional funding; and
   - Develop partnership working.
2. Management:
   - Examine management practices to identify cost savings;
   - Increase joint working on rights of way across departments and also with other Local Authorities;
   - Set up an effective management and monitoring system; and
   - Develop use of volunteers.
3. Improving the network:
   - Improve maintenance, using prioritisation as identified by the Local Access Forum (LAF);
   - Work with user groups to identify gaps in the network;
   - Addressing issues from the severance of PRoW by the A55 trunk road;
   - Improve accessibility; and
   - Publicise and promote improved rights of way.
4. Signage:
   - Improve signage, along with necessary on-the-ground improvements.
5. Clear obstructions and improve enforcement:
   - Addressing obstructions on the network, including non-reinstatement following ploughing.
6. Definitive Map:
   - Writing Policies and Procedures that reflect good practice;
   - Preparing a Statement of Priorities;
   - Determining outstanding applications for Definitive Map Modification Orders (DMMO);
   - Put programme in place to remove the backlog of Legal Event Modification Orders (LEMO);
   - Review outstanding anomalies;
   - Backlog of Public Path Orders (PPO) to be reviewed and prioritised; and
   - Develop a robust enforcement policy to avoid development over paths.
7. Improve accessibility:
   - Improving accessibility by following the 'least restrictive access' principle.
8. The development of bridleways and a cycle network:
   - No specific proposals.
9. Link up and develop bridleway network:
   - Develop linked up bridleways and multi-user routes.
10. Off-road motor vehicles:
    - Encourage users to identify alternatives to footpaths and bridleways for their activities.
11. Publicity and promotion:
    - Publicise and promote the Council's work on rights of way.

Each of the above priority areas was worked up into detailed proposals making up the first ROWIP's Statement of Action.

2.2 Delivery of Statement of Action

The Statement of Action (SoA) included performance indicators with the intention that progress could be monitored. Table 3.1 provides an action by action assessment of delivery of the SoA.

KEY:

	Actions completed
	Partial progress
	Little or no progress

Task	Performance Indicator	Progress to 2018	Narrative
1.1 Rights of Way Management	Review of management of PRoW carried out	Reported to Cabinet (21/6/16) as having been completed in 2012.	No copy of this report has been found. Process now underway (May 2018) to again review the management setup.
1.2 Policies & Procedures	Full set of policies and procedures to be in place within 5 years	Partially done	Being reviewed and developed (May 2018)
1.3 Requests for Action	1. Guidelines for communication and time limits for response, inspection and action. 2. Percentage of requests for action dealt with in accordance to agreed timescales.	1. Corporate guidelines for responses, no inspection target, response and action depends upon priority. 2. No system in place to assess this.	The CAMS can provide information to measure success but target times for various actions still need to be determined.
2.1 Statement of priorities	Statement of priorities adopted by October 2009	Done	
2.2 Remove backlog & new DMMO applications determined within defined timescales	1. No. of apps received p.a. 2. % determined in 12 months 3. No. of outstanding apps 4. Appoint 3 DM/PPO officers	1. Not known 2. Not known 3. Not known 4. Achieved	1. Only counted as received when an application is properly made and landowner notified. 4. Now 3 RoW officers plus an admin person, all with roles in DMS management.
2.3 Backlog of LEMO	No. of outstanding LEMO to be near zero by 2012	75 LEMO made.	This was an active target but not known if it was met – problem found with poor quality orders uncovered in the process, also with limits on legal officer's time. Now the LEMO is done immediately following DMMO

Task	Performance Indicator	Progress to 2018	Narrative
2.4 DMS anomalies	% of paths by length that are free from DMS anomalies.	List of anomalies was made but it is not thought to be up to date	List to be updated.
2.5 Process PPO	1. All cases will be reviewed 2. No. of outstanding PPO's 3. No. of PPO required	1. Yes 2. 10 3. Not known	3 – number not readily available.
3.1 All PRoW signed where they leave a metalled road	1. Yearly sign installation programme 2. % of network signed	1. Intention but not a quantified target per annum.	1. On-going target with annual budget of £1000 for 10 signs per annum. Used to be specific funding through NRW, also funding through specific schemes such as Watts Dyke Way. Signposting tends to follow clearing of other problems so only sign when path is fully available.
3.2 Waymarks and signposts	% of paths that meet the 'easy to use' BVPI criteria for waymarking	Not known	Stopped surveying in 2015. Only limited availability of BVPI data
3.3 Surfaces in proper repair etc.	1. Annual maintenance programme updated and paths prioritised 2. Length of paths cleared p.a. 3. % pf paths that meet BVPI test for surfaces	1. Yes, but also reactive. 2. c.3,800m 3. Not known	1. EG they use slurry sealing of paths to prevent deterioration. 2. Annual clearance programme doesn't go into CAMS, only reported problems.
3.4 All bridges in a safe condition	1. Biannual inspection 2. % of bridges that are satisfactory	1. Surveyed every 2 years. 2. Figures unavailable from CAMS - see Streetscene asset management system.	1. These are dealt with by the Streetscene Operations Managers who carry out an annual survey.
3.5 Path furniture safe and convenient	1. Policy of least restrictive access 2. Removal of barriers 3. % of path furniture that is easy to use. 4. Defined timescales for problem resolution	1. Yes 2. Yes 3. From CAMS 4. List of priorities but not a timeframe with it.	3. CAMS can record if structures conform to BS standard and are dog friendly. 4. Work is done ASAP according to priority, especially related to danger.
3.6 Obstructions	1. Draft and implement enforcement policy and procedure within 2 years 2. Programme of enforcement action implemented within 3 years	1. Incomplete 2. No 3. No 4. No realistic figure available	1. Policy produced outlining the order of priority only. 3. Shared role between several officers. 4. Figure not available through CAMS

Task	Performance Indicator	Progress to 2018	Narrative
	3. Appointment of Enforcement Officer 4. % of paths clear of obstructions		
3.7 Inspection and monitoring	1. Length of PRoW inspected p.a.	1. Only the promoted routes.	1. This is done by Ranger service.
4.1 Improve coast access	2. No indicatorOks identified		Joint responsibility – Inspectors and Countryside Service Rangers.
4.2 Improve equestrian access	1. Survey to be carried out to establish extent of problem and identify which routes need improvement 2. No. of gates installed on bridleways p.a. 3. Length of new bw/rb created p.a.	1. Not done 2. Not known 3. <1km p.a.	Some bridleway creation together with facilities such as Pegasus Crossing.
4.3 Improve cycle access	1. No. and length of new cycle routes p.a.	1. None on PRoW	There are specific cycle officers in other departments so hasn't been seen as a PRoW issue. This is an area for inter-department cooperation.
4.4 Improve Accessibility for All	1. Comprehensive audit of network and of promotional material 2. Plan drawn up for a programme of selected path improvement by 2010 3. "A percentage" of paths examined each year for accessibility, in addition to BVPI.	1. Yes, done as part of full survey. 2. No 3. No.	3. Reactive only.
4.5 Improving and extending the network	1. Plan prepared identifying solutions to specific problems, such as lack of provision for different users	1. No	1. Opportunities have been taken to add a bridleway.
4.6 Guided and promoted walks	None identified (though a number of 'opportunities' were put forward: a. Review current provision b. Provide more info on PRoW and associated costs c. Seek advice from LAF d. Provide info on access land e. Provide site maps for countryside sites and walks f. Use more maps/images g. Use website to promote a 'Walk of the month' h. On-line problem reporting	a. No b. No c. Yes d. No e. Yes f. No g. No h. Yes	h. Yes, but problems encountered setting it up and it is still not considered to be 100% reliable.
4.7 Annual report	1. Annual report covering progress on targets and PI identified in ROWIP	1. Last published in 2014	

2.3   Assessment of progress made

Changes to individual elements of the PRoW network will be considered within the following sections of this ROWIP. However, in general terms, it is apparent that of the 22 tasks identified, seven have been completed or made substantial progress, while seven have made little or no progress, and eight have made partial progress.

3 Assessment of current condition of the network and its Legal record

3.1 Current condition

3.1.1 Monitoring

In the 2008 ROWIP, it was noted that regular inspections could aid the Authority in taking a proactive approach to rights of way management (and could also provide a defence against negligence claims). However, with the exception of bridge inspections by Streetscene officers, no inspection regime was put in place.

Limited surveys were undertaken for Best Value Performance Indicator (BVPI) purposes[1], using a standard method involving a five percent sample of the network. The survey was designed to give an indication of the 'ease of use' of a network but, because of the small number of paths monitored each year, the results were found to vary significantly from year to year. Although accurate on a national scale, the BVPI surveys were seen as being of limited value to Authorities with smaller networks, such as Flintshire and in 2014 the decision was made to stop carrying out the annual surveys.

There is now no routine monitoring of the network and any network assessment has to be based upon accurate record keeping in CAMS with occasional baseline surveys of all or part of the network.

3.1.2 Network composition

3.1.2.1 Current make-up

The public rights of way network in 2018 consists of approximately 1800 individual public paths made up as follows:

Footpath   -   955.2km (88.3%)
Bridleway   -   114.6km (10.6%)
BOAT*   -   11.9km (1.1%)   *(Byway Open to All Traffic)

      Total   1,082km (100%)

In common with most networks in Wales, the Flintshire network is heavily biased towards footpaths, with routes available to horse riders and cyclists making up just 12% of the paths total. Motor vehicle users have just over 1% of the public paths network legally available to them.

3.1.2.2 Change since 2008

In 2008, the network was made up as follows:

Footpath   -   938.5km (88.9%)
Bridleway   -   106.5km (10.1%)
BOAT   -   11.2km (1.06%)

      Total 1,056km (100%)

---

[1] Originally BVPI 6.10 and subsequently CMT/001, the data was supplied by local authorities to the Local Government Data Unit, now called Data Cymru.

Essentially the network has hardly changed since 2008. The network has increased overall and a large part of this was down to the All Wales Coastal Path and the amount of recorded rights of way that were added to the network as part of this process.

3.1.3   Ease of Use

In December 2000, the Government published new and revised Best Value Performance Indicators (BVPIs) in line with its programme to modernise Local Government. Best Value Authorities were under a duty to seek continuous improvements in the way in which they exercised their functions and BVPIs provided a performance management framework for reporting progress.

The relevant indicator is the total length of rights of way, which were easy to use, as a percentage of the total length of all rights of way. 'Easy to use' means:
- Signposted or waymarked where they leave the road and to the extent necessary to allow users to follow the path;
- Free from unlawful obstructions and other interference, (including overhanging vegetation) to the public's right of passage;
- Surface and lawful barriers (e.g. authorised stiles and gates) in good repair and to a standard necessary to enable the public to use the way without undue inconvenience.

In order to meet the easy to use standard, a path must record a pass against each of the individual items that make up the test.

3.1.3.1   Current

From the non-random 2017 survey results; 43.4% of paths by number passed the easy to use standard. But by length, which was the required measure and which is most relevant to users, 34.1% of the paths surveyed passed. This survey was carried out in July 2017 and there may be seasonal variations that impact the results.

The low pass rate is the compounded result of failures in a number of areas and a more useful picture of the network can be gained by considering the pass rate for individual aspects.

Signposting from the roadside is an area that has been given particular attention. The overall pass rate by number of all paths is about 74%.

Way-marking away from the roadside is in a more complete state with 98% of paths in the 2017 survey recording a pass for this aspect.

Stiles and gates scored 'pass' for about 77% of paths (by number).

Other forms of obstruction, such as barriers or fences across paths, or items and buildings deposited on them are a further significant cause of ease-of-use failure.

In contrast to other path infrastructure, only 3.3% of paths (by number) failed because of surface issues.

Unfortunately, the BVPI records for 2008 to 2014 (the year that the surveys were stopped) are unavailable and so it is necessary to search for alternative publications that record the annual scores.

In 2008, the ROWIP recorded that 38% of the network met the easy-to-use standards. Graph 3.1 below shows an average of 52% easy to use. However, given the gaps in the data, and the very different sample selection in 2017, it would be unwise to over-interpret these data. The mathematical trend-line, shown as a dotted line, suggests a slow rate of improvement overall.

Graph 3.1
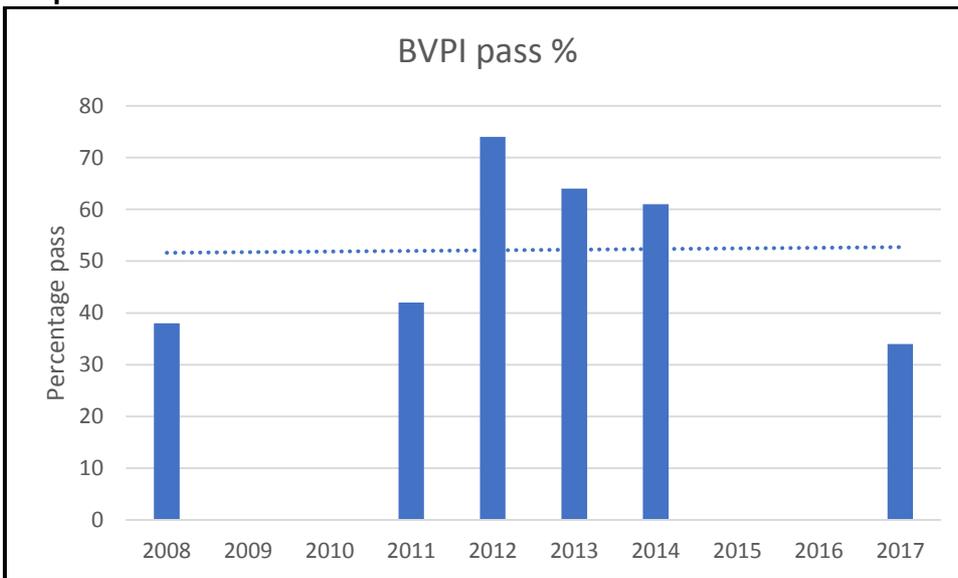
3.2 Infrastructure

3.2.1 Policies and protocols

Informally, the PRoW team adheres to the 'least restrictive access' principle, that is, replacing stiles, whenever possible, with gaps, gates or kissing gates. This is good working practice and should be extended and formalised to guide authorisation of new structures.

No formal Policies have been put in place to cover path furniture, though it is assumed that any items installed will comply with the relevant British Standard, such as BS5709 covering gaps, gates and stiles.

