

CABINET MEMBER DECISION RECORD

This form should be used to record Executive decisions taken by Cabinet Members

Decision Ref. No:

Responsible Officer:
Jamie Griffiths, Traffic Manager

Subject: Rights of Way Improvement Plan

Decision taken: Approve the adoption of the Rights of Way Improvement Plan.

Reasons for the decision: To fulfil the statutory requirement to adopt a Rights of Way Improvement Plan.

Call-in and Urgency: This decision is subject to the councils call in procedure

Background:

All local authorities are required to prepare, publish and adopt a Rights of Way Improvement Plan, which must be renewed every 10 years. Bournemouth and Poole's shared Rights of Way team last published a Rights of Way plan in 2008.

The Improvement Plan sets out the vision for the maintenance and development of the Rights of Way throughout Poole and Bournemouth.

The Improvement Plan requires that an assessment is made of:

- The extent to which Local Rights of Way (Footpaths, Bridleways, Cycle Tracks and Byways) meet the present and likely future needs of the public.
- The opportunities that local Rights of Way can provide for exercise, recreation and enjoyment of the authority's area.
- The accessibility for people with vision and mobility impairments.

Options - and reasons for rejection:

- 1) Adopt and publish Rights of Way Improvement Plan
- 2) Refuse to adopt the Rights of Way Improvement Plan

Consultations undertaken:

The public consultation opened on 17th August 2017 and closed on 26th October 2017. Notices were placed in the Bournemouth Daily Echo, in all Bournemouth libraries, and on the website.

6 public representations were received. Comments related to a desire for a greater number of horse riding links to be incorporated into any new development, and the general improvement of the existing provision. Responses received from interest groups such as Open Spaces Society, British Horses Society and Ramblers emphasised the requirement for completion of the Definitive Map and Statement for both areas and the requirement for improvements to routes of interest such as Bourne Valley Greenway, Slades Farm, Lower Stour Trail, Throop to Hurn Stour crossing, Longfleet Drive and Ashington Cutting.

Other ideas gathered in the consultation process included the spreading of awareness of Public Rights of Way through popular mapping websites, emphasising coordinated work across authorities, careful consideration of competing user interests, and joining up links to create circular recreational routes.

Consultees' comments were used to update the Improvement Plan, and all consultees were informed as to whether their comments were incorporated and if they weren't they were told why. No negative feedback was received at the end of this process.

Finance/Resource Implications:

The Rights of Way Improvement Plan does not commit the authorities to a budget. Therefore, there are no financial considerations here. It is possible that a failure to produce a Rights of Way Improvement Plan could lead to a financial penalty being incurred.

Name: *A. Richards* Signature: (of Chief Finance Officer)

Date: *7/3/18*

Legal implications:

The authority could be challenged for failing to produce a Rights of Way Improvement Plan in the required period.

There is no legal requirement to commit to completing all objectives within the Rights of Way Improvement Plan, the policies and objectives are only advisory.

Name: *TANYA COULTER* Signature: (of Monitoring Officer)

Date: *11-3-18*

Risk assessment:

An initial risk assessment has been completed and the proposals have been classed as low risk.

Name: *JAMIE CRIFFITHS* Signature: (of Officer completing assessment)

Date: *6/3/18*

Impact Assessments:

An Equality and Diversity Impact has been undertaken and is enclosed in the background papers.

Information for/not for publication:

This decision is to be published.

Background papers:

Initial Risk assessment
EINA Screening Record

Any conflict of interest declared by a Cabinet Member who is consulted by the Member taking the decision	Name of Cabinet Member	Nature of interest	Details of any dispensation granted by the Monitoring Officer
No/Yes*			

* Delete as appropriate

Decision taken by:

Councillor Mike Goosene..... (Print name)

Cabinet Portfolio TRANSPORT, CLEANSING + WASTE

Signed: 

Date of decision: 13/3/18

Date of publication of record of decision:

Date decision effective:

0.0. Equality Impact Needs Assessment

The Diversity Promise - *Making it Happen!*



Title of Policy/Service/Project	Rights of Way Improvement Plan
Service Unit	Planning Transport and Regulation
Lead Responsible Officer and Job Title	Philip Elias Rights of Way Officer
Members of the Assessment Team:	Philip Elias Rights of Way Officer Zak Cusens Rights of Way Apprentice
Date assessment completed:	21/12/17

About the Policy/Service/Project:

What type of policy/service/project is this? (delete as appropriate)

New/proposed

What are the aims/objectives of the policy/service/project? (please include here all expected outcomes)

The Rights of Way Improvement Plan aims to fulfil the authority's legal duty to provide an Improvement Plan. The ROWIP sets out the vision for the maintenance and development of the Rights of Way throughout Poole and Bournemouth.

