

# **Powys Rights of Way Improvement Plan**

## **Foreword**

I am delighted to deliver the Rights of Way Improvement Plan to the people of Powys. Following extensive consultation with the public, landholders, users, Town and Community Councils and many others, a number of amendments have been made to the draft plan so as to incorporate many of the suggestions put forward. It is clear that countryside access is an important issue, and a highly valued asset to the people of Powys and those who visit the county.

The Council's Vision as set out in Vision 2025 highlights four priority themes. This Plan clearly addresses those themes directly and sets out various statements of action to deliver them. As such, engagement with this Plan will make a real and meaningful contribution to all of the Council's key objectives.

This plan presents the Council's aspirations regarding countryside access for the next decade. I am confident it will serve to progress real improvements in access across Powys.

County Councillor Aled Davies  
Portfolio holder for Finance, Countryside and Transport

# Contents

Foreword

Vision

Executive Summary

## **Section 1 Rights of Way Improvement – Context**

1.1 Introduction

1.2 The County of Powys

1.3 Powys County Council

1.4 Public Rights of Way and Countryside Access in Powys

1.5 The Council’s Strategic Priorities and Targets

1.6 Local Well-Being Assessments and Plans

1.7 Active Travel

1.8 Area Statements

1.9 Strategic Context

1.10 ROWIP Themes

## **Section 2 Assessing the Needs for Users**

2.1 Introduction

2.2 Survey Responses

2.3 User Group Assessments

2.4 Walkers and Dog-Walkers

2.5 Cyclists

2.6 Horse-Riders

- 2.7 Motorised Vehicles
- 2.8 Assessing the Needs of People with Mobility and Sensory Impairments
- 2.9 Context
- 2.10 Assessment
- 2.11 Outcomes
- 2.12 Least Restrictive Working Practices
- 2.13 User Needs Assessment Conclusions
- 2.14 Strategic Findings

### **Section 3 – Theme A Public Rights of Way and Open Air Recreation**

- 3.1 The Public Rights of Way Network
- 3.2 Condition of the Network
- 3.3 Improving the Public Rights of Way Network
- 3.4 Public Rights of Way Resource
- 3.5 National and Recreational Trails
- 3.6 Condition of the National and Recreational Trails Network
- 3.7 The Importance of the National & Recreational Trails Network
- 3.8 Development of the National and Recreational Trails Network
- 3.9 Open Access in Powys
- 3.10 Signing of Access Land
- 3.11 The Future for Access Land
- 3.12 Common Land
- 3.13 Outdoor Recreation

## **Section 4 Theme B - Management and Enforcement of Public Rights of Way and Green Spaces**

- 4.1 Introduction
- 4.2 Existing Policies and Working Practices
- 4.3 Powys Countryside Volunteers
- 4.4 Enforcement
- 4.5 Prioritisation of Works
- 4.6 Signage
- 4.7 Health and Safety
- 4.8 Biodiversity
- 4.9 Access to Water
- 4.10 Agri- Environment Schemes, Brexit and Horizon Scanning

## **Section 5 Theme C - Definitive Map & Statement**

- 5.1 Introduction
- 5.2 Local Context
- 5.3 The Definitive Map and Commons Registration Team
- 5.4 Legal Searches on the Definitive Map
- 5.5 Legal Events altering the Definitive Map and Statement
- 5.6 Outstanding Work on the Definitive Map
  - 5.6.(i) Consolidation
  - 5.6.(ii) Legal Orders
  - 5.6.(iii) Errors and Anomalies (Definitive Map Review)
- 5.7 Current Policies and Working Practices
  - 5.7(i) Prioritisation for Definitive Map Modification Orders (DMMOs)

5.7(ii) Prioritisation for Public Path Orders (PPOs)

5.7(iii) Charging Policy for Public Path Orders

5.8 Record of Limitations

5.9 Conclusions and Actions for the Future

## **Section 6 Theme D - Publicity & Promotion Review**

6.1 Introduction

6.2 Information for the Public and Professionals

6.3 External Publications

6.4 Website

6.5 On site Information

## **Section 7 Internal & External Partners**

7.1 Internal Partners within Powys County Council

7.1(i) Planning Services

7.1(ii) Highways Transport and Recycling

7.1(iii) Travel Officer for Powys County Council

7.1(iv) Regeneration Services

7.1(v) The Arts

7.1(vi) Healthy Weights Steering Group

7.2 External Partners

7.2 (i) Landholders

7.2 (ii) Town and Community Councils

7.2 (iii) Brecon Beacons National Park Authority

7.2 (iv) Natural Resources Wales & Natural England

7.2 (v) User Groups

7.2 (vi) Canal and River Trust

7.2 (vii) Local Access Forums

7.2 (viii) Clwyd Powys Archaeological Trust

7.3 Neighbouring Local Authorities

## 7.4 Walkers are Welcome

### Appendices

1. Higher Tiered Approach
2. List of Statement of Actions
3. Prioritisation of Statement of Actions

## **Section 8 Delivery Plan**

### 8.1 Delivery Plan Introduction

### 8.2 An Evaluation of ROWIP 2007-2017

### 8.3 Review of Policies

### 8.4 The Work Plan

### 8.5 Key to ROWIP Work Plans

DRAFT

# Vision

The provision of high quality green space and public access to Powys' countryside and support for its biodiversity and heritage is at the heart of the work of Countryside Services. Public rights of way and Access land offer unrivalled opportunities for the enjoyment of the Powys countryside.

The Rights of Way Improvement Plan is the means by which Powys County Council will plan and prioritise resources to the current public access available in the county, and will assist others in Powys in developing an accessible countryside. The Plan will set out the priorities and objectives for the future.

The vision of this Plan is to have a well-utilised, well-managed, meaningful and accessible countryside across Powys, supported by high quality information. To achieve this vision, four themes have been identified which broadly address the areas of improvement that will be targeted. These themes are:

- Theme A    Public Rights of Way and Open Air Recreation
- Theme B    Management and Enforcement of Public Rights of Way and Green Spaces
- Theme C    Definitive Map and Statement
- Theme D    Publicity and Promotion

# Executive Summary

This Rights of Way Improvement Plan has been reviewed and produced as a statutory document under the Countryside and Rights of Way Act 2000.

The Plan has sought the needs and aspirations of landholders, users and non-users of Powys' public rights of way network, Access land and public green space. The wealth of information has been looked at in conjunction with an assessment of the network, its current condition, and set against a backdrop of other national and local strategies and plans. This information will be used to set out a framework for improving access to the countryside for the next 10 years.

Consultation has considered a number of dilemma questions, focussed on how the public rights of way network is to be prioritised in the future. Responses from the consultation has made it clear that the removal of obstructions, and providing clear waymarking to provide confidence for the user in using public rights of way in the countryside is of paramount importance. The development of local circular trails rather than long distance walks has proved to be popular with consultees, as has increasing the role of volunteers in opening up public rights of way, and in their long-term management.

How public rights of way are to be managed was a question in the consultation, and this was evenly split between keeping a Priority Community Approach and providing each individual path with a rating of importance. In liaison with the Local Access Forum, developing a network, and therefore some form of priority community approach was deemed to be essential in developing a network of useable routes. As a result of feedback, the Service has developed the "Priority Project Approach" that takes account of the demand from the community amongst other variables, and will concentrate on developing a network in that area.

Powys' Recreational Trails (including National Trails) are well received with strong support for maintaining and improving infrastructure and information on the existing trails. There was only limited support for creating new long distance routes in Powys, with much more importance placed on developing local, accessible routes. However, respondents felt that equal priority should be given to recreational trails as with other public rights of way.

Consultation has shown that the public rights of way network currently provides the poorest access opportunities for those with mobility or sensory difficulties. Following discussions with local disability groups, the ‘least restrictive’ working practice was again endorsed affecting all areas of countryside access work, from the installation of path furniture to the production of information leaflets.

The proposals in this Plan support the goals of key national and local strategies, particularly those relating to:

- Supporting the local economy
- Improving the Nations’ and Residents health and well-being, and
- Creating a more sustainable environment

The Plan also sets out how it will contribute towards key objectives in the County Council’s Cabinet Vision 2025 and the Public Service Board’s 2040 Vision. Working with internal and external partners will be crucial to achieving these aims and goals.

DRAFT

# **Section 1 Rights of Way Improvement - Context**

## **1.1 Introduction**

Powys County Council as the local Highway Authority is required under Section 60 of the Countryside and Rights of Way Act 2000 (CROW) to publish a Rights of Way Improvement Plan (ROWIP). This ROWIP sets out how the Council will seek to manage the public rights of way network for the benefit of the residents and landowners of Powys, as well as visitors to the area over the next ten years.

ROWIPs are the prime means by which local highway authorities should identify, prioritise and plan for improvements to local rights of way and set out how they will approach their day to day management; and in doing so make better provision for the public to enjoy a range of outdoor recreation activities.<sup>1</sup>

Part of the county of Powys, and its public rights of way network, lies within the Brecon Beacons National Park Authority. After agreement with its constituent County Councils, the National Park Authority has undertaken its own ROWIP. Countryside Services Officers from Powys County Council have been involved and consulted throughout their ROWIP process.