3.2.2 Network furniture

A full network survey was carried out in 2010 with all of the data being entered into the CAMS. Although not at the start of the ROWIP period, these data give us a solid baseline from which to monitor any subsequent changes to the network. There has not been a further 100% network survey, but a 33% survey was carried out in 2017, potentially giving a robust sample size upon which to extrapolate changes across the whole network. However, the survey was not random but was based upon a selection of whole community networks and a number of partial networks that, together, represented 33% of the total network length (see Fig. 3.1). This introduced an unknown amount of selection bias, undermining the reliability of the data as a representative sample.

However, as a number of Communities' networks were re-surveyed in their entirety (based upon the similarity of the total number of items recorded), it should be possible to confidently compare the results from these communities in both 2010 and 2017. The communities involved are:

|	
Buckley	Leeswood
Connah's Quay	Llanasa
Flint	Mold
Gwaenysgor	Mold Rural
Higher Kinnerton	Northop
Holywell	Trelawnyd

Fig. 3.1: Distribution of paths surveyed, 2017
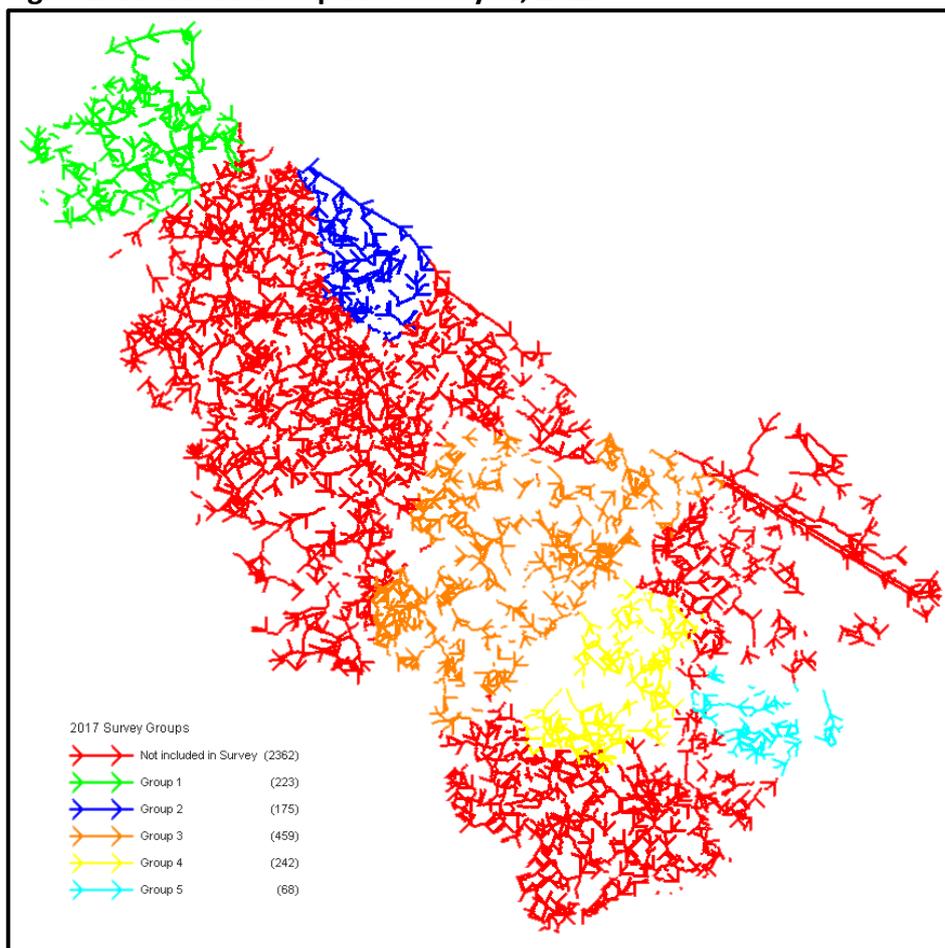
Table 3.1 overleaf compares the results for these Community networks obtained in 2010 and 2017 for various types of infrastructure.

Table 3.1: Infrastructure data from replicated communities

Item	2010*	2017*	% change
Stiles	1204	1224	+1.7%
Kissing Gates	261	238	-8.8%
Gaps	85	90	+5.9%
Gates (<1.2m)	53	54	+1.9%
Roadside Signs	732	829	+13.3%
Sleeper bridges	25	29	+16%
Other bridges	118	158	+33.9%

* Numbers of the items recorded within the 12 replicated communities' surveys. These are NOT the total network figure.

Table 3.2 Infrastructure data for complete network

Item	2010 (Full survey results)	2018 data (recorded on CAMS)	Change
Stiles	3310	3316	+6
Kissing Gates	493	506	+13
Gaps	185	186	+1
Gates (<1.2m)	155	152	-3
Roadside signs	1938	1992	+54
Sleeper Bridges	58	58	0
Other bridges	245	336	+91
All gates (excluding Kissing gates)	1494	1501	+7

It is not possible to draw any firm conclusions from the available data and further survey work will be needed to fully compare the survey data from 2010 and what's recorded in CAMS in 2018. However, using the figures available, the number of stock stiles have increased slightly, the number of kissing gates have increased slightly more than new stiles and recorded gaps are almost unchanged. Small gate numbers have decreased marginally but the figure for *All Gates (excluding kissing gates)* indicates a further increase. Roadside signs have significantly increased since 2010 as have the number of bridges recorded (apart from sleeper bridges which remained the same). The increase in *Other Bridges* accords well with the prominence given to bridge installation in the Annual Report.

3.2.3   Surface

As was discussed in 3.1.3.1, only 3.3% of ease-of-use failure in the 2017 survey were related to surface issues, suggesting that 96.7% of the network's surface is in an acceptable condition. However, this figure is based on a subset of the partial, non-randomised survey, so there can be only limited confidence that this is a true reflection of the network as a whole. Nonetheless, the figure strongly suggests that the PRoW network's surface is generally in acceptable to good condition. This accords well with the first ROWIP not recording surface issues as a significant source of BVPI failures, and it also reflects the considerable effort made annually with vegetation clearance (see 3.4.3.1 below).

3.2.4 Accessibility

The 2008 ROWIP committed the County to developing a programme for improving accessibility of the network (Task 4.4 in the SoA). However, little progress appears to have been made with this other than an informal Policy of taking opportunities to replace stiles with gaps, gates or kissing gates.

3.3 Maintenance, repair and enforcement

3.3.1 Policies and protocols

Several Policies were adopted by the Council in 2016, including to guide the approach to be followed for prioritising maintenance efforts. The Policy is to follow a hierarchy for addressing issues based upon their safety implications and also the popularity of the path – giving higher priority, for example, to promoted routes. The hierarchy is as shown in Table 3.3:

Table 3.3: Priority of maintenance issues

Priority No.	Issue
1	Health and safety issues
2	Volume and degree of usage and potential usage, especially National Trails, national and promoted footpaths and published trails, eg AONB and the Wales Coastal Path.
3	Ways that are suitable for those who are less agile, wheelchair users and the visually impaired.
4	Multi-use and bridleway circular routes and those identified in liaison with the British Horse Society.
5	Walks, rides and other activities for health.
6	Link Paths off the National Trail and promoted trails.
7	Paths published by community councils, including accesses to school.
8	Circular and other routes published by Flintshire CC, including accesses to school.

In practice, a simpler system has been adopted whereby issues are prioritised as high, medium or low priority when they are entered into CAMS, as the system dictates. The prioritisation of issues is tempered with an unwritten Policy of addressing other issues in the vicinity at the same time as the priority issues, increasing the efficiency of the maintenance effort but making it less clear to path users as to what the prioritisation process is.

With respect to enforcement, a similar prioritisation hierarchy has been developed. Again, health and safety related issues are given the highest priority, with the aspiration that health and safety related complaints will be investigated on the day of complaint and measures immediately put in place to mitigate the problem. The full hierarchy is shown in Table 3.4 overleaf:

Table 3.4: Priority of enforcement issues

Priority no.	Issue
1	Health and Safety implications
2	Time-dependent problems such as ploughing and cropping, hedge trimming and tree pruning.
3	Wilful, unnecessary and determined obstructions.
4	Obstructions on routes that have been the subject of a high volume and wide variety of complaints, including bridleway and multi user routes, the Offa's Dyke National Trail and other promoted routes.
5	Obstructions and problems on routes that would lead to obstruction-free, access to all ways.
6	Obstructions whose removal would lead to a significant improvement to the rights of way network

While the Policy prioritises the order for addressing enforcement issues, there is no Policy in place as to how the issues will be dealt with and, in practice, the approach adopted will vary from officer to officer and case to case.

Options for enforcement include serving notice and recharging for works carried out. This power has only rarely been used, with an official letter generally securing resolution of the issue. For some issues requiring enforcement action, there is also an option of prosecution. The County Legal and Democratic Services Officer has delegated authority to seek prosecution but this power has not been used.

Task 3.6 in the first ROWIP's Statement of Action was that an effective enforcement Policy and Procedure 'will be drafted and implemented within two years of the ROWIP's publication'. No evidence has been found that this task was completed and enforcement remains subject to individual approaches and, therefore, inconsistencies.

At its Cabinet meeting of 21st June 2016, the Council adopted a Policy that the surface of public paths should be maintained only to a sufficient standard for the normal traffic entitled to use the path, that is, a footpath will be maintained to a standard suitable for pedestrians and a bridleway will be maintained to a standard suitable for pedestrians and equestrians. Cyclists are not mentioned in the Policy proposal but should be included as part of the 'normal traffic' entitled to use bridleways. No specific consideration was given to the maintenance standard for byways open to all traffic.

3.3.2 Resources

The physical maintenance of the network is primarily carried out by the two Rights of Way Inspectors, based at Ty Dewi Sant, Ewloe and fully equipped with vehicles, tools and machinery. The Inspectors will install signposts, repair/ replace stiles, erect kissing gates, clear fallen trees, repair sections of path and work of a similar scale. Larger tasks are put out to contractors, with the contracts overseen by the Inspectors.

The Inspectors divide the County between them as shown in Figure 3.2.

Fig. 3.2: Rights of Way Inspectors' areas

The red-bounded area is currently managed the Western Inspector, and the blue-bounded area is managed by the Eastern Inspector.

Maintenance of path furniture – stiles or gates – is generally the responsibility of the landowner. Some landowners will themselves repair structures or install stile kits provided by the Council, though, as self-repair does not get recorded in CAMS, it is not possible to quantify the effort put in. As a rule, 10 to 12 kits will be supplied each year.

Contractors are also used for annual vegetation clearance on a schedule of paths at 400 locations around the County. The total area cleared is around 200,000m^2, with three cuts per year.

The County's two Access Officers have no direct role with maintenance, although they are an essential part of the reporting process, recording problems in CAMS and passing on the information to the Inspectors. But they are central to the enforcement process, leading on all rights of way enforcement issues.

The Countryside Service Rangers also have an input to certain parts of the network. In particular; the Wales Coast Path, where they have led its development in the county, and with maintenance of the promoted routes. The rangers regularly work with volunteers, including on the coast path and promoted routes.

As noted earlier, Flintshire contains part of the Clwydian Range and Dee Valley AONB. Day to day maintenance of PRoW within the AONB is organised through the Denbighshire Countryside Service in liaison with their Flintshire colleagues. The AONB has an active volunteer programme with volunteers regularly working on rights of way.

An important resource for managing the repair and maintenance of the network is the CAMS. This became available to all PRoW staff in 2010 and is now used as the main record keeping and work programming tool for the County.

3.3.3   Maintenance responsibilities

Responsibility for PRoW maintenance varies from aspect to aspect; however, fundamentally the Local Highway Authority, Flintshire County Council, has a duty to ensure the satisfactory maintenance of the PRoW network and to assert and protect the rights of the public.

3.3.3.1   Vegetation management

Highways law shares the burden of vegetation management between the Local Highway Authority (LHA) and the landowner. The LHA is generally responsible for the maintenance of the surface of a public path, including keeping down undergrowth, while the landowner is responsible for overgrowth from the sides of a path. However, in the case of a cross-field path, it is the farmer's responsibility to ensure that no crops are grown on the path.

Flintshire Council uses contractors to clear paths three times during the growing season. The County's PRoW Inspectors clear 4km or so in response to reported problems.

3.3.3.2   Path surface

It is generally the LHA's responsibility to maintain the surface of a path but it is the farmer's responsibility to reinstate a cross-field path within seven days of ploughing or 24 hours of any subsequent cultivation.

There is no annual maintenance regime for surface repair, work is carried out in response to problems being reported. Small repairs may be done on the spot by the Inspectors but larger jobs will involve organising work through contractors.

3.3.3.3   Path furniture

Stiles and gates on PRoW, if authorised, are legal obstructions for the benefit of farming activities. As such, maintenance is primarily the landowner's responsibility, although the LHA is obliged to offer at least 25% support, recognising that there is a public interest in maintaining stiles and gates in good order. In practice, the Council will generally assume full responsibility for the repair or replacement of stiles when problems are reported, taking the opportunity to seek the replacement of stiles with gates or kissing gates where there is landowner agreement. However, occasionally stile kits are supplied to landowners for them to fit themselves.

During 2016/17 ten stile kits were supplied. In addition, some 69 stiles were repaired or replaced and 15 kissing gates installed by the Rights of Way Inspectors or contractors.
Signposting where a path leaves a road, and waymarking along the length of a path, are LHA responsibilities. 29 signposts were installed during 2016/17 and 120 waymarkers erected.

Bridges on paths are usually the LHA's responsibility unless the landowner has chosen to put in a more substantial structure, for example where a vehicular stream-crossing point is also used by a footpath. Management of the County's stock of bridges on PRoW, excluding sleeper bridges, is devolved to bridge engineers within the Authority's Streetscene department.

There is no available record of furniture installed since 2008, but a selection of the most significant items from the record for 2013/14 (the last available record) for both Western and Eastern Inspector areas is shown in Table 3.5 below:

Table 3.5: Path furniture installed, repaired or replaced between 2008 and 2014

Type	Western area	Eastern area
Signposts	68	8
Direction signs	100	20
Waymarkers	98	150
Stiles	16	38
Stile-steps	26 repaired	118 repaired
Steps	29	25
Kissing gates	13	2
Bridle gates	5	
Sleeper bridges		11
Other bridges	3 repaired	1 repaired
Revetment (metres)	25	40

3.3.4   Reporting, recording and monitoring processes

As was noted in 2008, work on PRoW in Flintshire is very much reactive. In the first ROWIP it was noted that there was, "no set inspection routine other than the yearly best value performance indicator (BVPI) surveys, so most of the work arises from complaints from third parties." This remains the situation to date except that, as the BVPI surveys were abandoned in 2014, there is even heavier reliance on reports coming in from the public.