The Improvement Plan requires that an assessment is made of:

- The extent to which Local Rights of Way (Footpaths, Bridleways, Cycle Tracks and Byways) meet the present and likely future needs of the public.
- The opportunities Local Rights of Way can provide for exercise, recreation and enjoyment of the authority's area.
- The accessibility for people with vision and mobility impairments.

The Improvement Plan, if adopted, will put forward the plan for increasing the equality of access and enjoyment of Public Rights of Way throughout Bournemouth and Poole.

Are there any associated services, policies or procedures? **No**

List the main people, or groups of people, that this policy/service/project is designed to benefit and any other stakeholders involved?

Local residents and visitors to the Bournemouth and Poole conurbation alike will enjoy the benefits of the strategy set forward within the Improvement Plan.

Will this policy/service/impact on any other organisation, statutory, voluntary or community and their clients/service users?

Local interest groups such as the Ramblers Association and Open Spaces Society have an interest within the proposals put forward within the Improvement Plan. They have been consulted and their advice utilised for further drafting before the final edition of the plan was completed.

Consultation, Monitoring and Research

Where there is still insufficient information to properly assess the policy, appropriate and proportionate measures will be needed to fill the data gaps. Examples include one-off studies or surveys, or holding informal consultation exercises to supplement the available statistical and qualitative data.

If there is insufficient time before the implementation of the policy to inform the EINA, specific action points will be need to be clearly set out in the action plan. Steps must include monitoring arrangements which measure the actual impact and a date for a policy review.

Consultation:

What involvement/consultation has been done in relation to this (or a similar) policy/service/project and what are the results?

The public consultation opened on 17th August 2017 and closed on 26th October 2017. Notices were placed in the Bournemouth Daily Echo, in all Bournemouth libraries, and on the website.

6 public representations were received. Comments related to a desire for a greater number of horse riding links to be incorporated into new development, and general improvement of existing provision. Responses received from interest groups such as Open Spaces Society, British Horses Society and Ramblers emphasised the completion of the Definitive Map and Statement for both areas, improvements to routes of interest such as Bourne Valley Greenway, Slades Farm, Lower Stour Trail, Throop to Hurn Stour crossing, Longfleet Drive and Ashington Cutting.

Other ideas gathered in the consultation process included spreading awareness of Public Rights of Way through popular mapping websites, emphasising coordinated work across authorities, careful consideration of competing user interests, and joining up links to create circular recreational routes.

Consultees' comments were used to update the plan, and all consultees were informed as to whether their comments were incorporated, or otherwise told why they weren't. No negative feedback was received at the end of this process.

If you have not carried out any consultation, or if you need to carry out further consultation, who will you be consulting with and by what methods?

Monitoring and Research:

What data, research and other evidence or information is available which is relevant to this EINA?

n/a

Is there any service user/employee monitoring data available and relevant to this policy/service/project? What does it show in relation to equality groups?	n/a
If there is a lack of information, what further information do you need to carry out the assessment and how are you going to gather this?	None.

Assessing the Impact

	Actual or potential benefit	Actual or potential negative outcome
Age	The Rights of Way infrastructure can assist with helping people who have relatively inactive lifestyles to get more exercise, and therefore achieve better health outcomes. This is achieved by providing more Public Rights of Way, linking up paths to form circular routes and improving existing paths.	No perceived impact
Disability	The Rights of Way Improvement Plan will lead to a scheme of works to ensure that where possible routes are Disability Act compliant. Incorporating new routes into development could positively influence urban permeability leading to shorter routes for individuals with mobility difficulties.	No perceived impact
Gender	The Rights of Way Improvement Plan could lead to better health outcomes for women, who perform less exercise than men overall, but who are much	No perceived impact

	Actual or potential benefit	Actual or potential negative outcome
	more likely to ride horses. Provision of Bridleways could aid in assisting this inequality.	
Gender reassignment	No perceived impact	No perceived impact
Pregnancy and Maternity	No perceived impact	No perceived impact
Marriage and Civil Partnership	No perceived impact	No perceived impact
Race	No perceived impact	No perceived impact
Religion or Belief	No perceived impact	No perceived impact
Sexual Orientation	No perceived impact	No perceived impact
Any other factor/ groups e.g. socio-economic status/carers etc	Socio-economic: A quarter of households do not own a car. The provision of more Public Rights of Way would serve to provide non-car owners with greater accessibility.	No perceived impact
Human Rights	No perceived impact	No perceived impact

Stop - Any policy which shows actual or potential unlawful discrimination must be stopped, removed or changed.