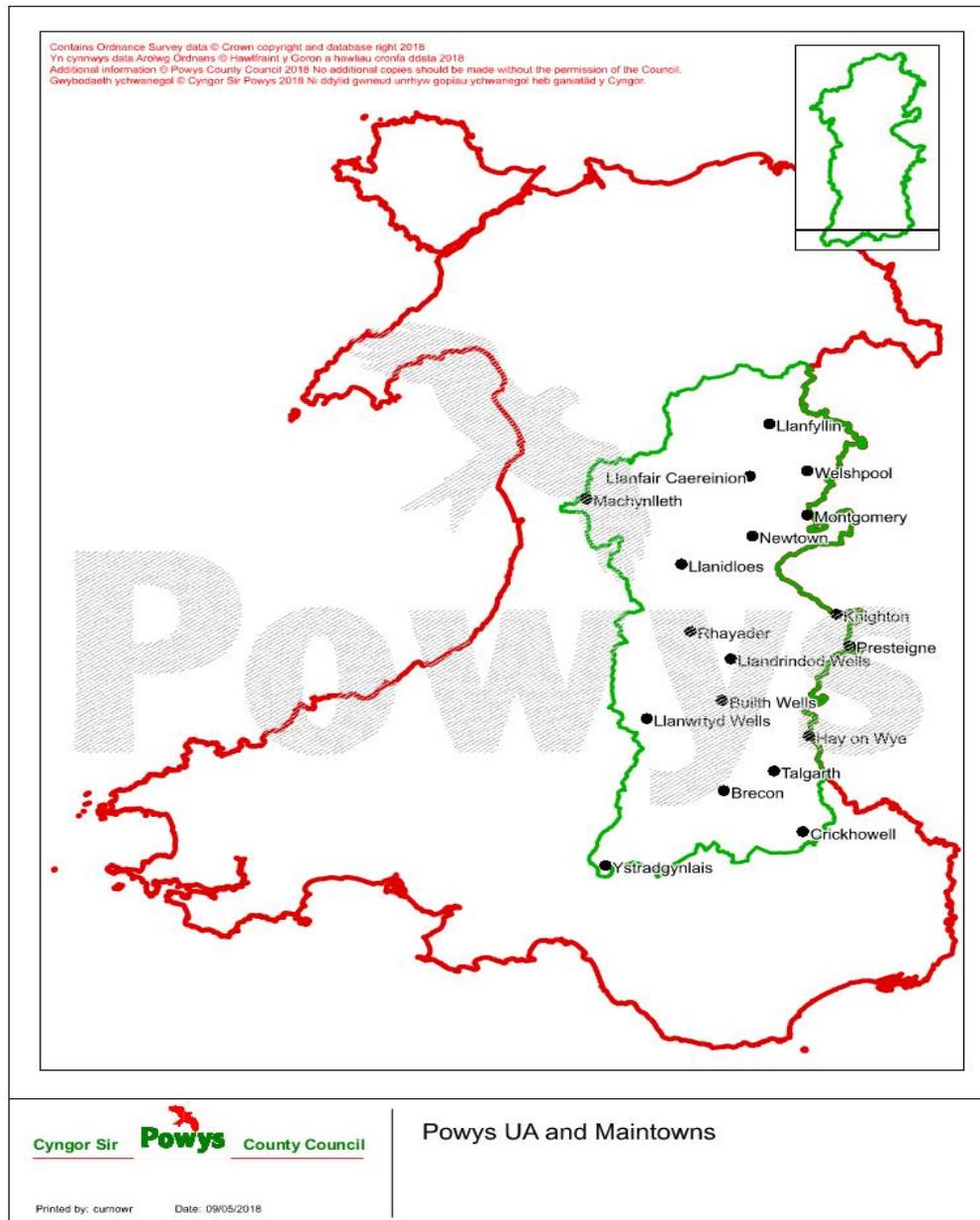
## **1.2 The County of Powys**

Powys is an extensive, largely upland county covering 2,000 square miles (5,180 square kilometres), about a quarter of Wales. With a population of only 1 person for every 10 acres (4 hectares), it is one of the most sparsely populated local authority areas in England and Wales.

---

<sup>1</sup> Welsh Assembly Government, *Guidance for Local Authorities on Rights of Way Improvement Plans* July 2016.

## Map 1 – The County of Powys



The county has tremendous landscape assets; from the Berwyn Mountains in the north, through the rolling hills of the Radnor Forest to the dramatic Brecon Beacons National Park in the south; it also includes some of Britain's most spectacular river valleys – the Severn, Wye and Usk.

Powys has high levels of self-employment and a high number of micro businesses. The public sector accounts for 29% of the workforce, with 9% of the population employed in agriculture, forestry or fishing compared to the

Welsh average which is only 2.3%.<sup>2</sup> Powys also has the highest car ownership in Wales, with only 15% of households not owning a car or van.<sup>3</sup>

The population of Powys is 132,160<sup>4</sup> and has been falling since 2011, and 18.5% of the population classify themselves as being a Welsh Speaker.<sup>5</sup>

### **1.3 Powys County Council**

Powys County Council is a Welsh Unitary Authority with 73 elected Councillors. It is relatively young, having been first created as a County Council in 1974, and then merged with its constituent district councils to become a Unitary Authority in 1996. The new Authority also took in three communities from the former Clwyd Council. Other minor boundary amendments have since added to the area of Powys. However, its roots are deep, with the three constituent shires - Brecknockshire, Montgomeryshire and Radnorshire stretching back centuries.

As a Unitary Authority, the Council is responsible for all local government services in the county, including education, social care, roads and bridges, leisure services, tourism and planning. The Council employs around 4100 full time equivalent staff and has a huge impact on the local economy, both by being its largest employer and by spending more than half of its £436 million turnover within the county.

Powys County Council is managed by the County Councillors, and they have overall responsibility for making decisions. As in central government, the Council is led by the Cabinet with Council Officers providing the executive support.

---

<sup>2</sup> Source: 2017 ONS Annual Population Survey © Crown Copyright

<sup>3</sup> Source: ONS 2011 Census of Population © Crown Copyright

<sup>4</sup> Source: ONS 2016 Mid Year Population Estimate © Crown Copyright

<sup>5</sup> Source: Persons aged 3+ 2011 ONS Census of Population © Crown Copyright

## **1.4 Public Rights of Way and Countryside Access in Powys**

A public right of way (PRoW) is a term that refers to a public highway over which the public have a right to pass and repass. In total, the county of Powys has over 9,250 km of public rights of way.

The Countryside and Rights of Way Act 2000 also created areas where there is public access on foot, called Access land. This land includes all registered common land as well as mountain, moor, heath and down. In addition, Natural Resources Wales has dedicated most of the land within its control as Access land. In total there are 150,000 hectares of Access land in Powys.

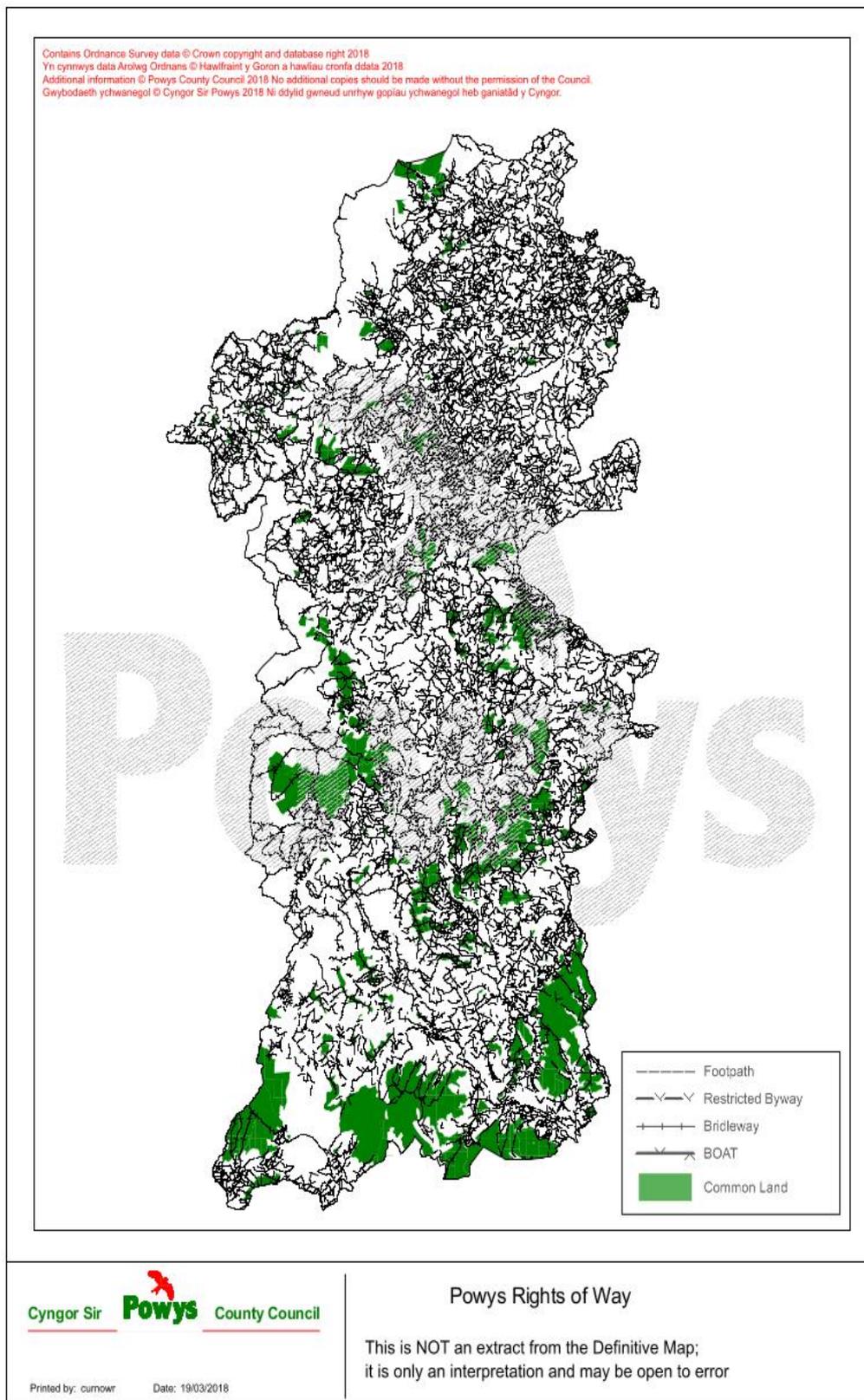
Map 2 shows the distribution of linear and area access in Powys. Included on this map is access provided by organisations outside of Powys County Council, such as the Elan Valley Trust, Wildlife Trusts and others. It must be noted that the data is not comprehensive, due to the difficulties in obtaining and capturing all of the data from various sources.