Ad hoc reporting from the public has been supplemented in 2017 with a partial (33%) survey of the network but there is currently no regular monitoring regime in place.

All issues reported, or identified in the course of other work, are recorded in CAMS by the receiving officer. Each issue is given a priority of high, medium or low, based primarily on health and safety implications and/or whether they are time-critical. The issues are allocated to the relevant Inspector, based on area, and then appear on that Inspector's CAMS generated 'To do' list.

Path users can use the on-line reporting system to log issues at any time. Rights of way officers' next logging in to CAMS are prompted about reports received but need to 'accept' the reports and then allocate them to an Inspector. It is not one-person's responsibility to check CAMS for on-line reports and up to five people could potentially open a report. Despite this lack of defined responsibility, the system reportedly functions well.

When issues are addressed, but often before they have been resolved, the original reporter will receive an automatic email notifying them that the issue has been attended to. Some confusion can

be caused by CAMS generating a 'completed' message when, for example, a dangerous situation has been made safe – perhaps by temporary closure of a path – rather than fully resolved.

A worthwhile improvement to the automatic response from CAMS would be for it to offer more tailored responses appropriate to the action taken and whether or not further action is needed.

There is no automatic system in place for updating reporters who have phoned in or emailed a report of an issue, even though it has been logged in CAMS by an officer. A phone-call or email is needed from the officer if the reporter is to be kept informed.

3.3.5   Reporting and resolution rates

Graph 3.2
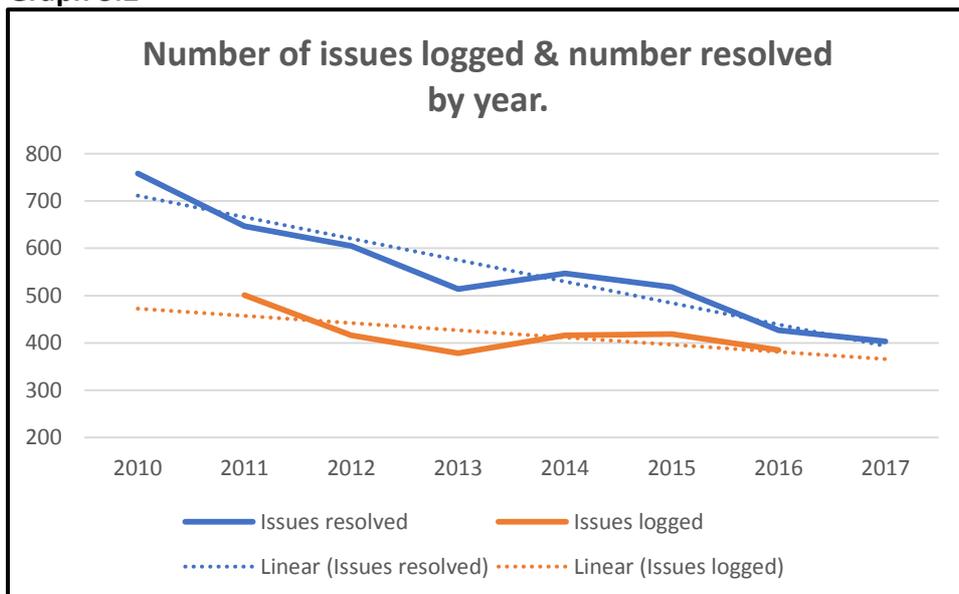
	2010	2011	2012	2013	2014	2015	2016	2017
Issues resolved	758	647	605	514	547	518	427	403
Issues logged	5709	501	416	378	416	419	385	1109

NB, the figures in green text have not been used as they are enlarged by the 2010 full network survey entries and the 2017 33% survey entries rather than being representative of the number of issues 'naturally' arising, as in other years.

Graph 3.2 shows the trends in numbers of issues logged in CAMS by year and the number of issues resolved that same year. It can be seen that the numbers of issues dealt with each year has consistently been higher than the number of new issues logged, suggesting a steady eating into the backlog of issues first recorded in 2010. However, the convergence of the two trend lines suggests that the number of issues resolved each year is reducing and, if this trend were to continue, the backlog would be expected to begin to rise once more. In practice, the two curves are more probably converging on loose parity, achieving a steady state where, over a few years, the numbers of issues logged and resolved will be approximately equal.

However, it should be borne in mind that the annual rate of issues reports is not the same as the total number of reported issues in the system. The total number of issues logged to the end of 2017 was 9,333. The total number of issues resolved in the same time was 4,419. This suggests that there

is a backlog of about 4,900 unresolved issues recorded in CAMS. At the current level, and making the assumption that the backlog is representative of the types of issues normally received, it would take between ten and eleven years to fully address the backlog, even if no more issues are reported. If new issues continue to be reported at current rates, the time taken to deal with the backlog, with current resources, would be nearer 40 years. In the 2008 ROWIP it was noted that there was an estimated backlog of 2840 maintenance tasks, but with a high level of uncertainty as to the actual number.

So, the message arising from these figures is that the current level of effort is possibly sufficient to maintain the status quo against incoming issues but to address the backlog within the lifetime of this ROWIP will require at least a doubling of resource.

Graph 3.3, below, looks at the mean resolution time for issues sorted by the priority that they were given when logged. The trend line for the overall average across all priorities clearly shows that there has been a significant decrease (about 40%) in the time taken to resolve issues since 2011. Despite the year on year volatility, this general trend is reflected across all issues whatever priority they are assigned.

Graph 3.3
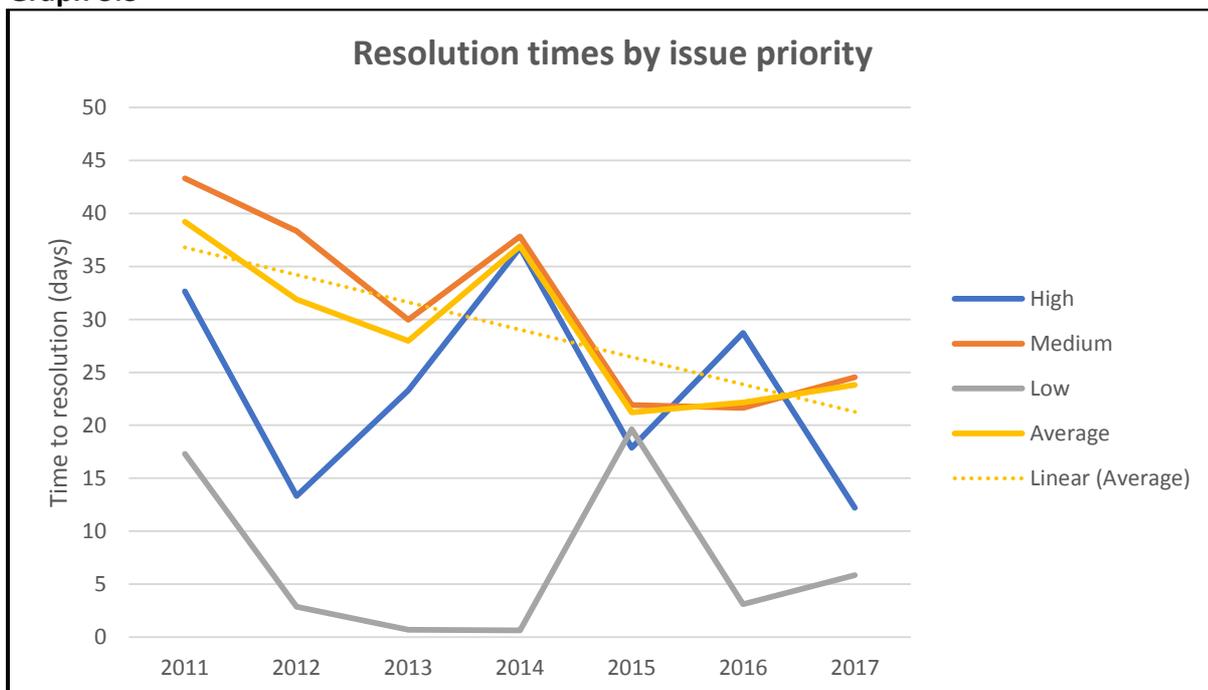
	2011	2012	2013	2014	2015	2016	2017
High	32.64	13.31	23.29	36.77	17.86	28.73	12.21
Medium	43.32	38.33	29.96	37.83	21.91	21.64	24.54
Low	17.31	2.87	0.69	0.62	19.62	3.09	5.83
Average	39.22	31.9	27.98	36.94	21.22	22.15	23.82

Considering Graphs 3.2 and 3.3 together reveals an apparently contradictory situation where resolution rates have improved significantly but the number of issue resolved each year is going down. This may be a function of the recording system or the way that it is being used but, further consideration should be given as to whether or not this is a true picture. One potential explanation

for the apparent slow-down is that shortly after the full network survey in 2010 there was a higher proportion of 'quick-win' issues that could, on average, be dealt with more quickly than the normal run of reported issues. If that is the case, it would be expected that the resolution rate will rise again following the 2017 survey and its further crop of quick-win issues.

3.3.6 Enforcement

As of June 2018, there were 331 obstructions recorded on CAMS. The BVPI data discussed in 3.1.3.1 suggested that 32% of the network's paths (by number) suffer from obstruction. Assuming that there is only one obstruction per path link (a link being the stretch of path between one path or road junction and the next) and with an average link length of about 307m affecting some 102km of the network – or 9.4% by length.

The first ROWIP identified the need for an Enforcement Officer. That need is still recognised but, as yet, no such officer has been appointed. The enforcement role is part of the Rights of Way Officers' remit and between the two officers 12 formal letters were sent out in 2017/18. Most letters are sent in response to actual complaints received but some letters are also sent preventatively where there is considered to be a high risk of repeated non-compliance.

As for 2008, the most common obstructions requiring enforcement action are: fences or other barriers across paths; tied up or locked gates; overgrowth; crops; and, buildings.

3.3.7 Promoted routes

Table 3.6 summarizes the events, routes and publications found following enquiries and on-line searches. The table includes a number of events featuring guided walks in Flintshire, including the Countryside Service's 'Countryside Events' programme for 2018.

Table 3.6: Promoted routes and events

Promoted routes		
Name	Opening date	Notes
Offa's Dyke Path National Trail	1971	60-mile route through the Wales/ England border country. Set up and run as a National Trail. Short length only in Flintshire.
Wales Coast Path	2012	861-mile route around the coast of Wales. Set up and managed in Flintshire by the Countryside Service Rangers.
Wales Link Path	2018	Spanning eighteen miles and going through four counties, the Wales Link Path now connects up the Wales Coast Path via the southern/eastern edge of Flintshire.
Dee Way	2005	Privately promoted, 127-mile route linking to the Dee Valley Way in Denbighshire and beginning/ending at Flint.
North Wales Pilgrims' Way	2015	134-mile annual pilgrimage route with details on-line to self-guide. Starts at St. Winefride's Well, Holywell.
St. Winefride's Way	2004	The 14-mile route links St Asaph's Cathedral, Denbighshire, with St Winefride's Well in Holywell, Flintshire. Privately published guide.
Cistercian Way	1998	650 miles around Wales, including Flintshire. Set up by the Friends of the Cistercian Way.
Wat's Dyke Way Heritage Trail	2008	A 6-mile route following the Wat's Dyke earthwork. Set up and run by the Wat's Dyke Association
NCN5	2018?	A cycle route through Flintshire developed and promoted by Sustrans. This 372-mile route includes an on-road section through Flintshire but with proposals for a traffic-free, coastal alternative.
Rural Walks in Flintshire	2006	29 graded walks. (19 have '10 minute walks' options.) Includes information about level of accessibility and proximity to parking.

Promoted routes		
Name	Opening date	Notes
		Needs updating to include on-line links for information on the map pages – e.g for bus timetables. Needs to be re-designed to facilitate easy printing of individual routes, perhaps with GPS data capability. Maintained by the Countryside Service Rangers.
Events		
Countryside Events	2018	Published by the Flintshire Countryside Service. Consists of more than 50 events, often including guided walks, some of which use PRoW.
Prestatyn and Clwydian Range Walking Festival	2018	28 free led walks for various levels of fitness put on by the AONB team, with some incursions into Flintshire.
Flintshire Family Walking Festival	2016	Organised by Flintshire CC but has not been repeated since 2016.

From the above table, it is apparent that there is a wealth of suggested walking routes within or passing through the County. However, it is also apparent that there is very little available specifically for disabled walkers. Similarly, there are no promoted bridleway routes, for either cyclists or horse riders.

3.4   Legal record

The relevant date for the Flintshire DMS is 31/10/1978. But the DMS is a changing resource that is subject to continuous review and amendment. The number of modification orders altering the DMS increases over time. To reduce the number of separate documents comprising the DMS, Authorities will occasionally undertake a consolidation exercise, producing a new DMS with a new 'relevant date'. Flintshire has reviewed and consolidated its DMS on two occasions: 1963 and again in 1976, resulting in the current DMS with its relevant date of 1978.

3.4.1   Resources

The DMS and the original Community Council submissions, are held at County Hall in Mold and a copy of the Definitive Map is held in the Hawarden Records Office.

The previous ROWIP recommended that an additional three officers should be appointed to help deal with the backlog of DMS work, as well as securing the services of a full time Legal officer. However, it has not proven possible to secure this level of additional staffing.

There is no lead 'Definitive Map Officer' for Flintshire; the DMS is maintained by a combination of the two Rights of Way Officers, the Technical Officer and the Rights of Way Team Leader, with Legal support from the Council's Finance, Legal and Democratic Services section. The DMS work is just part of the Rights of Way Officers' role and, effectively, the Council has no more than one full-time-equivalent Officer to manage the DMS.

3.4.2   Policies and protocols

Welsh Office Circular 5/93 on public rights of way recommends that the County Council periodically publish a statement setting out how it will bring and keep up to date the definitive map and statement. A statement of priorities was adopted by the Council on 21st June 2016, after consultation with the Local Access Forum (LAF), and is based upon a hierarchical approach setting out the relative importance the Council will attach to public path and definitive map orders. The hierarchy is split into

seven categories of descending priority, as shown in Table 3.7. It was devised to rank highly those issues that were likely to be most urgent: hence, the highest priority given to paths that are in imminent danger of being 'lost' through development and schemes that have been targeted for grant-aid. Also ranking highly are those paths that have been obstructed by long-term residential development. The footpaths may have not been open to the public for many years, but they still legally exist and can act as a blight on any potential property sale.