If impacts have been identified include in the action plan what will be done to reduce these impacts, this could include a range of options from making adjustments to the policy to stopping and removing the policy altogether. If no change is to be made, explain your decision:

Action Plan

Include:

- What has/will be done to reduce the negative impacts on groups as identified above.
- The arrangements for monitoring the actual impact of the policy/service/project

Issue identified	Action required to reduce impact	Timescale	Responsible officer	Which Business Plan does this action link to e.g. Service Equality Action Plan/Team Plan

Issue: Rights of Way Improvement Plan
 Meeting Date: Not applicable
 Accountable Manager: Larry Austin
 Impact Assessor: Philip Elias 01202 262017 philip.elias@bournemouth.gov.uk

Key	
+	Balance of positive Impacts
?	Balanced or unclear impacts
-	Balance of negative impacts
n/a	Not applicable

Impact Criteria	Impact	Comments
Natural resources impact on use of natural resources - for example energy, water, raw materials	+	Encourages sustainable transport by the protection and development of Public Rights of Way to be used by walkers, horse riders and cyclists.
Quality of environment contribution to safe and supportive environments for living, recreation and working	+	Would protect and promote popular walking, cycling and horse riding routes.
Bio-diversity protects and improves wildlife and habitats	?	May increase footfall harming the natural environment but might encourage interest in the conservation of the rural areas in the borough.
Waste and pollution effects on air, land and water from waste and emissions	?	Overall, an increase in use of Public Rights of Way can lead to a reduction in vehicle emissions.
Council Priority and Objectives for Improving our Environment: <ul style="list-style-type: none"> • Reduce traffic congestion • Improve streetscene • Improve recycling & energy management • Respond to climate change • Improve quality of existing space 	+	Might reduce traffic congestion and respond to climate change by encouraging walking, cycling and riding.

Please complete and save your checklist, and email a copy to Lee Green, Environment Strategy and Sustainability Manager @ lee.green@bournemouth.gov.uk

If you would like help in completing this checklist or would like to request a change, again contact Lee Green by email or call on 01202 451144.

RISK REGISTER FOR

Rights of Way Improvements Plan

RISK REGISTER

Objectives

Risk Key:

Definitions:

Priority Ratings:

Corporate Risk Categories:

Pol=Political Enviro=Environmental
 Econ=Economic Comp=Competitive
 S=Social Cust=Customer/Citizen
 T=Technological Rep=Reputation
 L=Legislative Phys=Physical

L = Likelihood (1-4)

1-2 Low risk

I = Impact (1-4)

3-6 Medium risk

S = Score (I x L)

8-16 High

Service Risk Categories:

Res=Resource Cont=Contractual
 L=Legal T=Technological
 Phys=Physical Enviro=Environmental

PLEASE SEE TABS BELOW FOR THE RISK SCORING MATRIX, INFORMATION ON RISK CATEGORIES AND IMPACT & LIKELIHOOD SCORING DEFINITIONS

A: Publi
 B: Attra
 C: Pursu
 D: Fulfil
 E:
 F:

Risk No	Gross/Initial Risk			Risk Category	Risk Owner	Gross Risk Score (ie as if no mitigations/controls in place)			
	Risk (uncertainty which may affect objective)	Risk Cause (definite situational facts affecting the objective)	Risk Impact (contingent effect on objective)			L	I	S	
1	Failing in statutory duties	Refusing to publish ROWIP	Loss of standing with local groups and societies that support the authority e.g. Ramblers and Open Spaces Society	Reputation	PE	3	1	3	Publi
2	Failing in statutory duties	Refusing to publish ROWIP	Refusing to fulfil statutory duties would risk an aggrieved party bringing Judicial Review against the authority, incurring a financial penalty.	Legal & Resource	PE	1	1	1	Publi
3	Failure to secure Rights of Way improvements through developments	Refusing to publish ROWIP	Lack of policy backing will create difficulty in providing the evidential base to secure improvements to Public Rights of Way through the development planning process.	Political & Environmental	PE	1	1	1	Publi
4	Failure to attract capital	Refusing to publish ROWIP	List of work priorities required to justify LTP funding and funding from other sources.	Resource	PE	1	1	1	Publi