Public rights of way and Access land are the main means by which people can access the countryside of Powys. The importance of this network to the economy and tourism was more fully realised following the Foot and Mouth outbreak in 2001, when access was temporarily removed. Increasingly, the value of the network for improving people's health and well-being has been recognised in primary legislation; and consequently within the ROWIP.

There are a number of public rights of way in the Brecon Beacons National Park Authority within Powys, and the Council currently delegates responsibility to the National Park Authority to manage the public rights of way within their boundary.

For the purposes of clarity, whilst the delegated responsibility remains in place, this Rights of Way Improvement Plan is for the area of Powys that is outside of the National Park Authority boundary.

## Map 2 Access Map of Powys



## 1.5 The Council's Strategic Priorities and Targets

The key strategic document for the Council is the Cabinet's 2025 Vision. This sets out the vision of the Council, and is designed to create an integrated, strategic transformational plan. There are 4 high level priorities, which are as follows:

1. **The Economy**
2. **Health and Care**
3. **Learning and Skills**
4. **Residents and Communities**

The Rights of Way Improvement Plan will enable Countryside Services to meet the four priorities of the Council as follows:

### **The Economy**

- The PRoW, national and recreational trail networks and green space provide a valuable tourism resource for the county, attracting visitors and their money to the area. This has positive benefits for local businesses.
- The economic opportunities provided by access to the countryside should not be underestimated. For example, it has been estimated that the Wales Coast Path alone accounted for an additional £33.2 million of direct spending in Wales in 2011/12, and a further £32.3 million in 2012/13, and has led to the creation of 28.2 FTE jobs.<sup>6</sup> Although only a short section of the Wales Coast Path is within Powys, it shows the economic benefits of what a trail can achieve.
- Tourism is a very important industry in Wales, and people will spend money when taking part in outdoor recreation. "In total, £5.6 billion was spent during visits to the outdoors for recreation by people living in Wales."<sup>7</sup>
- Within the Activity Tourism sector, walking plays an increasingly significant role. "Walking as an activity generates £562 million of additional demand in the Welsh economy, and around 11,980 person years of employment"<sup>8</sup>

<sup>6</sup> <http://www.walescoastpath.gov.uk/media/1153/wales-coast-path-end-of-project-report-2007-2013.pdf>

<sup>7</sup> Welsh Outdoor Recreation Survey 2016 - Key facts Summary report page 18

<sup>8</sup> Economic Impact of walking and hillwalking in Wales. Cardiff Business School, 2011

- The top activity visitors undertake is walking more than two miles (28%), with around half (48%) visiting Powys to enjoy the landscape and countryside.<sup>9</sup>
- For those giving reasons for visiting Wales in 2016, 56% cited the landscape, countryside or beach as a reason. In Powys, this figure increases to 68%. They were also more likely to mention taking part in outdoor or sporting activities as a reason for visiting at 41%, compared to the Wales average of 25%.<sup>10</sup>
- Peter Midmore's 2000 report into the '*Economic Value of Walking in Wales*' estimates the income from walking in rural Wales at £55 million and concludes that this supports 3,000 jobs.<sup>11</sup>
- The total contribution to economic activity (all outdoor activity tourism) in Wales is £481 million. The data suggests that outdoor activity tourism contributes in the region of £302 million to North Wales, as much as the South East and South West combined. Mid Wales is estimated to receive the lowest share of overall impact, within the region of £91 million.<sup>12</sup> The figure for mid Wales could easily be increased if the condition of the public rights of way network in Powys was to improve.
- Many Powys businesses rely on an open and easy-to-use PROW for their livelihood, or to supplement a farming income. Some examples of this include the many B&Bs associated with the National and Recreational Trails, pony trekking centres, walking holiday companies, mountain bike hire, Adventure centres and equestrian B&Bs.
- The Service also employs a number of contractors to undertake works, and they are in the majority of cases locally sourced.
- Walkers are Welcome status is increasing in settlements across Powys, and this is a recognition of what benefits walking brings to the town's economy.
- In a speech to local authorities in 2005, the WLGA Countryside

<sup>9</sup> Wales Visitor Survey 2013 – Powys Booster, Strategic Marketing

<sup>10</sup> Research Report – Wales Visitor Survey – Powys County Council, Beaufort Research, 2016

<sup>11</sup> Midmore, *The Economic Value of Walking in Rural Wales*, Welsh Institute of Rural Studies, 2000.

<sup>12</sup> The Economic Impact of Outdoor Activity Tourism in Wales (Final Report) Visit Wales March 2014 (page 45).

Spokes-person Powys County Councillor M. Jones stated that ‘*every Rights of Way Officer is worth one million pounds to the Welsh Economy*’. By opening up and improving the PRow network within an area, Officers are improving infrastructure, encouraging business development and helping to improve the wealth of the community in monetary and non-monetary ways.<sup>13</sup>

## Health and Care

- By encouraging more people to be active and to utilise the PRow network and green space, we can help to improve the health and well-being of both the inhabitants of Powys and visitors attracted to the area.
- Physical activity is known to benefit physical and mental health and well-being. It improves mood and reduces stress, increases confidence and stamina and helps people relax and sleep better. In the latest national survey, only 54% of adults in Wales were active for at least 150 minutes per week (i.e. at least 5 x 30 minutes of moderate intensity physical activity per week for adults), with 59% classed as overweight or obese.<sup>14</sup>
- Leisure facilities and accessible outdoor spaces for activity and recreation are an essential component of a modern, vibrant and physically active society.<sup>15</sup>
- The importance of recreational access for health and well-being is widely acknowledged. The 2013/14 annual report of the Chief Medical Officer for Wales draws clear associations between activity and health stating: “It has been estimated that the cost of physical inactivity to Wales is around £650 million per year. Regular physical activity such as walking and cycling has significant benefits for health including lowering the risk of cardiovascular diseases, diabetes, colon and breast cancer, and depression.”<sup>16</sup>
- PRow and other green space is a free resource that is legally available widely across the county. The majority of people living in Powys have access to green space or a public right of way within a few minutes’ walk of their home. However, the current condition of the public rights of way

---

<sup>13</sup> Report to CCW, The Tourism Company, *The Benefits to Business of the National Trails in Wales*, March 2006.

<sup>14</sup> National Survey for Wales 2016/17.

<sup>15</sup> Getting Wales Moving. A Joint Report by Public Health Wales and Sport Wales. 28 March 2017.

<sup>16</sup> <http://gov.wales/docs/dhss/report/140929cmoreporten.pdf>

network is impacting on the ability of residents to improve their health and well-being by accessing the countryside.

- By providing and promoting recreational trails and shorter circular walks, we are offering high quality routes for local people and tourists to utilise.
- Walking in particular, requires in the main little or no specialised equipment.
- Cycling and horse-riding are very good forms of exercise.
- Activities on PRow and other green space provide the opportunity to meet other people which can help individuals feel part of their community, thereby reducing isolation and improving well-being.
- The work of the Countryside Services Volunteer Coordinator provides an opportunity for people to get active and learn new skills, through the practical installation of path furniture and surface clearance. Volunteers can improve their physical health and mental well-being as well as the potential to reduce the onset of rural isolation when meeting new like-minded people.

### **Learning and Skills**

- By providing literature, leaflets, booklets and interpretation boards along routes, Countryside Services is providing learning opportunities for both users and potential users of promoted routes.
- People who access the countryside have the opportunity to learn about the landscape and wildlife around them.
- By providing apprenticeships in managing public access and green space, and how this can contribute to a land-based qualification.
- Provide training and up-skilling opportunities for the volunteer workforce.
- Countryside Services provide important information on PRow, commons and Access land to landholders, forestry and woodland owners, users and developers.

## **Residents and Communities**

- Many Powys businesses rely on an open and easy-to-use PRow for their livelihood, or to supplement a farming income. Some examples of this include the many B&Bs associated with the National and Recreational Trails, pony trekking centres, walking holiday companies, mountain bike hire, Adventure centres and equestrian B&Bs.
- The aim of Countryside Services is for work to be sympathetic to the local environment using sustainable, local products wherever possible. Where there are alternative approaches, Countryside Services will choose the most sustainable.
- The identification and undertaking of practical works by a community group e.g. community council, or constituted cluster group is considered to be important, and has many benefits. As such, and where possible the setting up and assistance to a community group should be a priority for the Service.

### **1.6 Local Well-Being Assessments and Plans**

The Well-Being and Future Generation (Wales) Act 2015 places a duty for the Council to produce well-being assessments and plans, as well as the general duty to carry out sustainable development. There are seven goals as defined in the Act, which are:

- A prosperous Wales
- A resilient Wales
- A healthier Wales
- A more equal Wales
- A Wales of cohesive communities
- A Wales of vibrant and thriving Welsh language
- A globally responsible Wales

The well-being plan and assessment underpins the Public Service Board's 2040 vision which provides strategic direction to the statutory partners, being the County Council, Natural Resources Wales, Powys Teaching Health Board and the Mid & West Wales Fire and Rescue Service.

The Public Service Board's local objectives within the 2040 vision are:

- 1. People in Powys will experience a stable and thriving economy.**
- 2. People in Powys will enjoy a sustainable and productive environment.**
- 3. People in Powys will be healthy, socially motivated and responsible.**
- 4. People in Powys will be connected to resilient communities and a vibrant culture.**

Much like the Cabinet's 2025 vision, the Rights of Way Improvement Plan cuts across all of the Public Service Board's objectives, with specific reference to adventure tourism (walking holidays and active recreational activity) and rights of way offering safe circular walks and cycle routes for all to enjoy.

Further details of the seven goals are provided in the impact assessment for the ROWIP.