The statement also covers the Council's approach to prioritising Public Path Orders (PPO), that is, orders made to alter paths for the purpose of expediency rather than as a result of the discovery of evidence.

Table 3.7: Priorities for Definitive Map Modification Orders and Public Path Orders

Priority no.	Response/ action
1	Ways that are in danger of being lost through imminent development (i.e. at the planning application stage)
2	Orders affecting ways that are targeted for external funds, whose expenditure is time-limited and where the proposals are achievable within that time frame.
3	Path(s) that are obstructed by housing, which require an order or orders to resolve the situation.
4	Applications for modification orders
5	Mapping anomalies
6	Public path orders that are wholly or primarily in the public's interest
7	Public path orders that are wholly or predominantly for the benefit of private individuals

3.4.3   Definitive Map Modification Orders (DMMO)

In 2008, there were 14 applications for DMMO awaiting attention. In June 2018, the figure was 16. Many of these applications have been outstanding for a number of years, with two of the applications now more than twenty years old. As several of the applications rely upon the evidence of path users, then these should be a priority as there is a real danger that over time, the evidence could be uncorroborated as witnesses withdraw or move away.

Although the application rate is generally running at no more than two or three per annum, the backlog of cases is slowly growing, showing that the current allocation of staff and resources is just

sufficient, a situation that could change for the worse during the life of the second ROWIP as we approach the 2026 cut-off date put forward in the Countryside and Rights of Way Act 2000.

3.4.4   Public Path Orders (PPO)

In 2008, there were 12 PPO applications outstanding. During the life of the first ROWIP, 22 orders were made. However, it was also noted in 2008 that a further 67 cases had been identified where PPO were needed to resolve issues such as houses built over the line of paths. A program of work to address these, and the backlog of applications, was to be drawn up with the aim of resolving all of these issues. However, no deadline was set for developing or implementing the programme and it appears to have fallen by the wayside.

Applicants can be charged for the administration of PPO, giving an incentive to address third party applications as a priority. However, the adopted prioritisation policy (see Table 3.7) places these at the bottom of the list, behind issues such as sorting out paths blocked by housing. It may be considered that it is worthwhile to promptly address new applications using dedicated officer time paid for by charges, separately to efforts put into addressing the backlog.

3.4.5   Legal Event Modification Orders

In 2008, there were thought to be about 174 LEMO needed. However, there is no register of these and so the actual figure was, and still is, uncertain. The target set was that the number of LEMO required should be 'close to zero' by 2012. In practice, 75 LEMO have been made since 2008 – although it should be noted that several of these were 'omnibus' orders covering more than one event.

As LEMO are now made simultaneously with PPO, the backlog should not be increasing and, as producing LEMO is a purely administrative procedure, with no potential for objections or expensive advertising, the aim of having zero LEMO outstanding should be readily achievable – given sufficient officer time and legal support.

3.4.6   Anomalies

The 2008 ROWIP recorded that the County maintained a schedule of such anomalies, with 99 issues listed. Unfortunately, this schedule has not been rediscovered and there is no current list with which to compare it. However, it seems certain that no progress has been made with addressing this backlog of anomalies.

Once anomalies are discovered, they should be investigated and resolved, but, rather than this being left to chance, a thorough review of the DMS should be carried out to identify these anomalies. This would allow a work programme to be developed to address these, including an assessment of the resources needed.

3.4.7   Limitations and Authorised Structures

The definitive statement should be the main repository for information about authorised furniture, with all stiles and gates recorded in the statement treated as duly authorised. However, the records for the County show that structures were not generally recorded and so there is no comprehensive record of historically authorised structures.

Similarly, the statement is where limitations, such as path widths, should be recorded but, again, these were generally not recorded and do not appear in Flintshire's definitive statement.

The lack of records for these established structures and traditional widths are a potential source of confusion and conflict and consideration should be given to establishing a complete register of limitations and authorised structures on a path by path basis. This information should be made available via the interactive map so that would-be disabled users are aware of constraints that they are likely to encounter.

Furniture specifically, is recorded on CAMS and is visible for people to see on the CAMS Web system, if they wish to simply view the map rather than logging issues.

Furniture authorised since the DMS was sealed is recorded in a hard-copy file, including the correspondence authorising the stile or gate. Before any authorisation is given, the site of the intended structure is visited and a checklist completed confirming that the item can be authorised. The checklist is included as Annex A.

3.5   Promotion and information

We have previously listed and outlined the existing stock of promoted walks in Table 3.6 and noted that there has been no active promotion of new routes by Flintshire Council since the Rural Walks in Flintshire book was published in 2006.

Here the focus is on the wider promotion of PRoW usage and the provision of general information for both path users and land managers, looking at what information is available to encourage responsible use of the network and to explain rights and responsibilities.

3.5.1   Resources

The on-line interactive map hosted on the Council's website at
https://fccmapping.flintshire.gov.uk/connect/analyst/?mapcfg=publicrightsofway provides a versatile tool for all would-be users with access to the internet to research paths across the county.

Although this is not the definitive map, the interactive online map offers a complete reproduction of the definitive map but on a variable scale and has the advantage of offering the capacity to zoom in on target areas. Detailed information about each path, including community name and path number, can be retrieved by clicking anywhere along its length. However, there is no access to the definitive statement and no on-line way of finding out what limitations there might be on the path using the interactive online mapping. Adding links to the relevant part of the statement for each path would be a lengthy task but could be very valuable for users, especially those with restricted capacity or special needs.

Whilst the interactive map does not hold links to this information, users can access this information by using the CAMS Web system
(https://rightsofway.flintshire.gov.uk/standardmap.aspx?NavigationPage=Page1). Whilst the CAMS Web system is primarily for users to log and track issues, the mapping is accessible for users to explore further. Through this system, users can find out what furniture exists, the length of the path and also view photos that have been added through survey work.

The interactive map has a legend providing the opportunity to call up a long list of council-provided service locations. It should be straightforward to add more information that is already held in CAMS, such as the locations of stiles, gates and kissing gates, or the locations of known problems and obstructions.

3.5.2   Information for users

The Council does not carry any detailed information about countryside access rights, the duties of the LHA or the rights of landowners on its website. Non-specific advice is available on many other websites, such as the Natural Resources Wales (NRW) site (https://gov.wales/topics/environmentcountryside/consmanagement/rights-of-way-and-wider-access/rights-of-way/?lang=en) and The Ramblers (http://www.ramblers.org.uk/advice.aspx), but there are no links provided to any of these or other such sites.

For the path-using public, there is very little information available about access opportunities for disabled users. Extensive internet searches failed to bring up any substantive information about opportunities outside of the country parks for those with any form of restrictive disability, although it is known that considerable work has been done to improve the accessibility of the Welsh Coast Path in Flintshire. (Searching the Council's website only brings up links to the Supplementary Planning Guidance adopted in 2017, which has only very limited application to the countryside network but some applicability within the built environment.)

Similarly, there is little or no information directly provided for cyclists or horse riders using bridleways. However, there are links provided to other organisations providing more information about the limited opportunities available.

3.5.3   Information for applicants

Those wishing to make an application to perhaps add a path to the DMS, or to seek the diversion or closure of a recorded path need specific and detailed information. Most LHA's require an applicant for either a Definitive Map Modification Order (DMMO) or a Public Path Order (PPO) to use its own, in-house forms and to follow its specific protocols – including, where appropriate, the payment of fees. At present, information is not available about the process.

3.5.4   Information for land managers

Easy to access information about the responsibilities that land managers have to maintain access can be helpful in preventing problems and ensuring better compliance. But, no guidance has been prepared for landowners or land managers going about their normal working operations. While there are readily available sources of information for these groups through, for example, NRW, NFU Cymru and CLA Cymru, there are no links provided to these other sources on the Council's website. Adding links, or developing and uploading advice to the website, would be beneficial and requires little time or resources.

3.5.5   Active Travel Routes

The Government's ROWIP guidance instructs LHA to look at how PRoW currently contribute to Active Travel Routes and what potential there is for incorporating existing or new paths within the active travel network.

Flintshire has published a series of 16 Active Travel Existing Route Maps (ERM), showing routes that have been inspected and are considered to be suitable for cycling or walking as an alternative to using motorised transport. Examining the 16 maps alongside the interactive map of PRoW shows very little overlap between ERM and PRoW, as tabulated below:

Table 3.8: Public paths used in Active Travel Routes

Active Travel ERM	Degree of overlap with rights of way
Buckley	One instance of shared PRoW/Active Travel route; BUC13
Broughton	No overlap with PRoW
Connah's Quay	Small amount of overlap near Shotton
Deeside Industrial Park	Path along north shore of Dee
Flint	No use of PRoW
Gorsedd	No overlap
Greenfield	No overlap
Holywell	No overlap
Hope	No overlap
Leeswood	No overlap
Mold	Overlap through 'ornamental gardens', M19
Northop Hall	No overlap
Penyffordd	Overlap on PE5 and PE8
Sandycroft	Overlap only on north shore of Dee
Shotton	No overlap except north shore of Dee
Lixwm	No overlap

Notwithstanding the limited overlap, it would be mutually beneficial to include an Active Travel layer on the Interactive Map. Likewise, it would be helpful to include PRoW on the ERM.

The County has also published and consulted on an Active Travel Integrated Network Map, which is billed as 'a 15-year vision to improve infrastructure for walkers and cyclists across the County.' Many of the links proposed are aspirational and represented as straight lines between communities. Fulfilling these aspirations could offer significant opportunities for improvements to PRoW, including upgrading public footpaths to bridleways or cyclepaths. Working with Active Travel colleagues to identify suitable PRoW for inclusion in the integrated network plans should be an early priority within this ROWIP period.

4 Current management and organisation

4.1 Resources

4.1.1 Staff

Fig. 4.1: Access and Natural Environment Services organisation chart
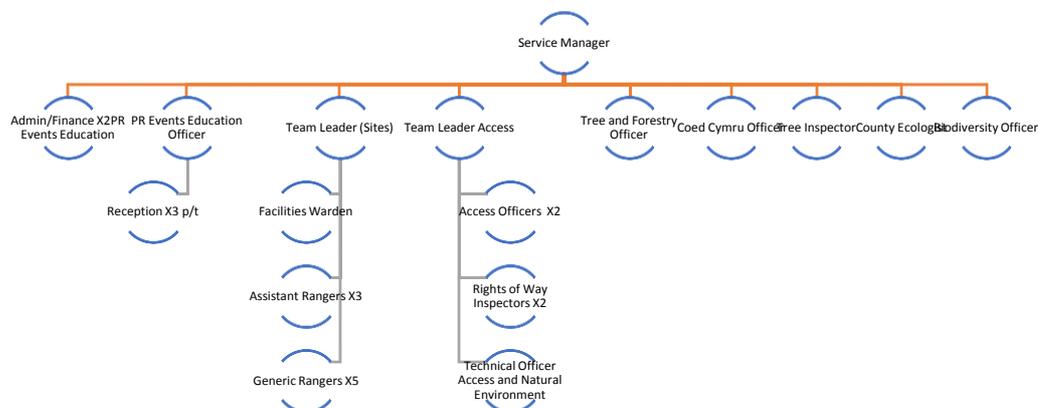
The Rights of Way team sits within the County's Access & Natural Environment Service and comprises five full time officers and a service technician.

While the Rights of Way team is responsible for the bulk of the PRoW work carried out, and is solely involved with the DMS and enforcement elements, the network also benefits from a degree of input from the Rangers. This is especially so with respect to the Wales Coast Path and maintenance of the promoted routes.

Not shown on Fig. 4.1 but still making an important contribution is the AONB's PRoW staff and volunteers embedded within Denbighshire Countryside Service but working across the whole of the AONB.

The current team structure contrasts markedly with that in place in 2008. At the time of the first ROWIP, three Rights of Way Officers together with a Technician, an Administrative Assistant and a Senior Rights of Way Officer sat within Highways Regulatory Services. The two Rights of Way Inspector posts meanwhile were placed within Neighbourhood Services. The bringing together of the team under the Countryside Services was brought about in May 2016. The merger, with a remit of flexible joint working is considered to be a positive step aiding co-operative working.

Looking at staffing levels; it is notable that in 2008 there were 8 members of staff working on PRoW. In the current structure, there are only six posts – despite the need for more staff resources to begin to improve the network, as noted in the first ROWIP.

4.1.2 Budget

The 2008 ROWIP estimated that the annual investment required for rights of way in Flintshire per year, over the following five years, would be £269,351 or £ 255 per km. The budget figures from 2012/13 (the earliest date available) to 2017/18 show that this level of support has been exceeded since at least 2012, as shown in Graph 4.1. Although the budget peaked in 2013/14, the overall level of investment made by the County has remained high.

Graph 4.4: Rights of way total budget by year

Annual total Rights of Way budget (£)

Year	Budget (£)
12/13	375120
13/14	416327
14/15	383127
15/16	396080
16/17	393085
17/18	397698
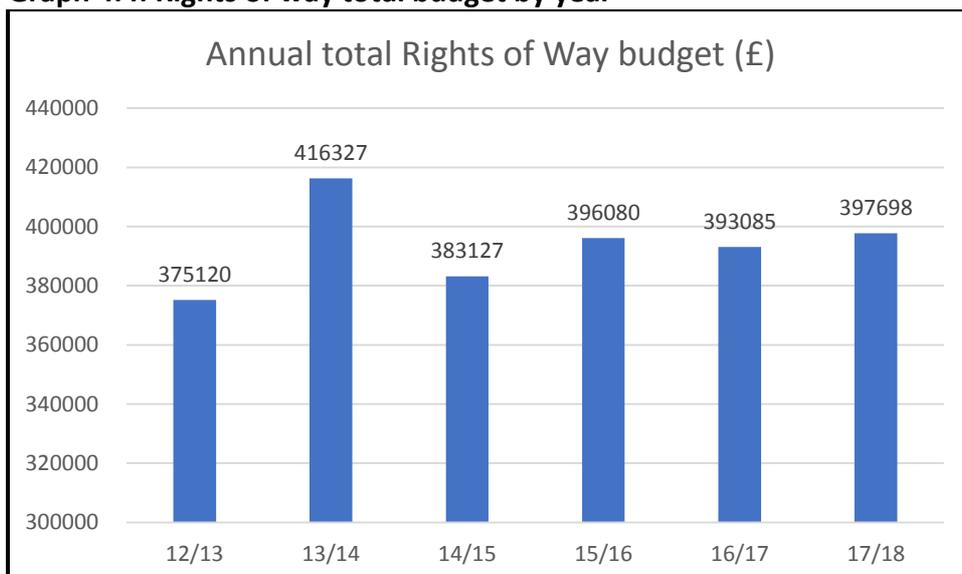
4.1.3   LAF

The Flintshire Local Access Forum (LAF) has met regularly during the life of the first ROWIP. The LAF operated on a three-year cycle and came to the end of its most recent term in 2017. Its last meeting was held on October 23rd and at this meeting it was agreed that talks should be held with the Wrexham LAF Chairman to discuss the possibility of forming a joint LAF. A Memorandum of Understanding has now been signed by the Chief Officers of Flintshire and Wrexham Councils and recruitment is underway to the new, combined LAF. Each county will have its own LAF sub-group and the first combined meeting is expected to be in early September 2018.

The previous LAF had a successful run of 18 years but experience of the benefits of the cross-border model, as seen in Conwy and Denbighshire, together with the development of common themes, such as the Wales Link Path, and a perceived need to increasingly focus on regional rather than local issues finally led to the decision being taken to reform as a merged forum.

4.1.4   Rights of Way Volunteer Scheme

In 2016, the Council invited users to join its new Rights of Way Volunteer Scheme, to be loosely based upon the successful 'Silver Slashers' model from Ynys Môn Ramblers (http://www.ynysmonramblers.org.uk/footpath-maintenance.html) . Take-up has proven slow and, while the scheme is still live, it has not been successful in establishing a regular, self-sustaining working group.

The County's ranger service has a more established volunteer base and there has been occasional tie-up whereby the ranger service's volunteers are drafted in to work on rights of way. In total, the five rangers typically facilitate up to 10,000 hours of volunteer work each year. The expectation is that, using the ranger's experience of building and working with a volunteer base, the voluntary effort can be expanded further to the benefit of the PRoW network.

The Clwydian Range and Dee Valley AONB also runs a well-established volunteer scheme which, amongst its portfolio of work, undertakes footpath improvements across the AONB, including the parts in Flintshire.

Flintshire County Council published a Volunteer Policy for 2016/17 with the overall aim 'to work with local communities and partners to develop a diverse range of suitable volunteering activities that are relevant for the people of Flintshire.' The policy highlights the support available to volunteers through the Flintshire Local Voluntary Council (FLVC).

4.2   External relationships

Flintshire's network benefits from a number of relationships with other bodies, including:
- A tri-county agreement with Denbighshire and Wrexham for the management of the AONB, with Denbighshire taking the lead as the authority with the largest share by area.
- Work has begun to learn from nearby counties with respect to bolstering the number and quality of the county's policies and protocols.
- The establishment and development of the Wales Coast Path in Flintshire has involved a combination of Natural Resources Wales, together with internal inter-section working between the Rangers and PRoW staff.
- Offa's Dyke Path National Trail only dips into Flintshire for short lengths. It is therefore expedient to devolve management of these small sections to Denbighshire's Countryside Service, which looks after a much greater length of Trail, mainly within the AONB.
- The Wales Link Path crosses Flintshire and Wrexham in its 18 mile journey from the end of the Wales Coast Path to its junction with Offa's Dyke at Llandegla in Denbighshire.

5 Strategic overview of the PRoW network and associated policies

5.1 Stakeholder perceptions

Stakeholders were contacted from a range of interest groups including: walking groups, horse riders, landowners, people with disabilities, those involved in delivering exercise on prescription and public health professionals. In addition, a brief questionnaire was completed by members of walking groups about their observations of using Rights of Way in Flintshire over the period since the first ROWIP was created.

Clearly there is a divergence of views with landowners seeking support to enforce proper use of the ROW, and users, broadly, seeking increased access. However, there is much common ground, which can be built on in the next ten years.

5.1.1 Walkers

Meetings were held with representatives of two walking groups, Ramblers in Flintshire, and Walkabout Flintshire, who were then invited to complete a short survey about their experiences; 40 individuals responded.

Survey responses were from people with significant experience of Flintshire's ROW, with over 70% of respondents having been walking in the area for over 10 years and currently walking in Flintshire on a weekly basis. Half of these walked more than once a week.

Their experience of the ROW over the last 10 years was that 87% had seen changes in the past 10 years, with a significant majority reporting visible improvements such as improved stiles, gates and condition, and a minority (5%) reporting issues with obstructions.

In terms of reporting issues, 40% of respondents had never reported an issue, a quarter were reporting once or twice a year, with a small percentage (10%) reporting more frequently, i.e. monthly and even weekly. In terms of reporting, the most popular mechanism was the online system (CAMS) but a number also telephoned, emailed and reported in person. Nearly half of respondents (47%) reported they were happy or very happy with their ability to report; 9% (which in this sample represented 3 people) were unhappy or very unhappy. The remainder were neutral on this matter. Once an issue was reported, a significant number of respondents were dissatisfied. Those who were satisfied were very satisfied, comments such as" As soon as I reported it, they sorted it out" being typical. However, for those who were dissatisfied, the reasons fell into two categories: firstly, dissatisfaction with the process, i.e. they did not know what happened to the report they made; and secondly, they were dissatisfied with the outcome, e.g. "It remains unresolved". There were comments about the CAMS system, which can report an issue as resolved where no action has been taken, which frustrated some users.

In final comments, many respondents recognised the tensions of a mounting backlog of work, e.g. "Some of the claims go back over 20 years" and "A difficult time with cuts". Some constructive suggestions were made, such as learning from neighbouring Local Authorities, and using volunteers to waymark paths. Praise was given to individual staff on the ground. However, some of the suggestions such as" Lower stiles" are directly at odds with the requirements of farmers to keep their land stockproof. Most of the comments related to the length of time taken to address issues, the perceived lack of enforcement action, and issues with the CAMS system, in particular that it does not

generate a report for the records of the person submitting. One comment is a good example of the tone of responses, "The Council does a reasonable job in difficult circumstances. There should be a greater emphasis on enforcement".

5.1.2   Horse Riders

The British Horse Society was contacted for the views of horse riders. They reported some very long-standing issues, dating back to before the original ROWIP. A key issue for riders is opening up bridleways for safe riding as rural roads become increasingly busy and therefore dangerous for horse riders. For example, "We no longer ride on the rural roads around us now because they're too dangerous".

They recognise the pressures facing the team but feel that horse riders and bridleways are at the "bottom of the list".

5.1.3   People with Disabilities

Flintshire Disability Forum represents people with disabilities throughout the County, and whilst they have a focus on mobility issues, they are also networked with groups who represent visually impaired and deaf people. They hold regular sessions for people with disabilities in Mold and Shotton, and the views of disabled people was canvassed at the Shotton meeting which was attended by around 15 people.

Participants at this meeting reported that there has been an issue with use of the Wales Coast Path (WCP) in Flintshire, where those with electric wheelchairs cannot pass through the barriers created to deter motorbike riders. Wheelchairs which are pushed, e.g. by a carer, can pass through the barriers. The group does not understand why these barriers are in place and reported that there are no such barriers in the neighbouring county.   This has become an issue which has soured the view of the Forum in relation to accessibility and ROW in Flintshire.

Users also reported issues with individual footpaths, for example where tree roots pushing an adjoining wall out on to the ROW, so that although the path remains accessible to those able to walk, wheelchair users have been forced to use the road. They were not clear about how or where to report these issues. One of these issues was preventing an individual from enjoying his chosen sport, bowls, as the path to the bowling green was no longer accessible in his wheelchair.
The Forum regularly arranges outings for members, but these take place in neighbouring authorities (Loggerheads and Alyn Valley were mentioned), whereas the two country Parks in Flintshire remain unused.

5.1.4   Landowners and Farmers

Field boundaries

A number of issues arose with field boundaries. The perception was that they were not clearly marked enough, leading walkers who were not always following the ROW to "go wrong" when crossing a field. They were happy for improved waymarking to be done on their land. They suggested that the problem was exacerbated by some simple maps produced by local visitor centres which meant that inexperienced walkers often "went the wrong way".
Wooden gates had caused problems, mainly by being left open by both walkers, but also those cycling in groups, and there was some evidence of gates being wedged open with stones. There was some

comment that he approved stile, whilst the correct height for walkers, was not always stock proof and there had been examples of stock leaping over the stile, which was a problem. The preferred barrier for landowners was a kissing gate, made of metal, or a spring-loaded gate. In this way, it was said that fields remained stock proof, ROW remained accessible to most users, and the maintenance needed was low.

There was a strong concern about the failure of dog walkers to control their animals, and regular refusal, when requested, to place dogs on leads. In addition, those walking dogs had sometimes overcome the challenges of getting a dog over a stile by creating an opening nearby, either through clearing growth in a hedgerow, or by cutting through a wire fence. It was noted that creating an opening for a dog also creates a space where stock can pass through, which was a very real cause for concern for farmers. One option is to add dog gates to stiles, but landowners recognised this was an additional expense, and that there was more maintenance on such gates.

Farmers did not generally report these issues of concern to the Flintshire Council ROW team.

Maintaining ROW, and the duties of landowners
There was a lack of clarity for some farmers about their duties in respect of ROW in relation to a number of matters: in fields with crops; whether to place notices in fields with stock, e.g. cows with calves at foot; when the council maintained a ROW, and when it was the landowner's responsibility; who had the right to use the different types of ROW; what challenge might be appropriate for misuse.

Diverting ROW
The perception of farmers was that diverting a ROW was not possible, for example because they planned to build an agricultural building. Indeed, most farmers agreed that they planned new developments on their farms to avoid ROW, even where a short diversion would mean that the construction would have a lower planning or environmental impact. None had considered that it was possible to seek advice from the team prior to starting such developments.

Other issues
Litter was an issue, especially litter which could be damaging to stock, however it was not clear whether this was litter left by ROW users, or wind-driven.

Members of farming unions did not understand how the work of the ROW team was prioritised; examples were given of work done which they could not understand, e.g. regular grass cutting on an unused bridleway, the creation of a set of steps (at some cost) on a ROW only used by the landowner. They were keen to see money spent wisely and to understand why works were carried out.

Farming union members expressed their views that landowners' interests were given less priority than those of users, and that the legal requirements on them were burdensome.

5.2   Policy context

The ROWIP sits within a broad policy context framed by national legislation and its implementation at a county level.

Since Flintshire's first ROWIP, three particularly important pieces of legislation have been introduced: The Well-being of Future Generations Act (2015), the Planning Act (Wales) Act 2015 and the Environment Act (2016). The Welsh Government has identified, in a simplified document[2], the links between these three pieces of legislation. In addition, the Active Travel Act (2013) has also brought about new requirements, and there will be proposed changes to Flintshire's Active Travel Plans during the period of this ROWIP.

Locally, this new legislation has led to the production of Flintshire Public Services Board's Well-being Plan, and the implementation of Active Travel route maps covering 15 designated settlements within the county. As previously, the Flintshire County Council Corporate Plan, now called the Flintshire Council Plan is of core relevance to the ROWIP, as is the Local Development Plan.

5.2.1   Relevant legislation, strategies and documents at national and county level
5.2.1.1   National
The Well-being of Future Generations Act is focussed on improving the economic, social, environmental and cultural well-being of Wales. It contains seven national well-being goals:
- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant culture and thriving Welsh language
- A globally responsive Wales

The Act also introduced the sustainable development principle and five ways of working that are seen as key to changing how organisations work to ensure that they "act in a manner which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs". The five ways of working are:
- Long-term
- Prevention
- Integration
- Collaboration
- Involvement

The Environment Act is focussed on planning and managing Wales' natural resources in a more proactive, sustainable and joined up way. It covers: sustainable management of natural resources; climate change; charges for carrier bags; collection and disposal of waste, fisheries for shellfish and marine licensing; flood and coastal erosion committee and land drainage.
In relation to sustainable management of natural resources, the Act provides a framework comprising:
- The State of Natural Resources Report (SoNaRR) – published in 2016.
- A National Natural Resources Policy – published in draft for consultation in 2017.

---

[2] https://gov.wales/docs/desh/publications/160610-three-bills-diagram-en.pdf

- Area Statements – in development.

The Planning (Wales) Act 2016

The Planning (Wales) Act gained Royal Assent on 6 July 2015.

The Act sets out a series of legislative changes to deliver reform of the planning system in Wales, to ensure that it is fair, resilient and enables development.

The act addresses five key objectives:
- A modernised framework for the delivery of planning services – the Act introduces powers to allow planning applications to be made directly to Welsh Ministers in limited circumstances
- Strengthening the plan led approach – the Act introduces a legal basis for the preparation of a National Development Framework and Strategic Development Plans
- Improved resilience – the Act will allow the Welsh Ministers to direct Local Planning Authorities to work together and for Local Planning Authorities to be merged
- Frontloading and improving the development management system – the At will introduce a statutory pre-application procedure for defined categories of planning application
- Enabling effective enforcement and appeals – the Act enables changes to enforcement procedures to secure prompt, meaningful action against breaches of planning control and increase the transparency and efficiency of the appeal system.

5.2.1.2 County

Flintshire Council Plan 2017 – 2023

This document presents the Council's themes for the period 2017 -2023. It is described in the text as an Improvement Plan. The Council revises the report annually, setting out how actions within the themes, of which there are six, will be delivered and measured.

The six themes in the plan for 2017-18 are:
- An Ambitious Council
- A Learning Council
- A Green Council
- A Connected Council
- A Service Council
- A Supportive Council

Each theme has specific sub-priorities, and also impacts identified within each theme. In addition, the Plan shows links to other strategies, and to the work of the PSB. The following potential links with the RoWIP have been identified:

Within the 'A Green Council' theme, the priority is described as *Sustainable Development & Environmental Management* and the accompanying impact is described as "Enhancing the natural environment and promoting access to open and green space".

Also under this theme is the priority of *Safe and sustainable travel services,* with an impact described as "Developing the transport infrastructure and employment sites, and transport services, widening access to employment and training sites", which gives a potential link between ROW and Active Travel Plans.

In the theme 'A Connected Council', the priority is described as *Resilient Communities,* with impact described as "Supporting local communities to be resilient and self-supporting". This impact would include the work done by local groups and volunteer led activities, including local Ramblers and Walkabout Flintshire to encourage the use of ROW throughout the County, and in the case of Walkabout Flintshire, to use the rights of way network for group activities that promote health and well-being.