## **1.7 Active Travel**

Public rights of way, being minor public highways have a part to play in contributing to active travel, under the Active Travel (Wales) Act 2013. The Act requires local authorities in Wales to produce active travel maps and deliver year on year improvements in active travel routes and facilities for both walking and cycling. As a result, there should be a strong relationship with active travel planners to identify local public rights of way that can play a part in providing safe and appropriate active travel routes.

Although active travel within the urban areas of key settlements may well be a priority, public rights of way within a 45 minutes travel distance of each key settlement also have a part to play to improve provision for active travel.

The Existing and Integrated Network Maps for Active Travel have been developed through comprehensive stakeholder engagement, and reflect the routes and developments Powys residents/stakeholders asked for.

In Powys, there are 11 designated Active Travel key settlements. These are:-

- Brecon
- Builth Wells
- Crickhowell
- Knighton
- Llandrindod Wells
- Llanidloes
- Machynlleth
- Newtown
- Presteigne
- Welshpool
- Ystradgynlais

The Council, in conjunction with Welsh Government has a rolling programme of improvements in Active Travel Infrastructure, through a series of Grants (Safe Routes in Communities and Local Transport Fund). Significant investment has been implemented in Ystradgynlais, Newtown, Llandrindod Wells, Presteigne and Llanfyllin; with further work anticipated for Newtown in 2018-19.

This infrastructure provides additional network that complements and connects to existing public rights of way.

Powys is also at the heart of the National Cycle Network (NCN), with 276 miles of completed network running throughout the county. The NCN is managed by Sustrans on behalf of Welsh Government. Where possible, the network uses traffic free or quiet lanes away from busier sections of county or trunk roads. Within Powys there are 46 miles of traffic free network offering families and novice cyclists a safe place to ride.

Some of the most popular cycle routes and trails within the county include sections of Lon Las Cymru (National Cycle Route 8) that runs between North and South Wales, Lon Cambria (National Cycle Route 81) from Aberystwyth to Shrewsbury and the Radnor Ring (National Cycle Route 825) which follows a circuit in the heart of Powys. Key sections of the traffic free network include the Elan Valley Trail, the Montgomery Canal towpath, Newtown Riverside and the old railway path between Ystradgynlais and Coelbren.

The existence of sections of the national network is widely believed to contribute to an increase in utility cycling and walking trips within local authority areas (not just for leisure) and plays an important economic role in attracting visitors to the area. The NCN is therefore included in active travel for the purposes of improving walking and cycling provision.

## 1.8 Area Statements

The Environment (Wales) Act 2016 looks to plan and manage Wales’ resources by producing “Area Statements”. They will specify priorities, risks and opportunities for the area in order to best manage the natural resources in the area and take a “place based approach”. As such, consideration should be given to contribute to the provision of public access and recreation within the area concerned.

There are seven area statements in Wales, and the mid-Wales Area Statement covers the counties of Powys and Ceredigion. Future NRW funding is likely to focus on objectives under the WB&FG Act 2015 as well as work that aligns itself with the priorities and objectives of the respective “Area Statement” as defined within the Environment (Wales) Act 2016.

### **Statements of Action**

Take all reasonable steps to improve access for all.

Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.

Work in partnership with neighbouring local authorities. Consider and participate in cross-border initiatives, where benefits exceed investment.

## 1.9 Strategic Context

The Rights of Way Improvement Plan does not stand-alone but sits alongside other strategies and plans at a local, regional and national level. Out of the many documents that exist, the key strategies which have been identified as being of particular importance and relevance are:

The following table draws out the key linkages between these documents and the Rights of Way Improvement Plan.

<b>Strategy</b>	<b>Relevant Policy or Theme</b>	<b>Link to ROWIP Themes</b>
Public Service Board 2040 Vision.	<ol style="list-style-type: none"> <li>1. People in Powys will experience a stable and thriving economy.</li> <li>2. People in Powys will enjoy a sustainable and productive environment.</li> <li>3. People in Powys will be healthy, socially motivated and responsible.</li> <li>4. People in Powys will be connected to resilient communities and a vibrant culture.</li> </ol>	The ROWIP themes contribute to all four of the priorities.
Cabinet Vision 2025	<ol style="list-style-type: none"> <li>1. The Economy.</li> <li>2. Health and Care.</li> <li>3. Learning and Skills.</li> <li>4. Residents and Communities.</li> </ol>	The ROWIP themes contribute to all four of the priorities.
WG Taking Wales Forward 2016-21	How Welsh Government will deliver more and better jobs through a stronger, fairer economy, improve and reform our public services, and build a united, connected and sustainable Wales.	Theme B and D.
WG Creating an Active Wales.	Develop and maintain a physical environment that makes it easier and safer for people to choose to be more physically active.	Themes A, B, C and D.
Public Health Wales and Sport Wales – Getting Wales Moving.	All communities in Wales have access to quality facilities and spaces for people to come together to be active.	Theme A, B.
Powys Local Development Plan	Promotion of businesses linked to countryside. Protection of PRoW, village greens and common land in planning system.	Theme A, B.
Regional Transport Plan and Active Travel Plans	Resourcing the ROWIP; Walking and Cycling development; National Cycle Network (NCN)	Theme A.
Powys Nature Recovery Action Plan	Lists key species and habitats in Powys.	Theme B.

Health and Care Strategy	Physical and mental well-being goals can be aided by the ROWIP and there is a clear link between the objectives of the Public Service Board as well as the Regional Partnership Board.	Themes A, B, C and D.
Regeneration Strategy for Powys Action Plan 2014 - 2017	Improve the physical and social infrastructure in communities.	Theme A, B, C and D.

Table 1 Strategic Context – Links with Local, National and Regional Plans and Strategies

It is not easy to demonstrate how the various strategies and visions sit alongside each other, so the Council has prepared a diagram to show how the various Acts and strategic plans fit together.

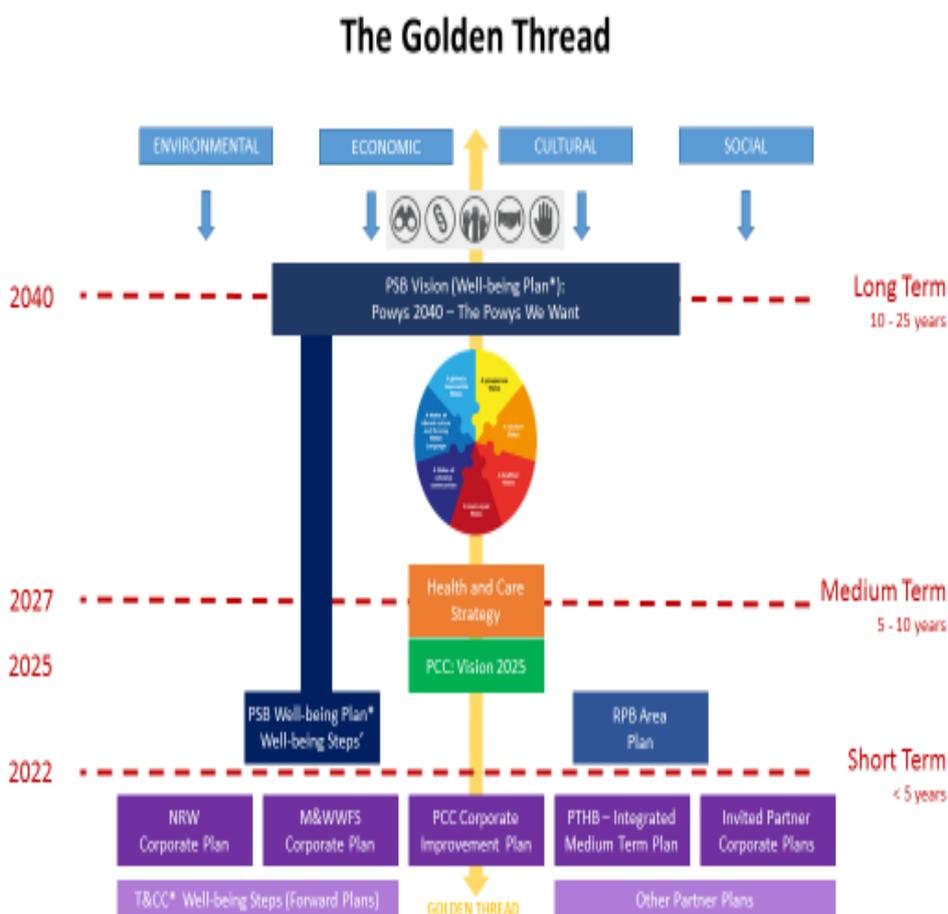


Table 2 The Golden Thread of Strategies

## **1.10 ROWIP Themes**

Four main themes have been identified during the ROWIP process. These themes have been identified as being key to delivering our vision for access to the Powys countryside. They are:

### **Themes**

- A Public Rights of Way and Open Air Recreation**
- B Management and Enforcement of Public Rights of Way and Green Spaces**
- C Definitive Map and Statement**
- D Publicity and Promotion**

Under these priorities sits the Statement of Actions that will be the key goals supporting each of the themes and the Delivery Plan.

These themes and Statement of Actions address the major issues arising from the public consultation and assessments and provide the backbone to the ROWIP, the Delivery Plan and the improvements planned for Countryside Services over the next 10 years.

# Section 2 Assessing the Needs of Users

## 2.1 Introduction

As part of the review of the ROWIP, a survey was undertaken with the public, landholders, user groups, and Town and Community Councils. The aim was to assess the existing and potential demands and opportunities for the public rights of way network, as well as to evaluate the effectiveness of the 2007-2017 Plan.

Alongside the public consultation, workshops and seminars were held with the Local Access Forum, and Stakeholder Working Group who have been kept informed and involved throughout the ROWIP process. Focus group meetings were also held with Countryside Services Officers and managers, as well as disability groups.

The information from the public consultation, focus groups, workshops, seminars and meetings with other organisations has been gathered to allow analysis of the needs and demands of all current and potential users of countryside access.

## 2.2 Survey Responses

The table below breaks down to whom the individual surveys were sent and number of responses received.