Local Development Plan Written Statement June 2017
The Flintshire LDP provides the sustainable framework for land use planning in the County up to the year 2030, and will be a platform for development thereafter. The intention is that it will shape Flintshire's future both physically and environmentally, and influence it economically and socially. It will respond to the needs of a growing population and regionally important economy, in making provision for new jobs, homes, infrastructure and community facilities, but notes that it must do this in a way that ensures that the well-being of its communities is maintained, and that the impacts of the development and use of land are managed and mitigated sustainably. In addition, through its provisions, the LDP will also seek to ensure opportunities such as environmental enhancements are realised.

The context is set by national legislation and planning guidance, which requires Local Authorities in Wales to prepare and maintain a development plan that deals with the land use aspects of the challenges above, and does so in line with the sustainable development duty embodied by the Well-being of Future Generations Act (Wales) 2015.

The LDP, which will cover the time period between 2015 and 2030, will provide the framework to facilitate the sustainable delivery of growth and development. The status of the Plan at the time of the development of the new ROWIP is that the Deposit is due for consultation in November 2018.

Key links between the Local Development Plan, (as indicated in the Integrated Impact Assessment) and the ROWIP include:

Environment
- Encourage the use of more sustainable forms of transport and development locations, reducing the need to travel by car.
- Protect and enhance the local distinctiveness and the historic environment and its setting.
- Opportunities should be sought to continue the preservation of the special landscapes in Flintshire.
- Opportunities should be sought to maintain the important historic aspects of Flintshire.
- Access and awareness of the unique aspects of the County should be improved.
- Part of the Clwydian Range and Dee Valley AONB is situated in the County which must be protected and enhanced where appropriate.

Social
- Improve accessibility and transport links to basic goods and services from residential areas.

- Improve the health and wellbeing of the population and reduce health inequalities.
- Opportunities should be sought to improve the health of the population by encouraging healthy lifestyles. This could be achieved, for example, through well designed development that promotes physical activity, walking and cycling.

Economic
- Establish a strong tourist economy, sensitively capitalising on environmental, heritage, and leisure assets and ensuring the benefits are experienced locally, further described as
- Opportunities should be sought to reduce car/van transport and increase the use of greener more sustainable modes of transport
- Opportunities should be sought to reduce the distance people are travelling to work

Flintshire Well-being Plan 2017-2023
The Plan is published by the Flintshire Public Services Board (PSB), as a requirement under the Well-being of Future Generations Act. It is a statement of the PSB's commitment to improve local well-being for today and for future generations.

It has been the subject of wide consultation and has been developed from a comprehensive well-being assessment. It has five objectives:
- Community Safety
- Economy and Skills
- Environment
- Resilient Communities
- Well-being and Independent Living

The plan demonstrates the connections across the objectives and with the Council (Corporate) Plan, (which follows the same themes and a similar period 2017-2023).

Key links between the Flintshire Well-being Plan and the ROWIP include:

In the section on Environment, proposed actions include:
- Promote the benefits of using the natural environment for exercise, volunteering and education.
- Identify and act on issues which are causing environmental and ecological deterioration by working with partners such as the farming, commercial, industrial and transport sectors.
- Identify all existing 'green' assets through an asset mapping exercise, and seek opportunities to enhance and link these in future.
- Improve green transport links across Flintshire and into neighbouring counties, developing greater access opportunities to the green infrastructure.

 In Resilient Communities, proposed actions include:
- Opportunities for people to improve their health and well-being are increased.
- Use and appreciation of the natural environment and use of the outdoors are increased.

- Change our long term physical planning for communities so that it enables the development of community buildings and natural and green spaces that better connect people.

And finally, in the section on Well-being and Independent Living, the following actions are identified:
- Explore and make best use of opportunities to promote mental health and well-being.
- Ensure links with other PSB priority work areas to maximise promotion of health and well-being opportunities, e.g. Get Flintshire Moving (Resilient Communities).

The Flintshire Well-being Assessment
The document is published by Flintshire's PSB, bringing together data to consider the well-being across the whole of the area and within particular communities. Data sources include statistical data, public engagement information and academic research. The assessment is structured around the seven themes identified within the Well-being of Future Generations Act, with a focus on Flintshire. These are :
- A Prosperous Flintshire
- A Resilient Flintshire
- A Healthier Flintshire
- A more Equal Flintshire
- A Flintshire of Cohesive Communities
- A Flintshire with Vibrant Culture and a thriving Welsh Language
- A Flintshire which is Globally Responsible

Key findings in the Well-being Assessment which have a direct link to the ROWIP include:
- Flintshire has a diverse landscape ranging from lowland valleys to upland exposed plateaux.
- Compared to the Welsh average, Flintshire citizens are generally more likely to make healthy lifestyle choices. However, only around a third of the adult population in Flintshire meet recommended physical activity levels.
- Communities enjoy quality of life, are safe and well-connected and are places where people feel they belong and support one another.
- In total, it is estimated that tourism brought in around £238.7 million to the local economy in 2015. In recent years there has seen a steady increase in the number of visitors to the area, over 3.6 million visitors in 2015, 2.8 million of which were day visitors.
- Flintshire is well-placed in terms of built facilities and the natural environment, which impacts positively on physical activity and well-being.

Active travel
Active travel is defined as walking and cycling (including the use of mobility scooters) for everyday journeys, e.g. to school, work, shops or to access services such as health and leisure centres.

The Active Travel Act makes it a legal requirement for Flintshire County Council to map and plan for suitable routes for active travel within certain of its settlements as specified by Welsh Government.

The first step was to produce Existing Route Maps[3], showing routes suitable for active travel and which met the standards set by Welsh Government. Flintshire's Existing Route Maps for pedestrian and cycle use were approved by Welsh Government in 2016, and 15 maps have been produced, covering the areas of Buckley, Broughton, Connahs Quay, Deeside Industrial Park, Flint, Gorsedd, Greenfield, Holywell, Hope, Leeswood, Mold, Northop Hall, Penyffordd, Sandycroft, Shotton and Walwen (Lixwm).

The Existing Route Maps do not show all possible walking and cycling routes, or other ROW, as the focus is on the ones which meet the Active Travel criteria.   The report to government on Active Travel Routes for 2016/17 shows expenditure of £711,200 spent on maintenance, safety improvements and upgrades to the existing routes.

A Green Space Framework Strategy 2013
This strategy recognises the value of green spaces throughout the County, and includes ROW, parks, common land and designated areas, including the AONB. The stated vision is:
"Flintshire will enjoy a well-planned and managed network of integrated, accessible and diverse green spaces; creating a sustainable environment for the benefit of all people, wildlife and our natural heritage."
It states clearly that "We want people to use Green Spaces positively and more frequently as part of their daily lifestyle, and we accept that to do this we need to improve green spaces to deliver welcoming, accessible, attractive and safer community spaces".
There are three aims within the strategy, but the most relevant in terms of the RoWIP is Aim Three: i.e. "We will make existing green spaces more accessible for both people and wildlife". This aim includes the following points which are relevant to the ROWIP:
"Entrances and paths do not restrict people of any ability from benefiting from green spaces as well as considering the safety of all users".
"Green spaces should be easily accessible and closely situated to the communities they serve ensuring everyone has local access to a green space which offers both natural value and play value".
"Where-ever possible green spaces should be linked to one another to create "green corridors" to provide off-road routes which provide linkages to places of work, education, leisure and shopping facilities".
To do this, the Strategy proposes that everyone should have safe access to a green space within a five minute walk of their home. For the purposes of this Strategy, a five minute walk is considered to be a journey of 500 metres, and it is anticipated that significant work will be required to ensure safe pedestrian and cyclist access is provided along key identified routes.

4.2.2 Other relevant strategies and documents
Natural Resources Wales (NRW) has published its first Well-being Statement, ***Managing today's natural resources for tomorrow's generations 2017/18.*** The document outlines the organisation's well-being objectives and how they contribute to Welsh Government's seven well-being goals for Wales, as well as the steps they will take to deliver them. The seven well-being objectives are to:
1. Champion the Welsh environment and the sustainable management of Wales' natural resources Ensure land and water in Wales is managed sustainably and in an integrated way
2. Improve the resilience and quality of our ecosystems

---

[3] Copies of all maps are available via
http://www.flintshire.gov.uk/en/Resident/Streetscene/Active-Travel-Existing-Route-Map.aspx

3. Reduce the risk to people and communities from environmental hazards like flooding and pollution
4. Help people live healthier and more fulfilled lives
5. Promote successful and responsible business, using natural resources without damaging them
6. Develop NRW into an excellent organisation, delivering first class customer service.

In due course, the new duty on Natural Resources Wales to produce **Area Statements** – as a tool for bringing about sustainable management of natural resources – will be relevant to the Flintshire's strategic priorities for rights of way.

The **Wales Outdoor Recreation Survey 2014 Final Report** was commissioned by NRW, following previous similar surveys in 2008 and 2011. It focussed on public engagement with the natural environment including participation in outdoor recreation, health and economic benefits, attitudes to biodiversity and pro-environmental behaviours. At a national scale, this provides relevant contextual data including:

- 93% of people have taken at least one visit to the outdoors in the last 12 months.
- Decreases between 2011 and 2014 were recorded for the proportion of people that had taken a visit in the last 4 weeks, as well as for visits taken within a mile of the start point, and shorter visits of less than an hour.
- Shorter, closer to home visits are more likely to be taken than longer visits taken further afield.
- People aged 75 or over were least likely to have taken visits.
- Walking is the most dominant activity undertaken, although increases in running were recorded. The other highest levels of participation were recorded for outdoor swimming, road cycling and off-road cycling.
- Walking was particularly likely to be undertaken by people who had children in the household, those aged 25-54, those in paid employment, carers and those with access to a car.
- Women were more likely to undertake walking than men. When analysed by age, visits taken by those aged 55 or over were more likely to have included walking, while the main activity for those aged 34 or under was more likely to be running.
- Walking was the single main activity on 6 in 10 visits for those who had visited the outdoors in the last 4 weeks.
- The most popular places to go outdoors (recorded by more than two-thirds of the population) were village, local park, beach, roadside pavement/track, woodland/forest, sea, other local open space.
- The most frequently cited reasons for not visiting the outdoors given by those who had not done so in the last 12 months were (in descending order) physical disability, other health reason, old age, busy/lack of time. For those who had not visited in the last four weeks, the most frequently cited reasons were (in descending order) busy/lack of time, bad/poor weather, other health reason, physical disability.
- Health or exercise was the most frequently cited motivation for visiting the outdoors (23%), closely followed by exercising a dog (22%), and then visits for pleasure or enjoyment (15%) and for fresh air/pleasant weather (14%).

- Over half of the visits to the countryside within the last 4 weeks involved less than 2 hours being spent on the main activity. 28% of visits where walking was the main activity involved less than an hour being spent. Visits of less than an hour were more likely to be by those with no car access, people aged 75 or more, those with a long-term illness or disability, and those with no academic qualifications.
- 38% of visits were taken within a mile of the start point (home, workplace, holiday accommodation), 37% within 1 to 5 miles.
- In terms of the main mode of transport used on visits to the outdoors, 46% of visits involved the use of a car, 42% walking, 5% bike and 2% public transport.
- Equal proportions of visits were taken along as with family – 39%, 20% with friends and 5% as part of an organised group. Around a quarter of visits included children in the party, and about two fifths included dogs.
- Money was spent during 42% of visits taken to the outdoors, with the average amount across all visits being £12.74. Spend was most frequently on food and drink.
- In terms of future demand, 60% of adults would like to visit the outdoors more often for recreation, a similar figure to previous surveys. There is increased interest in walking, although actual participation in walking has decreased since 2008. The destinations of greatest interest were ones that typically involve a greater amount of travel, i.e. beaches and mountains/hills/moorland.

5.3   Other relevant context

5.3.1   Countryside and Rights of Way Act 2000

The Countryside and Rights of Way Act 2000 (CROW) introduced a measure designed to provide landowners with surety that they will not be faced with unexpected claims for newly discovered rights of way based upon historical evidence, that is, evidence from before 1949. The measure, contained in section 53 of CROW, will come into force if and when the Welsh Government passes regulations to implement it. If implemented, the measure would extinguish any unrecorded historical rights on 1st January 2026 or a date up to five years later. 2026 is now commonly referred to as 'the cut-off date'.

As yet, the Welsh Government has not committed to making the necessary regulation to implement this measure. However, if the cut-off date is introduced, there will be significant consequences for the DMS workload of all LHAs. It is expected that, if the cut-off date is enacted, there will be a significant upsurge of claims for unrecorded PRoW in a bid to secure these routes before they are extinguished.

Claims based upon historical evidence that are properly made and lodged with the Council before the cut-off date will not be automatically extinguished but will remain pending investigation and determination. Therefore, the expected additional work load will, in the first instance, be one of checking that claims have been properly made. Assuming that they have, there is no overriding need for them to be determined before the cut-off date. Nonetheless, the additional claims will add to the DMS backlog and the County's duty to process them.

There is no way of telling in advance how many claims will be made, so the possibility of implementation of the cut-off date remains a potentially significant factor in the PRoW team's workload towards the latter end of this ROWIP period.

5.3.2   Improving opportunities to access outdoor recreation

In 2015 the Government carried out a consultation about 'Improving opportunities to access the outdoors for responsible recreation'. This wide-ranging consultation invited respondents to look at all aspects of outdoor recreation opportunities in Wales and to suggest new strategies, including new legislative measures for improving delivery.

The Government has not set itself a deadline for the production of new legislation or indicated that it will bring forward legislation in any particular areas. However, there is the possibility that the consultation is an early stage in an exercise that results in a radical overhaul of access legislation in Wales within the lifetime of the second ROWIP. If this happens, this document will need a fundamental review and probable amendment.

6 Evaluation of future needs and opportunities

6.1 Summary of key points from assessment of ROWIP 1 delivery and stakeholder perceptions

The findings from the review of the consultation responses, the desk review of relevant strategies and plans, and the evaluation of the current condition of the network can be drawn together to show a number of emerging messages (presented below in no particular order).

Stakeholders:
- People who walk regularly are broadly happy with the condition of the network.
- Users would like to see a more dynamic approach to enforcement, with improved communication about action taken.
- Horse-riders want bridleway improvements.
- Disabled users feel strongly about the restricted access to WCP, and need facilities.
- Landowners have concerns about users opening up gaps around stiles.

Condition monitoring and maintenance
- There is very little available data on network condition.
- Work is primarily reactive, and not pro-active.
- Stakeholders are unclear about how and why maintenance works are prioritised and done.

Information and promotion
- The CAMS on-line reporting system is a positive development.
- Promotion of the network, carried out by the Rights of Way team, is limited.
- There is very little information for either land managers or path users, but there is demand for it.
- PR opportunities are not maximised.

Progress with ROWIP 1
- Regular walkers are noticing improvements.
- Review of the Statement of Action shows that out of a total of 22 tasks, 6 have been completed, there is partial progress on 8, and little or no progress on 8.
- The lack of available data for assessment may be hiding more progress than is evident.

The organisational perspective
- ROW staff focus on their own individual areas.
- The team has looked externally to learn from good practice elsewhere.
- Relevant data and information is difficult to access.
- The synergy between ROW and the Rangers/Countryside service is limited.

6.2 Evaluation of the extent to which local ROW meet the present and future needs of the public

6.2.1 Meeting present and future needs

There are aspects where the local ROW network that can be said to meet present needs, in terms of what participants in the review have said they like about the Flintshire's rights of way network. These can be summarised as follows (in no particular order of importance):

- Providing access to many different parts of the County for regular walking.
- Footpaths mainly in good useable condition.
- Noticeable improvements in recent years.
- Good signposting from roads.
- Providing some opportunities for off-road mountain biking and horse-riding.

However, due to a limited resource it is evident that there are ways in which Flintshire's local ROW are not entirely meeting present and future needs, in relation to the problems that participants in the review raised and the improvements that they said they would like to see. These can be summarised as follows (in no particular order of importance):

- Waymarking is not as consistent as some users would like.
- There are not enough bridleways for riders to enable them to ride off-road as much as they would like.
- Wheelchair users are not all able to access the Wales Coast Path, and experience some problems with the surfacing on local footpaths.
- Landowners have experienced problems as a result of inappropriate behaviour by users and their dogs, particularly in terms of compromising the stockproofing of their fields.
- There is insufficient information about the ROW network, in terms of what is there, and people's rights and responsibilities.

6.2.2 Opportunities

The assessment has shown that there are a number of areas of opportunity. These are summarised below, and then covered in more detail in the Statement of Action.

Physical accessibility of the network
I. Investigate opportunities where disability access can be improved
II. Maintain good condition of footpaths
III. Waymarking and signage improvements
IV. Investigate opportunities for bridleway linkages
V. Investigate opportunities for footpath links between key places
VI. Using volunteers more for maintenance and improvement works
VII. Deal with enforcement issues in a timely way

More purposeful use of the ROW network
  I.   Build and maintain strategic linkages, and facilitate networks, at strategic and operational levels.
  II.   Investigate opportunities for appropriate routes for walking for health.
  III. Investigate opportunities for appropriate routes for active travel.

Legal recording and changes
  I.   Consolidate the Definitive Map and Statement.
  II.   Address anomalies.
  III. Continuous review of the Definitive Map and Statement.
  IV.   Build expertise amongst the ROW team staff.
  V.   Investigate and develop opportunities for sourcing external funding.
  VI.   Develop and disseminate a team prioritisation policy for legal work.

Promotion and information
  I.   Promoted routes network
  II.   Promoted routes for riders and cyclists
  III. Improve information provision for land managers and ROW users
  IV.   Improve information provision for people with disabilities

Strategic working
  I.   Work pro-actively, using the ROWIP for direction; regularly review progress and report to LAF & Cabinet.
  II.   Develop, review and update policies to ensure comprehensive and consistent coverage of key areas of activity.
  III. Build and maintain strong means of communication with key stakeholders, including Councillors, users and landowners.
  IV.   Create and implement a volunteering strategy, including considering collaborative opportunities.
  V.   Develop use of GIS as a proactive management & decision-making tool.
  VI.   Develop and disseminate a team prioritisation policy for legal work.

Key task planning and delivery
  I.   Sound record-keeping, especially CAMS.
  II.   Well designed and planned surveying/data gathering.
  III. Consistent procedures for all key work tasks.

Organisational development
  I.   Review lead roles and responsibilities for key tasks for particular individuals.
  II.   Encourage individuals to work with initiative, within a 'whole team'
  III. Build relevant expertise related to lead roles within the team
  IV.   Establish the LAF
  V.   Investigate opportunities for closer collaborative working with neighbouring and over-lapping authorities
  VI.   Investigate and develop opportunities for sourcing external funding.

6.2.3   Policies and Procedures

The Statement of Action sits alongside the *Flintshire County Council Policies and Procedures* booklet, appended as Annex C.

It has been compiled as a positive response to findings from the assessment, with the intention of creating widespread understanding and transparency about what Flintshire County Council does and how in relation to the County's PROW network. The booklet provides introductory information about the duties and powers of the Highway Authority, explains the Path Prioritisation Scheme, and then provides the policies and procedures relating to issues relating to the Definitive Map, enforcement and maintenance.

NEW VERSION OF STATEMENT OF ACTION TABLE

The Statement of Action sets out the strategic priority areas for delivery during the course of the ROWIP. The Statement of Action will be supplemented by Annual Delivery Plans which will set out the detailed work programme for the year ahead.

The Statement of Action has been drawn up within the context of the Policies and Procedures booklet with the following assumptions:

- The core PROW budget will remain limited, and is likely to reduce further.
- The PROW team aims to work in partnership internally and externally wherever possible and beneficial, in order to seek synergies and best value for the resources available.
- The Statement of Action is based on the evidence from the assessment. It has been designed to balance aspiration with pragmatism, so that annual delivery plans can work towards defined priorities for management, maintenance and improvements but within the realities of available resources.
- The Statement of Action includes intentions to try to increase the resources available.

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
1	**Physical accessibility of the network**			
1.1	People with disabilities are keen to have more access to the PROW network, in particular at the coast.	To understand where additional access is required and to provide opportunities where feasible.	Consult with disabled users to identify their access priorities. Investigate opportunities where disability access can be improved. Promote existing opportunities to disability groups.	M
1.2	A network that has generally good surface condition and roadside signage, and that received few complaints during the ROWIP 2 consultation.	1. To maintain the surface of paths in good condition. 2. To reduce the number of stiles on the network in favour of gaps or gates, as a means to increase accessibility.	1.1 Annual mowing programme. 1.2 Prompt responses to reports of problems. 1.3 Whole network survey. 2.1 Work with landowners to replace stiles with gaps or gates.	H

		WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
		The assessment shows that there are issues with: • Stiles on the network, which can limit accessibility; • One third of paths, (representing 9.4% of the network) have some form of obstruction.	3. A network with the minimum of obstructions possible and a robust mechanism for resolving new ones arising.	3.1 Require gates or gaps in any new fences. 3.2 Develop and adhere to an obstructions removal and enforcement protocol.	
1.3		There is a high percentage of paths that are well signed throughout their length. However, some respondents to the consultation want better waymarking. At least three quarters of paths are signed where they leave a metalled road.	1. A network where users can easily follow the correct route, thereby satisfying landowners and users alike. 2. Confidence that Flintshire County Council is meeting its statutory obligations for signposting from a metalled road.	1.1 Respond promptly to reports of missing waymarks. 1.2 Encourage landowners to fully sign paths on their land. 1.3 Routinely check local waymarking whenever any path repairs are carried out. 2.1 Ensure that all locations that should be signed are recorded in CAMS. 2.2 Survey all sign locations and record any missing signs. 2.3 Develop and implement a programme of sign installation. 2.4 Plan for sign end-of-life replacement.	H
1.4		Horse riders would like more off-road routes to be available to them.	1. To be able to increase the proportion of the network available to horse riders and cyclists.	1.1 Encourage landowners to dedicate footpaths as bridleways or to allow their permissive use.	L

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	The PROW network in the county includes 115 km of bridleways, representing limited opportunities for off-road riding and cycling.	2. To develop circular routes for riders and cyclists.	1.2 Give priority to claims for bridleways. 2.1 Investigate opportunities for bridleway linkages, thereby making the most of existing provision. 2.2 Seek to upgrade footpaths to bridleways in collaboration with Active Travel Plans.	
1.5	Some consultation respondents would like to be able to travel between key places by walking on footpaths.	A network which is fit for contemporary patterns of use, which meets users' demands and contributes to the potential for Active Travel.	Investigate opportunities for footpath links between key places, prioritising those which also meet Active Travel criteria. Work with planning colleagues to ensure green infrastructure is built into all developments.	M
1.6	Staff resources are limited and insufficient for the volume of work. There are office-based and outdoors tasks which are potentially suitable for volunteers.	1. An adequately resourced PRoW team. 2. A dedicated and enthusiastic team of volunteers who support the aims and objectives in the ROWIP in a variety of ways.	1.1 Determine necessary levels of staffing and financial resources to deliver the ROWIP. 1.2 Develop a business case to bid for additional resources. 1.3 Maximise opportunities from internal and external co-operation. 2.1 Set in place plans and a programme for upskilling existing volunteers and recruiting new ones. 2.2 Work with FLVC to explore opportunities for volunteers through existing groups and projects	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			2.3 Consider partnership working with NOMS to provide opportunities for those on supervised community service. 2.4 Working in a way that encourages retention of existing volunteers, e.g. providing a variety of volunteering opportunities, providing meaningful volunteering opportunities, ensuring the volunteers feel welcomed and valued, making the volunteering fun. Investigate opportunities for working in partnership with other internal services and external groups/organisations, to enable synergistic use of volunteering.	
1.7	Consultation respondents are reporting perceptions of delay in the Authority's work to deal with enforcement issues. However, data shows that overall response times are improving.	1. To deal with enforcement issues in a timely way. 2. Stakeholders are aware of what enforcement work has been done. 3. PROW team has clear procedures to work to.	1.1 Clearly allocate enforcement responsibilities. 1.2 Ensure that all enforcement issues are recorded in CAMS. 2.1 Through Exegesis, send informative automated responses to complainants when actions taken. 3.1 Set in place and monitor usage of clear procedures for dealing with enforcement issues, including	M

		WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
				communication with relevant external stakeholders.	
1.8		Some stiles and gates have been built on the network without formal authorisation.	All path furniture is authorised or is treated as an obstruction.	Develop and adopt formal policies to cover the authorisation of structures on PRoW. These policies to adhere to the least restrictive access principle. Maintain a publicly available record of all authorised structures.	H
2	**Legal recording and changes**				
2.1		The Definitive Map and Statement has a relevant date of 1978. The DMS now consists of the 1978 DMS plus all of the individual changes that have taken place since then. There is a number of outstanding LEMOs required to complete changes to the DMS. The locations of all paths in the network are shown on an interactive map on the Council's website.	1. A Definitive Map and Statement that is as up-to-date as possible. 2. A DMS that is readily available for public scrutiny.	1.1 Make any outstanding LEMOs. 1.2 Consolidate the Definitive Map & Statement and republish. 2.1 Ensure that any changes to the DMS are accurately reflected in the on-line interactive map. 2.2 Supply the newly consolidated map and statement to all major libraries and relevant portions to each Community Council.	L
2.2		The assessment showed that there is no overall record of anomalies. Whilst progress is being made on tackling the known anomalies,	1. To understand the number and nature of anomalies across the network. 2. To reduce the number of anomalies.	1.1 Review the complete DMS for anomalies and set up a schedule to record them.	L

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
	there is a long way to go, and more anomalies are likely to come to the team's attention.		2.1 Develop and implement a programme to deal with them during the life of the ROWIP.	
2.3	There are PPOs and DMMO's, some of which date back several years since the applications were received.	1. The backlog of DMMO and PPO is reduced to zero. 2. New PPO and DMMO normally made or determined within 12 months of completed application.	1.1 Schedules of applications received to be kept up to date and publicly available. 1.2 A plan to be drawn up and implemented for resolution of all outstanding applications. The plan will prioritise addressing claims dependent upon witness evidence. 2.1 Sufficient resources will be allocated. 2.2 Relevant staff will be supported to develop necessary skills. 2.3 Sufficient legal officer support will be secured.	H
2.4	Staff members focus on geographical areas of work, with little opportunity to develop specific subject expertise and there can be an inconsistency of approach.	1. To build expertise among the ROW team staff, so that all necessary areas of work can be competently covered. 2. All work, including applications for orders, to be dealt with consistently across the County.	1.1 Encourage and support staff to seek membership of IPROW[4]. 1.2 Carry out a targeted skills audit to gain a sound understanding of skills gaps. 1.3 Draw up a plan for staff development and training and secure a staff training budget.	H

---

[4] Institute of Public Rights of Way and Access Management

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			2.1 Through restructure provide a focus on the DMS in the responsibilities of officers 2.2 Draw up protocols and practice guidelines to guide handling of applications.	
2.5	Limited and potentially falling core funding from the Authority, which restricts what the PROW team can deliver and achieve.	To increase the resources (not just funding) available to the PROW team, to enable them to continue – and ideally increase – their work outputs and outcomes.	Determine necessary resources and put together a business case to bid for additional funding. Investigate and develop opportunities for sourcing external funding. Monitor potential developments that may impact on workload (such as implementation of the cut-off date) and, if necessary, prepare pre-emptive resource bids.	M
2.6	There is a backlog of legal work, which will be challenging to overcome with the current and anticipated future level of staff resource.	1. The most important legal work to be completed in as timely a fashion as possible. 2. To be able to be clear to all stakeholders (internal and external) about the order in which legal work will be carried out.	1.1 Work with the officers to develop their PRoW experience and expertise. 2.1 Develop and disseminate a team prioritisation policy for legal work for internal and external use. 2.2 Develop a protocol with the legal department for prioritisation.	H
3	**More purposeful use of the ROW network**			

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
3.1	The PROW team have some existing strategic linkages and networks, but the assessment revealed some as yet untapped relationships e.g. with public health organisations.	The PROW team to have strong and active networks and collaborative relationships with internal and external stakeholders where there can be some form of mutual benefit.	Build and maintain strategic linkages, and facilitate networks, at strategic and operational levels.	L/M
3.2	There are existing groups and organisations promoting walking for health, but which, for various reasons, are not taking full advantage of the PROW network.	For the PROW network to be actively used as a resource for walking for health.	Investigate opportunities for appropriate routes for walking for health. Develop collaboration with the team delivering Exercise for Health in the county to maximise the opportunity for use of PROW for this scheme Broker joint working between local community groups who can support the Exercise for Health scheme using PROW.	M
3.3	The consultation showed some interest in using PROW for active travel purposes.	For the PROW network to be used and promoted where appropriate for active travel.	Investigate opportunities for appropriate routes for walking or cycling for active travel. Work with other Council officers to incorporate public paths into Active Travel Integrated Network, taking opportunities to upgrade footpaths to bridleways where possible. Include Active Travel routes on the interactive map.	L
4	**Promotion and information**			