Table 7 ROWIP Consultation Surveys

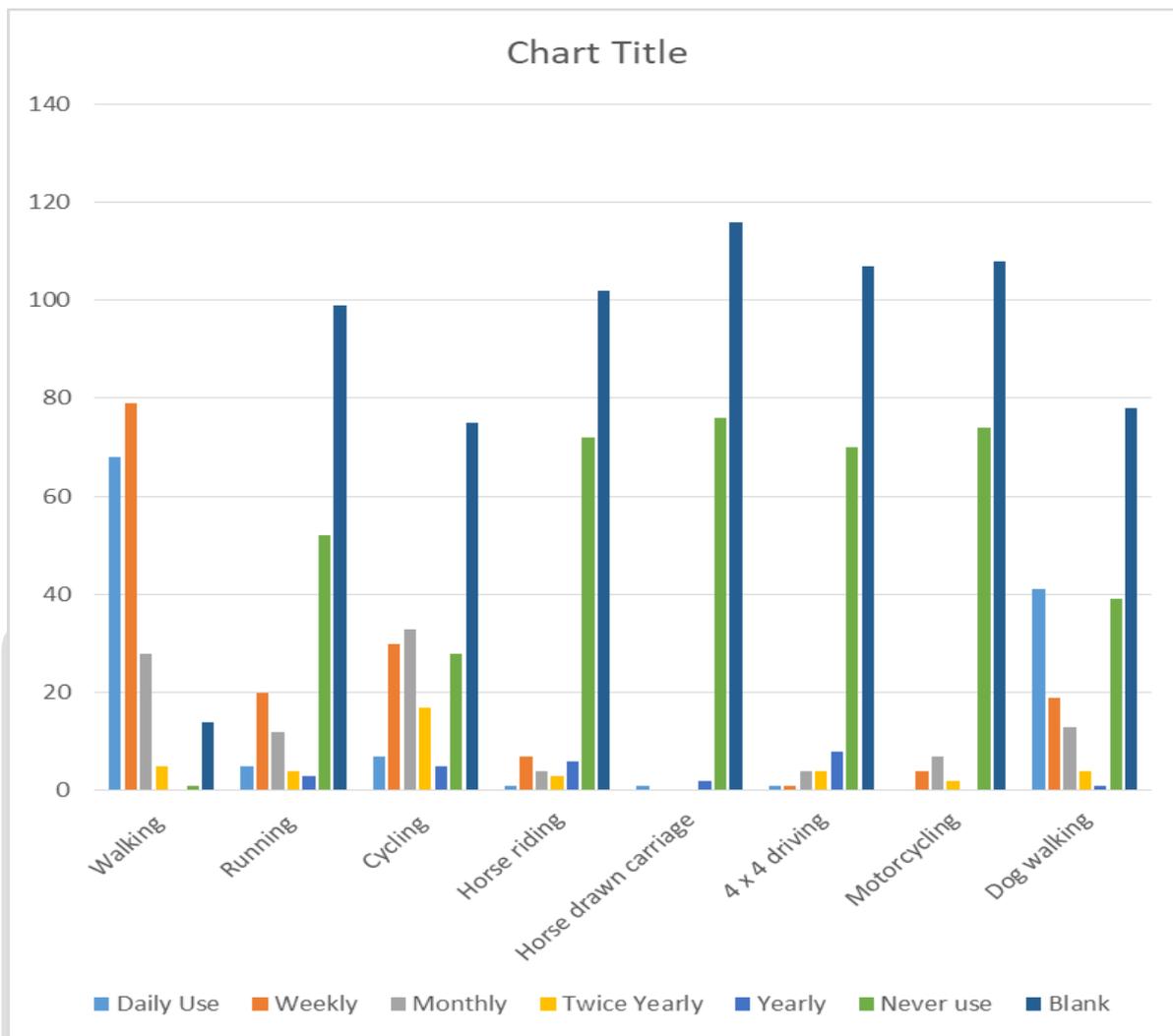
Survey Type	Who was it sent to?	How many responses were received in 2017	How many responses were received in 2007
General	Powys Citizens Panel, all statutory consultees, Stakeholder Working Group, Local Access Forum members, County Councillors, Website and advertised in local media through press releases and Moovly.	289	1072
Landholders	Publicised through	71	266

	Country Land & Business Association, Farmers Union of Wales and the National Farmers Union		
Town and Community Councils	All 110 councils outside the Brecon Beacons National Park	15	44

The response to all the surveys was not as encouraging as in 2007, but this is perhaps because the ROWIP was first produced in 2007 and not necessarily because interest has diminished. The comprehensive information received from our customers (the public) has been utilised to inform the development of the Rights of Way Improvement Plan and will subsequently do so for the Delivery Plan.

### **2.3 User Group Assessments**

There are many groups and individuals who use the PRow network to varying extents. The graph below shows a breakdown from the General Survey, outlining the participation in activities undertaken on the PRow network.



The largest user group are walkers. More people walk on the network than all the other activities put together and on a more frequent and regular basis. Dog walking is the second most popular activity, followed by cycling.

The ROWIP needs to address the needs and issues of different users. The major user groups have been identified and examined below. Actions relating to each activity are outlined at the end of each section.

## 2.4 Walkers and Dog-Walkers

Walkers and dog-walkers have a legal right of access to 100% of the PRoW and Recreational Trails network, and the majority of Access land.

The results of the General Survey show us that walking was the most popular activity undertaken on the network, with 36% of those who responded stated that they did so on a daily basis and 44% on a weekly basis. Of these

respondents, 66% use the network to walk their dogs on a daily basis. Demand for access on foot is already high and expected to grow in the future.

Although walkers and dog-walkers legally have access to the whole network, there are particular issues. *Standard stiles are obstacles to access* for many people with mobility difficulties and those with dogs. All the surveys showed that the PRow network is better suited for walkers and dog walkers than for any other user group.

One of the main findings from the consultation was the desire for *local, circular routes around settlements*. 88% of respondents wanted to see more circular routes opened up, an increase from 79% in 2007. In general, walkers and dog walkers want better provision in their local areas, as opposed to new long distance routes. Since 2007 the Service has directed resources towards providing better provision for short circular walks around settlements, and this could be a direct result of that increased provision.

Following the 2007 ROWIP consultation a ‘least restrictive’ access practice was adopted. This practice promotes a least restrictive approach, with gap, gate, and standard stile being the descending order of furniture choice. This approach aims to improve access for more people, whether that is individuals, dog walkers, families with pushchairs or people with mobility difficulties.

The recent ROWIP consultation highlighted again that improvements in terms of improved access for all is still a priority. Therefore, the ‘least restrictive’ approach will be continued and embedded throughout the work of Countryside Services. Resources are an issue and the continuing practice of offering grants for undertaking landholders responsibilities such as installing gates will have to be reviewed.

Although not a direct question within the survey, dog fouling is a persistent problem. It is an offence to let your dog foul in designated land under the Dog (Fouling of Land) Act 1996. Such designated land includes, all publicly owned land in towns and villages and footpaths and bridleways where “No Fouling” signs are displayed.

The Service will therefore work with local communities and internal and external partners to help manage and reduce dog fouling offences.

## **Statement of Actions**

Implement 'least restrictive' access practices.

Work with internal and external partners to improve countryside access in Powys.

## **2.5 Cyclists**

Cycling both on and off road is a popular activity in Powys, with a wide range of routes available for users. Cyclists have a right of access to 36% of the PRow network, and are the second most regular and frequent user on the network. Powys also has a number of urban cycle paths, active travel networks and other routes and trails that are suitable for everyone, whatever their age or cycling ability. These routes may or may not be on recognised PRow. There are off-road mountain biking trails in the Llanwrtyd Wells and Machynlleth areas. Powys' Recreational Trail, the Epynt Way, is fully open to cyclists. The NRW woodland estate is also a valuable resource, with many forests allowing access for horse riders and cyclists along the forest tracks.

Powys is at the heart of the National Cycle Network with 129 miles of completed network running through the county and a further 115 miles due for future completion. Where possible, the network uses traffic free or quiet lanes away from busier sections of county or trunk roads. Some of the most popular cycle routes and trails include sections of the National and Regional cycle network running through Powys – Lon Las Cymru NCR 8, Lon Cambria Route 81 from Aberystwyth to Shrewsbury and the Radnor Ring Regional cycle route 25.



Of the general survey respondents, 17% cycle on the PRoW network at least once a month. The issues raised by cyclists during the consultation were in line with other users, with *signage*, *obstructions* and *furniture* all being important.

As a result of the ROWIP consultations, from 2007 and 2017, it is proposed that a higher priority be given to byways open to all traffic, restricted byways and bridleways within a community, therefore improving access for cyclists and a wider range of users.

<p><b>Statement of Actions</b></p> <p>Implement ‘least restrictive’ access practices.</p> <p>Work with internal and external partners to improve countryside access in Powys.</p>
---

## 2.6 Horse-Riders

The county of Powys has a dense network of bridleways offering good opportunities for access on horseback. Riding provides an excellent opportunity for access to the countryside by people with mobility and sensory difficulties. Horse riders in Powys have the right to use 36% of the PRoW network (excluding BBNP). The distribution of access for horse-riders is highlighted on the map below.



Although the network available to horse riders is less than that available to walkers, the percentage of their network open and easy to use is far higher. Analysis of the 2017 of Best Value Performance Indicator (BVPI) data shows that 53% of the bridleway network is open and easy to use, compared to only 38% of the entire network.

As well as the general PRow network, parts of the Recreational Trails network provides access on horseback. The Epynt Way in Breconshire developed in partnership bwith the MoD and PCC, is a circular bridleway entirely open to horse riders and cyclists. Parts of other Recreational and National Trails within Powys are also open to horses, such as lengths of the Glyndŵr's Way. The NRW woodland estate is also a valuable resource, with many forests allowing access for horse riders and cyclists along the forest tracks.

Countryside Services aim to work in partnership with the BHS and others, to improve access, where this can be accommodated within the priority system for managing PRow access across Powys.

The results of the General Survey showed that 5% of the respondents ride horses on the PRow network at least once a month.

The survey results highlighted the issues horse riders have with the network; these are similar to those from other users, with *signage* and *obstructions* being significant considerations. However, they also highlight the specific issue of the difficulties in using road verges, due to the clutter of signs and notices. The provision of *high quality furniture*, especially *gates that are easy to open and close*, is also very important.

Consideration should also be given to the BHS field trials for self-closing gates, and the problems encountered with some new gate installations. The recommendation was to install two way opening gates as well as having long reach handles to reduce the amount of times a rider needs to dismount to open a gate.

### **Statement of Actions**

Ensure high quality gates and installation to allow easy access for horse riders.

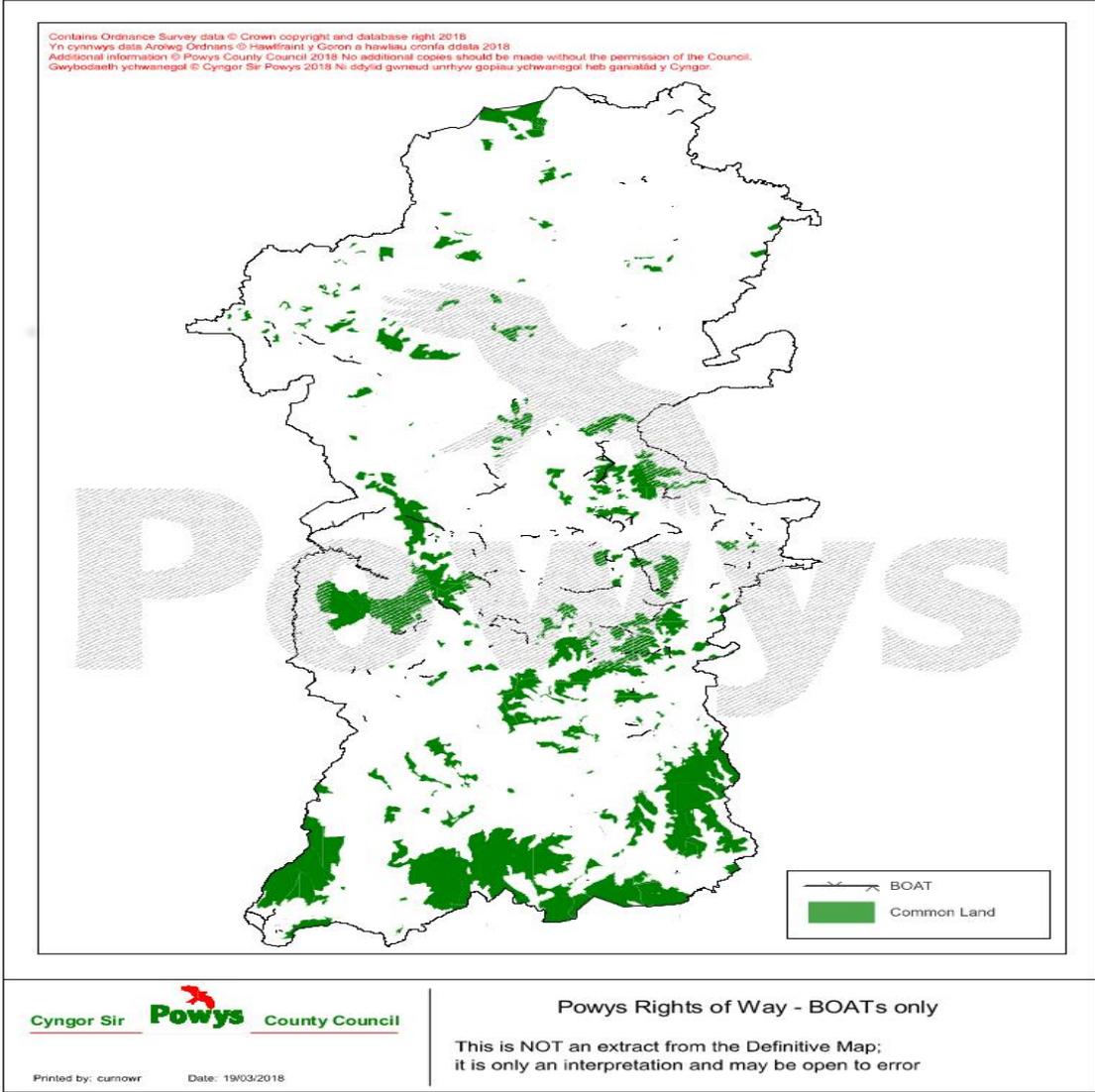
Implement 'least restrictive' access practices.

Work with internal and external partners to improve countryside access in Powys.

## 2.7 Motorised Vehicles

Mechanically propelled vehicles (MPV’s) can include any vehicle powered by a motor, such as a 4x4, off-road truck, car or motorcycle. Powys is a popular area for motorised access, currently vehicles can legally access 216km of PRow in Powys (including BBNP), which equates to 2% of the network.

Map 8 – Public Rights of Way available for Motor Vehicles



The results of the General Survey show that less than 1% of the respondent’s use MPV’s on the PRow network. Throughout the ROWIP consultation processes, the response from MPV users, both from groups and individuals, has been on a very small scale.

Motorised access can be controversial. The main problem cited by landholders and other users is the harm caused by inappropriate use of MPV's on un-surfaced routes, leading to severe ruts and surface damage. Whilst the use of MPV's on BOATs is entirely lawful, it can lead to conflict. Motorised access can damage flora and fauna and its activity and management does have visible implications on the landscape. There are also reported cases of conflict between users and landholders, and between vehicular and other types of users.

The problem facing Powys County Council is the scale and technical difficulties in the management and maintenance of the byway network. Resources are currently insufficient to quickly repair byways that have been damaged by vehicle use and water erosion, and in some cases Traffic Regulation Orders have been used, to allow the surface time to recover. PCC is working with user groups to identify, prioritise and carry out byway repair work. Consideration of the sustainability of the surface must and does form part of any assessment, with the long-term management of vehicular routes, including surface condition, level of use and seasonal conditions all being looked at. The new Environment (Wales) Act 2016 Act also places a duty on PCC to consider the impact on biodiversity as well as sustainability under the Well-Being and Future Generation Act 2015.

The challenge is to provide quality access for MPV's, which does not impact on the natural environment that the users have come to enjoy. The importance and benefits of motorised access must not be overlooked. There are economic benefits, with people travelling and staying in Powys to use our byway network. MPV's can also provide access to the Powys countryside for people with mobility difficulties.

There are issues surrounding illegal motorised access in Powys. Illegal activity ranges from local motorcyclists to organised groups of 4x4s, driving and riding on commons, Access land, lower status PRoW and private property. Illegal riding and driving is primarily a matter for the police as criminal offences; although PCC are being pro-active about the situation by signing areas where there is a known problem and having a reporting mechanism on the Council's website.

Countryside Services will continue to be pro-active in their approach to motorised access and aims to work with user groups on a local and national level to address problems and develop work programmes. The main way to do this is through the existing Powys Byways User Group. Collaborative working with user groups, Dyfed Powys Police, Natural Resources Wales, landowners and neighbouring authorities will be key in this area. Emphasis

will be placed on educating people on the situation, including better information on site and in providing clearer details of when routes are subject to temporary closure.

**Statement of Actions**

Seek resources to manage and maintain the byway open to all traffic network.

Work with internal and external partners to improve countryside access in Powys.

Work with stakeholders to improve provision, education and enforcement with regards to legal and illegal motorised access.

DRAFT

## **2.8 Assessing the needs of people with mobility and sensory impairments**

The Welsh Government's advice on producing a ROWIP highlights that it is a requirement to make an assessment on the accessibility of local public rights of way to blind or partially sighted people and others with mobility problems.

## **2.9 Context**

The term 'equality' can mean different things to different people, so for clarity, when using this term, the Council will work to the definition provided by the Equalities Review (in line with common practice):

*“An equal society protects and promotes equal, real freedom and opportunity to live in the way people value and would choose, so that everyone can flourish. An equal society recognises people's different needs, situations and goals, and removes the barriers that limit what people can do and be.”*

There are an estimated 11 million disabled adults in the United Kingdom, which equates to about 1 in 5 of the total adult population. They include people with physical and mobility impairments, mental disabilities including depression and stress related conditions such as anxiety, learning difficulties including dyslexia, people with visual and hearing impairments, and people with terminal and long-term illnesses including Cancer, HIV and Multiple Sclerosis.

There is a lot to consider when looking at public access and at how it may affect different groups of people in different ways. A barrier on a PRow may be a problem for one disabled person but not for another. Consideration must also be given to the friends and family and how different access opportunities impact on them.

The Equalities Act 2010 places a general duty upon all public bodies to promote equality in everything that it does as an organisation, and the Well-Being and Future Generation Act 2015 clearly plays a part as well.