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
4.1	The consultation showed a general lack of awareness of the promoted routes and permissions.	For the PROW to be used appropriately by users throughout the network	Improve information about the promoted routes network. Develop information not only about where the routes are but how they should be used.	H
4.2	The consultation showed some inappropriate use of PROW by cyclists	Reduced illegal use of footpaths by cyclists and horse riders.	Improve targeted information about promoted routes for riders and cyclists. Provide clear on-line sign-posting to other information sources. Develop and promote routes specifically for off-road horse-riding and cycling.	L
4.3	The consultation showed that disabled people are unaware of accessible PROW and do not generally make use of them.	More use of PROW by people with disabilities.	Improve information provision specifically targeted at people with disabilities.	L
4.4	There is currently no information available on the authority's website for land managers about their rights and responsibilities in relation to PROW on their land. There appears to be a demand from land managers for more information to be available. It is important that PROW users are aware of their rights and how to use PROW responsibly.	1. Land managers and users to be aware of their responsibilities, and to behave accordingly. 2. Users of PROW treat the PROW, and nearby land and boundaries, with respect. 3. Applicants for changes to the network to have a ready source of information specific to processes in Flintshire	1.1 Develop improved relationship between the team and landowner representatives, and jointly develop information for land managers 1.2 Provide on-line information for landowners or provide links to other sites carrying good quality advice. 2.1 Develop and promote information for PROW users about the responsibilities whilst using PROW.	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			3.1 Develop and publish on the website a series of advice notes for would-be applicants for PPO and DMMO.	
4.5	Currently there is limited information available to people searching the Council's website.	To be able to make available relevant information using a means that is increasingly popular for members of the public.	Investigate the feasibility of improvements to the interactive map on the Council's website e.g. Active Travel maps, CAMS GIS data and definitive map extracts. Promote and inform people of the infrastructure information viewable in the CAMS Web system	L
4.6	The consultation suggested that some external stakeholders do not understand how the Council prioritises its maintenance and improvement work.	Clarity for the PROW team and its stakeholders on how work on the PROW network is prioritised and delivered.	Develop, disseminate and make available on the Council website procedures and standards for responding to reported issues	M
5	**Strategic working**			
5.1	Flintshire's first ROWIP has come to an end; the second ROWIP provides new opportunities for guiding the direction of PROW work in the county.	For the ROWIP to provide clear strategic direction and a framework for all of the work done by Flintshire's PROW team.	1.1 Work pro-actively, using the ROWIP for direction. 1.2 Regularly review progress and report to LAF & Cabinet. 1.3 Develop fully targeted Annual Delivery Plans based upon the SoA	H
5.2	At present, Policies exist for some but not all areas of the PROW team's work, and some of these may be outdated.	Clear strategic and operational guidance for the staff team and others about the way in which the PROW team will work.	Develop, review and update Policies to ensure comprehensive and consistent coverage of key areas of	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
			activity, with LAF consultation and Council adoption.	
5.3	There is potential to strengthen communication across the spectrum of the PROW team's stakeholders. Currently some stakeholders report that they do not understand how the team works or why certain work is done.	For all key stakeholders to understand the PROW team's work, and to have a strong relationship with individuals in the team. For key stakeholders to have the information they need to champion the cause of the PROW team.	Build and maintain strong means of communication with key stakeholders, including Councillors, users and landowners. Develop and publish on the website a full suite of information about the working policies of the team.	M
5.5	Staff resources are limited and insufficient for the volume of work, and they appreciate the work currently undertaken by volunteers. There are office-based and outdoors tasks which are potentially suitable for volunteers.	To make the most of the potential volunteering resource, in a way that works for the PROW staff team, its partners and the volunteers.	Create and implement a volunteering strategy, potentially with FLVC, including considering collaborative opportunities.	H
5.6	GIS-based information is currently used in CAMS, but more could be made of it to support strategic planning of the PROW team's work.	1. PROW team members equipped with the skills to make use of GIS in their roles. 2. GIS available to team members. To make best use of the available resources, facilitating the team's work and its outcomes. 3. Full use to be made of the CAMS.	1.1 Train staff in the use of GIS as a proactive management and decision-making tool. 2.1 A GIS platform to be made available to all team members. 3.1 Appoint a lead officer to be primarily responsible for the maintenance of CAMS.	L
6	Key task planning and delivery			

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
6.1	CAMS is the main repository for all network data but two thirds of the network has not been formally surveyed since 2010, reducing the system's reliability as a strategic planning tool.	1. To have as up to date as possible data about the network stored in CAMS. 2. To re-survey the entire network at least once over a three year period with snapshots based on annual sample surveys	1.1 All staff to be trained in the use of CAMS with annual refreshers/reminders of the importance of thorough and consistent logging of data. 2.1 Arrange for a survey of the 67% of the network not surveyed in 2017 to be carried out, 33% 18/19 and 34% 19/20. 2.2 Re-introduce regular partial monitoring of the network (minimum 10% p.a.) 2.3 Plan to re-survey the whole network 3 three times by the end of the ROWIP period.	H
6.2	Tasks are reported to and carried out by a number of different players in several independent organisations, potentially resulting in lost data and/ or replication of effort.	1. Confidence that all issues reported and works carried out are captured in CAMS. 2. Clarity and confidence for users that their reports are acted upon in accordance to the published protocols.	1.1 Regular liaison between all players involved in Flintshire's PROW. 1.2 Development of a simple, common reporting format that will enable records to be fed back to the PROW team for entry into CAMS. 2.1 Continue development of the on-line reporting system. 2.2 Develop and implement systems for ensuring feedback to users reporting problems.	H

	WHAT HAVE WE GOT?	WHAT DO WE WANT?	HOW CAN WE ACHIEVE IT?	PRIORITY High Medium Low
7	**Organisational development**			
7.1	The PROW team is undergoing an organisational change process as part of wider changes within the Authority.	Clear roles, responsibilities and work programmes for all PROW team members, including individuals being allocated lead responsibilities for particular areas of work, resulting in a logical and effective way to share the team's workload.	Review lead roles & responsibilities for key tasks for team members.	H
7.2	The term of the previous LAF has expired. A process is underway to set up a joint LAF with Wrexham.	1. A well-functioning and effective LAF that can support and promote delivery of the ROWIP. 2. A LAF that can take a strategic overview	1.1 Establish the LAF. 2.1 The role of the LAF to be primarily strategic with sub-groups set up for addressing purely local questions.	H
7.3	Flintshire's resources are limited. There is precedent for Authorities to work collaboratively, including sharing staff resource.	To deliver and achieve as much as possible within the available resources.	Investigate the opportunities for closer collaborative working with neighbouring and over-lapping Authorities.	M
7.4	Limited and potentially falling core funding from the authority, which restricts what the PROW team can deliver and achieve.	To increase the resources (not just funding) available to the PROW team, to enable them to continue – and ideally increase – their work outputs and outcomes.	Investigate and develop opportunities for sourcing additional resources, including external project funding and partnership working with other agencies in the statutory and voluntary sector.	H

.

Annexes

Annex A: ROWIP 2008 – Executive Summary

The Network Condition Assessment identified that there is an estimated shortfall of £97,000 per annum just to maintain the network at its current standard (i.e. 38% of paths being easy to use). In addition to this a further £167,000 per annum, over 10 years, will be needed to bring the network up to an acceptable standard. At the moment, the County Council is not in a position to commit these additional funds.

The annual investment required for rights of way in Flintshire per year, over the next five years, is estimated as £269,351 or £ 255 per km. (Paragraph 4.5 Statement of Action)

The County Council will need to commit more resources (both in terms of additional staff and finances) to ensure that the definitive map is 'fit for purpose'. This will involve removing the backlog of all outstanding definitive map modification orders to enable the County Council to prepare a new map using the latest technology. Efficiency will be improved through the extension of the computerised GIS and database to ensure greater accessibility to records. (Tasks 2.1 – 2.5 Statement of Action)

The County Council will also review how the various elements (i.e. the Countryside Service, the Rights of Way Inspectors and the County Hall Rights of Way Team) involved in the management of the Public Rights of Way operate. In particular, it will consider how improvements in overall performance may be achieved. (Task 1.1 Statement of Action)

The partnership-working element of rights of way work will be developed further (Task 4.1 Statement of Action).

A programme of improving accessibility to the network will be developed. The County Council will pursue sources of funding to progress this. It will also develop a programme of extending opportunities for equestrians and cyclists (through the provision of additional bridleways and cycle tracks) throughout the County. (Task 4.4 Statement of Action).

The County Council has already received funding from the Countryside Council for Wales (CCW) to improve and develop access to Flintshire's coast. It will continue to develop and implement this programme to provide greater opportunities for the public to gain access to this valuable resource. (Task 4.7 Statement of Action).

A full set of policies and procedures will be published by the County Council for the management and protection of the public rights of way network (Task 1.2 Statement of Action).

The backlog of obstructions (in other words the number of reported obstructions that have not been removed) needs to be addressed, so that in future all problems will be resolved within set timescales. Having a system of regular inspections in place and increasing the provision of signs and waymarks will be a priority. Improvements to the condition of the network will be measured through an annual performance indicator. (Tasks 3.1 – 3.7 Statement of Action).

Finally, the County Council will publicise its achievements through the publication of an annual report. It will also use every opportunity to give greater publicity to the excellent work it has carried out over the years, so that the public is more aware of its successes. This could reduce the cost of maintaining the network by making the public aware of its existence, thereby encouraging greater use. (Task 4.7 Statement of Action).

Annex B: Checklist for authorising structures

CHECKLIST RELATING TO THE INSTALLATION/RENEWAL OF STRUCTURES ON PUBLIC RIGHTS OF WAY

Re Public Footpath No.   in the Community of

			COMMENTS
1.	Is the structure noted on the Parish Claim or current Definitive Statement?	NO Must therefore be capable of being authorised see 3,4, 5 and 6 below	
		YES If so, what type? Gate Stile Therefore no specific authorisation required - need to consider alternative structure or gap as in 7. below	
2.	Present situation on site	Gap Fence/hedgerow Gate Stile	
3.	What is the current use of the land?	Agricultural use Breeding/keeping horses Other	
4.	Is a structure necessary to prevent ingress/egress of stock?	YES Therefore authorisation may be given	

		NO		
5.	Is a structure necessary for safety reasons?	YES Therefore authorisation may be given		
		NO		
6.	Is the structure capable of authorisation?	YES		
		NO		
7.	Will the landowner agree to a	Gap	YES/NO	
		Gate	YES/NO	
		Gate with self-closing mechanism	YES/NO	
		Kissing gate	YES/NO	
		Stile	YES/NO	

Action taken

Signed
Dated

- Active Travel Routes – Routes that have been assessed or developed to be suitable for commuter or other non-leisure journeys on foot or by bicycle.

- Anomalies – Inconsistencies on the Definitive Map and Statement can come to light during the course of other work. Usually referred to as 'anomalies', these can include issues such as a path changing sides of a hedge on adjacent map sheets, or paths stopping as dead-ends at a community boundary.

- AONB – Area of Outstanding Natural Beauty. An area of land that is defined as being of particularly high value for the quality of its landscape. The boundaries of AONB are set by the local geography and so often include parts of several Local Authority areas.

- BVPI – Best Value Performance Indicator. No longer in use, the BVPI 6.10 was the indicator developed to assess the Local Highway Authority's compliance with PRoW requirements.

- CAMS – Countryside Access Management System.

- DMMO – Definitive Map Modification Order.For example, to record a previously unrecorded path on the Definitive Map and Statement. Anyone with evidence can make an application for a DMMO. The onus is then on the Local Highway Authority, also called the 'surveying authority', to consider all of the evidence available to it and make a determination as to whether or not an order should be made. If objections are raised, the orders are often referred to the Planning Inspectorate for determination. The LHA has non-binding duty to determine DMMO within 12 months of receipt of the application, but the need to accurately and exhaustively search for and assess evidence, together with the potential for contentious issues to result in a public inquiry, means that administering DMMO is a time-consuming, specialist task and each application can potentially take several years to resolve.

- DMS - Definitive Map and Statement. The documents that record the legal existence of public rights of way. The legal record of public rights of way is often referred to, for shorthand, as the 'definitive map'. However, the full document is the 'definitive map and statement' (DMS). The statement sometimes contains additional information about paths, including any constraints (such as widths, stiles or gates) that may affect the path. If there is a conflict between the map and the statement, it is the statement that takes legal priority. In Flintshire, the statement does not generally record limitations. The DMS consists of the last sealed map plus all of the modification orders that have since been made.

- LAF – Local Access Forum. A group of local access experts that meets at regular intervals to consider issues of local, regional and national importance to access users, both on PRoW and in the wider countryside, and to offer advice to the LHA.

- LEMO - 'Legal event modification orders' (LEMO) record on the definitive map legal changes that have already taken place under some other legislation. For example, recording a diversion made as a result of a PPO. LEMO do not have to be advertised,

are not subject to objections, and take effect as soon as they are made. In some cases, public path orders will include a LEMO, so that a separate order is not needed.

- Limitations - Stiles and gates across a PRoW can be lawful obstructions, but only if they meet specific conditions and have been authorised by the LHA. The principal conditions for authorisation are that a landowner has made an application to the LHA and that the structure is necessary for agriculture, forestry or horse-keeping.

- LHA – Local Highway Authority. Usually the county or unitary council, in this case Flintshire County Council.

- NRW – Natural Resources Wales.

- PPO – Public Path Order. For example, to stop up or divert a recorded PRoW. Whereas DMMO change the DMS to record already existing rights, Public Path Orders (PPO) are concerned with making changes to those rights, generally for the benefit of land management or development but sometimes also for the benefit of the path-using public. PPO can be made under the Highways Act 1980 or as a result of planning approval.

- PRoW – Public right of way. Unless the context dictates otherwise, this means a public footpath, bridleway or byway.

- Relevant date – The relevant date of the DMS is the date that it was last sealed and is the date on which it was considered to be an up to date record of all known PRoW.

- ROWIP – Rights of Way Improvement Plan.

Annex D Booklet of Policies and Procedures