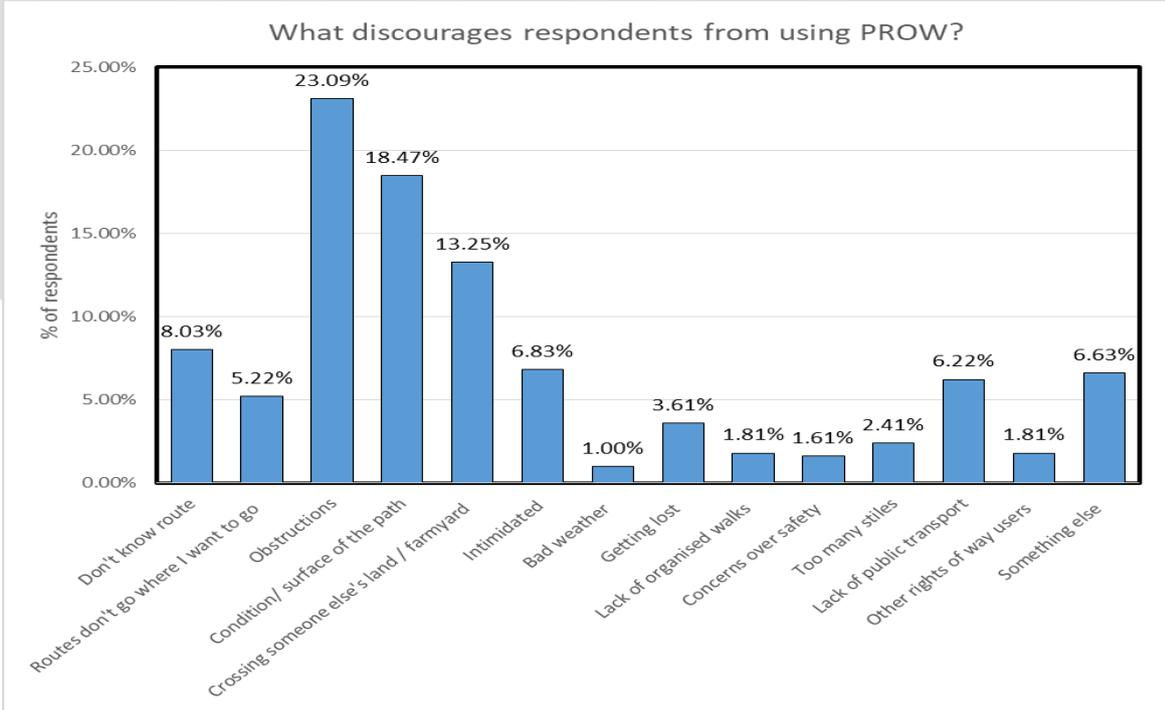
The Powys County Council Strategic Equality Plan 2016-2020 states that the aim of the Council is:

*“To improve our services and employment practices to meet the different needs of our citizens and employees and contribute towards improving the life outcomes for those who experience disadvantage”.*

The plan is for everyone who lives, works, visits, or has an interest in Powys including businesses and organisations. Access to the countryside and other public spaces are no exception to this commitment, and the ROWIP will lay out how the Council will work to achieve this aim.

### 2.10 Assessment

As part of the consultation process, views were sought from people with mobility and sight impairments. The general survey showed that 19% of respondents fit into these categories. This is in line with the national figures from the Disability Rights Commission, which states that around 1 in 5 people have a disability. All surveys were available in large print format by request.



The graph above shows results from the General Survey. The graph shows that obstructions (legal and illegal) are what discourages users most from using PROW, closely followed by the condition of the surface. The issue that people would most like to see improved on the PROW network is for the *furniture and path surfaces to be made more accessible*. 47% of the respondents who classed themselves as having a disability (temporary or

permanent) said they would use the PRow network more if there were *more routes available that were accessible for all*.

The ROWIP consultation highlighted the concerns that people have over access to the PRow network by people with disabilities. Out of all the different user groups; walkers, horse-riders, cyclists, motorcyclists etc.; the PRow network was rated as providing the worst service for people with mobility impairments. This theme came back strongly throughout the consultation and across the different surveys.

Meetings and discussions have been held with local disability groups including Disability Powys, the Physical Loss and Sensory Group, the Brecknock and Montgomery Access Groups, Mothers and Toddlers Groups and with appropriate Council Officers where their remit includes Equalities, Welsh Language and Sustainability.

## **2.11 Outcomes**

The meetings and results of the consultation have reinforced the continuation of a 'least restrictive' working practice, which operates under the presumption of *gap-gate-stile*. This practice has been in operation for a number of years by the Countryside Services team and results are already visible. In 2006-07, 67% of all furniture installed on paths were gates, and 33% were stiles. In 2016-17, 97% of furniture installed were gates, compared to 3% of stiles. This shows the success of the 'least restrictive' approach.

One of the actions of the ROWIP, prioritises the higher status paths for attention first within a Priority Project Area to develop a cohesive network for multiple types of users. As higher status paths will only have gates not stiles along them, this will help to improve accessibility for disabled users who may walk, ride, cycle, horse-ride or drive on the PRow network.

## 2.12 ‘Least Restrictive’ Working Practices

Wherever the occasion arises to replace, repair or install items of path furniture, the opportunity will always be taken to negotiate the least restrictive option. The first option to be considered will be a gap, down through the range of gates, kissing gates and any other suitable structure. This is called the “Least Restrictive Principle”.

Landholder grants will also not be issued for the installation of stiles. A stile will only be supplied when it is a legal entitlement for a landholder to have a stile, and so the Council can also meet its own statutory obligations.

Bridges and culverts will have a minimum width of 1.2 metres wherever it is reasonably practicable, and ramps will be considered rather than steps. Where diversions of PRow take place, or application is made for consent for a new structure under s.147 Highways Act 1980, there will be a presumption against stiles. Stiles are also not to be installed alongside gates, although a smaller gate may be provided next to a larger field gate within the width of the public highway.

In other circumstances e.g. surfacing standards, the “least restrictive principle” will be assessed on a case by case basis by the relevant Countryside Services Officer taking into account the:

1. Path status.
2. Definitive map and statement.
3. Historical furniture on site.
4. Topography.
5. Nature of farming and land use.
6. Local circumstances.
7. Legal entitlement of the landholder.

### **Statement of Actions**

Implement ‘least restrictive’ access practices.

Replace stiles with gates wherever possible.

Identify and improve routes that are most likely to be accessed by people with mobility and sensory difficulties.

All information produced by Countryside Services will aim to be available, appropriate, accurate and accessible.

Work with internal and external partners to provide improved access for all.

Review current landholder grant policy.

## 2.13 User Needs Assessment Conclusions

Public consultation has presented an opportunity to critically evaluate current practices with respect to meeting public demands.

Consultation has thrown up few findings that were wholly unexpected or surprising but has highlighted and focussed existing trains of thought. There is the danger when running a consultation exercise that different surveys might yield contrasting results, however this has not generally occurred. The surveys have come back with remarkably similar trends and viewpoints. The extensive public consultation exercise has provided for an in-depth look at the issues surrounding countryside access and allowed central themes to be drawn out. These are:

- *The extent to which local rights of way meet the present and future likely needs of the public.*

The three main surveys all addressed the suitability of the current rights of way network for all users. The message came back clearly that the network provides average to good for walkers and dog walkers. At the other end of the scale the results show that provision is worst for people with mobility and sensory difficulties, and also for families with a push chair and young children. This is an area where future work can be pursued.

The survey response was that anomalies should be resolved and be a priority rather than recording new ones. This highlights that there are connectivity issues, although the provision of a new public right of way can also do this.

- *The opportunities provided by local rights of way for exercise and other forms of open-air recreation, and the enjoyment of their area.*

The General Survey has shown that 89% of the 289 respondents consider themselves to be users of PRoW. Powys has a huge path network of approximately 8200km, which provides many opportunities for exercise and open-air recreation. PRoWs provide the most comprehensive means of accessing the countryside in Powys. This is further supported by extensive

areas of Access land, public woodland, commons and public owned green space for visiting the countryside.

When asked about their most recent visit to the outdoors, 47% of adults in Wales had travelled less than a mile from home, with 30% of visits being to a local park. This suggests that access to ‘doorstep opportunities’ is an important factor for engagement in outdoor recreation for many people.<sup>17</sup>

The Powys PRoW network and open recreation is analysed in more detail in Section 2 - This fully explores the opportunities and access available for all users.

- *The accessibility of rights of way to blind or partially sighted persons and others with mobility problems.*

The accessibility of the PRoW network for people of all mobilities was explored in the public consultation, for which 25 classified themselves as having restricted mobility.

One of these residents stated that they didn’t use the network and didn’t want to whilst three people stated that they only used the network sometimes. However, the remaining 21 classed themselves as regular users of the network. In terms of their use the majority of those with a condition were walkers (with or without dogs) and a couple said they ran or rode a motorbike occasionally.

There were no real differences in the views given by this group in comparison to the rest of the sample with regard to any problems encountered. The top four listed by these respondents were the same as the wider sample and were around poor way marking, the condition of the paths, obstructions and stiles and gates being in a poor state or inappropriate for use.

For the majority of the 25 respondents who stated they had a condition that impacted on their health they tended to walk and drive to the start of a public right of way which was similar to those without any condition. However, there was clearly more reliance on getting a bus or a lift for these respondents than other users without a health condition. 16% of residents with a health condition said they got a bus compared to 12% of respondents minus a health complaint, 20% got a lift compared to 11%, and 68% walked compared to 85% of those without a health condition.

---

<sup>17</sup> Welsh Outdoor Survey 2016-17 \_ Keys Facts and Findings

All the survey results recognised that the current network provides least for people with mobility and sensory difficulties; meetings held with local disabled people and Disability Powys have further confirmed this.

## 2.14 Strategic Findings

The consultation has assisted with the development of a number of clear strategic findings that are now contained within the ROWIP. These findings are outlined below:

- The main aim of Countryside Services will be the continued and measured opening up of the existing public rights of way network, but still with an importance placed on maintaining the paths already opened.
- Improve signage and waymarking of paths already open in collaboration with partners.
- Obstructions are a major barrier to people using the public rights of way network, and they need to be removed as a matter of priority.
- Higher emphasis will be placed on the development of local, circular routes around settlements rather than long distance routes.
- Development and implementation of a “Higher Tiered Approach” to work more with community councils and groups. Working in this way, is likely to mean that public rights of way in more remote areas are less likely to receive resources.
- There is demand for more and better information, both on and off-route. The website will also be used more effectively to communicate and to deliver information.
- The network needs to improve its provision for people with mobility and sensory difficulties. Therefore, under the “least restrictive principle” an application or request for a stile under s.147 Highways Act 1980 in an existing gap or new boundary will have a presumption for gates rather than stiles.
- Continue to invest in the existing promoted Recreational and National Trails, as well as to open and maintain other public rights of way.

## Section 3 - Theme A: Public Rights of Way and Open Air Recreation

### 3.1 The Public Rights of Way Network

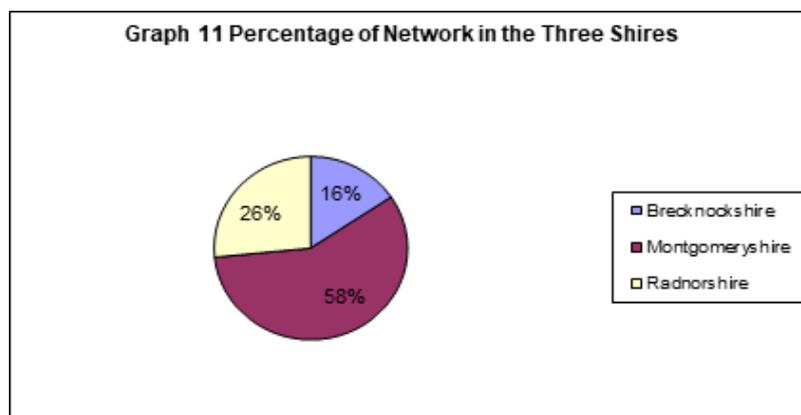
The county of Powys has just under 9,300 km of public rights of way. When you exclude the paths that fall under the jurisdiction of Brecon Beacons National Park, Powys County Council is responsible for 8,200 km of PRow. To put this figure into perspective, this is further than the distance across the Atlantic Ocean and back!

Table 32 Public Rights of Way in Powys (km)

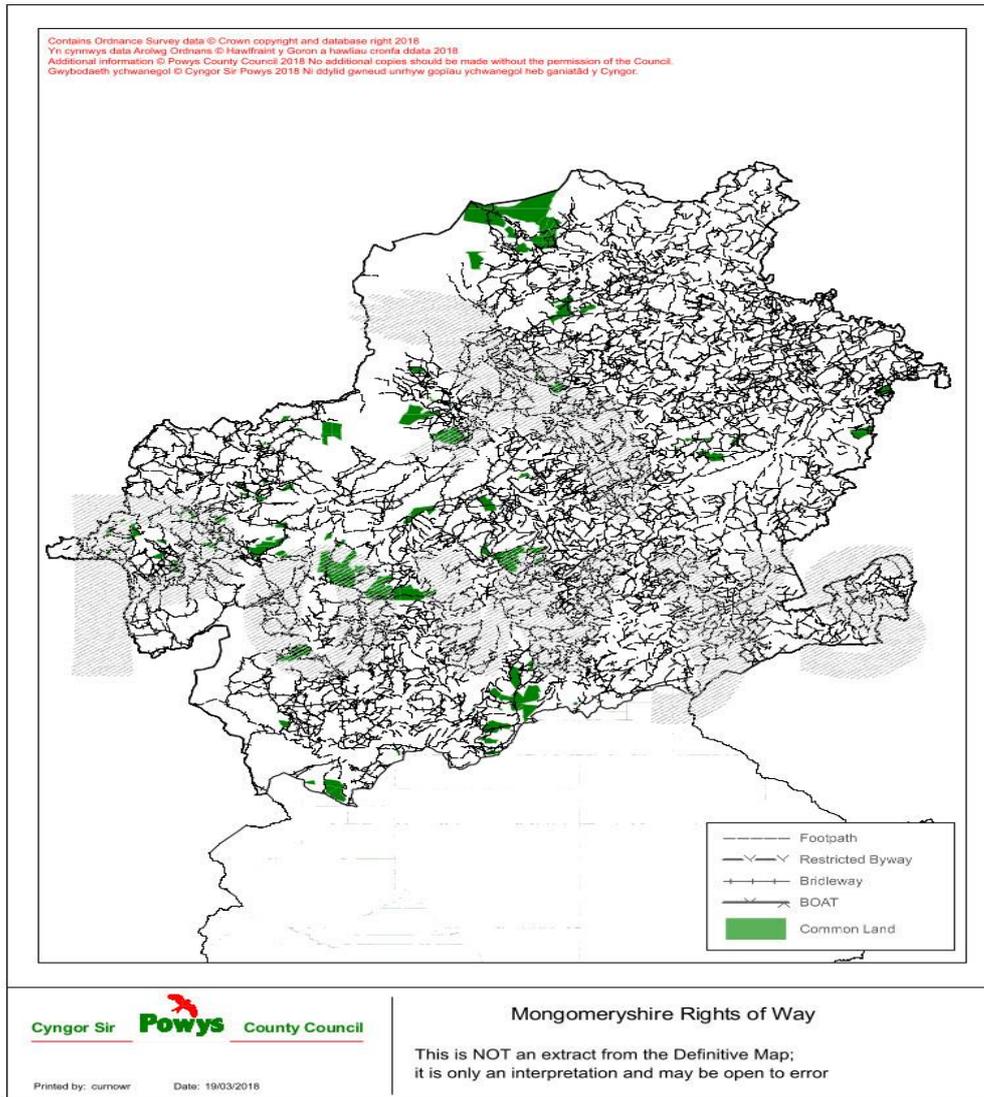
Path Status	Brecknockshire (excl. BBNPA)	Montgomeryshire	Radnorshire	Total PCC	BBNPA	Total in Powys
Footpath	553.6	3,524.7	1200.9	5279.2	677.2	5,956.4
Bridleway	612.8	926.5	809.6	2,348.9	262.9	2,611.8
Byway Open to All Traffic	37.8	23.2	153.4	214.4	1.7	216.1
Restricted Byway	74.2	283.9	0	358.1	152.9	511.0
<b>Total</b>	<b>1,278.4</b>	<b>4,758.3</b>	<b>2,163.9</b>	<b>8,200.6</b>	<b>1094.7</b>	<b>9,295.3</b>

(These figures are liable to change due to the current work on modifying and consolidating the Definitive Map and Statement.)

The spread of the network is not uniform across the county, with more than half of the network occurring in the old county of Montgomeryshire.

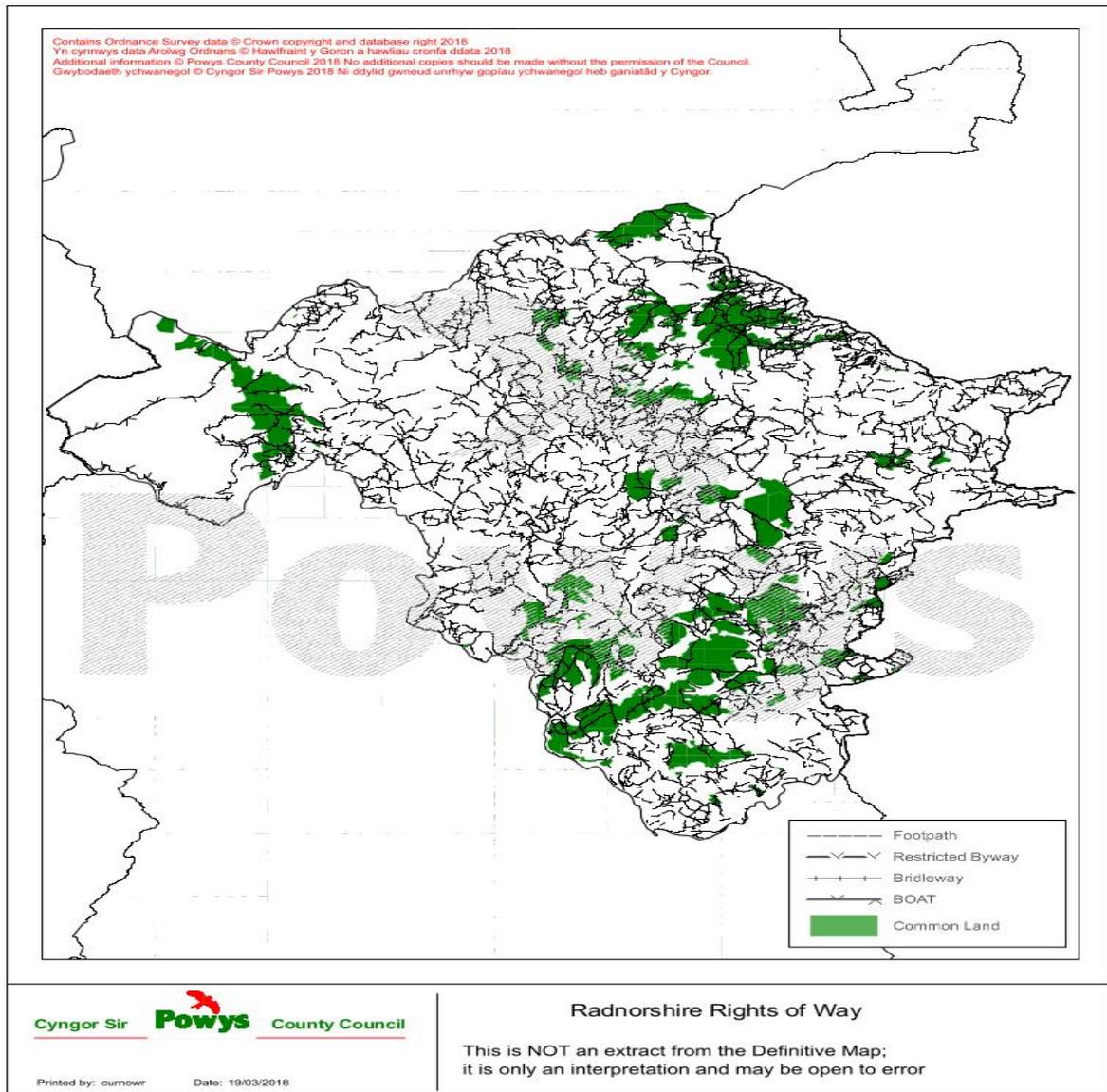


### Map 3 Access Map for Montgomeryshire



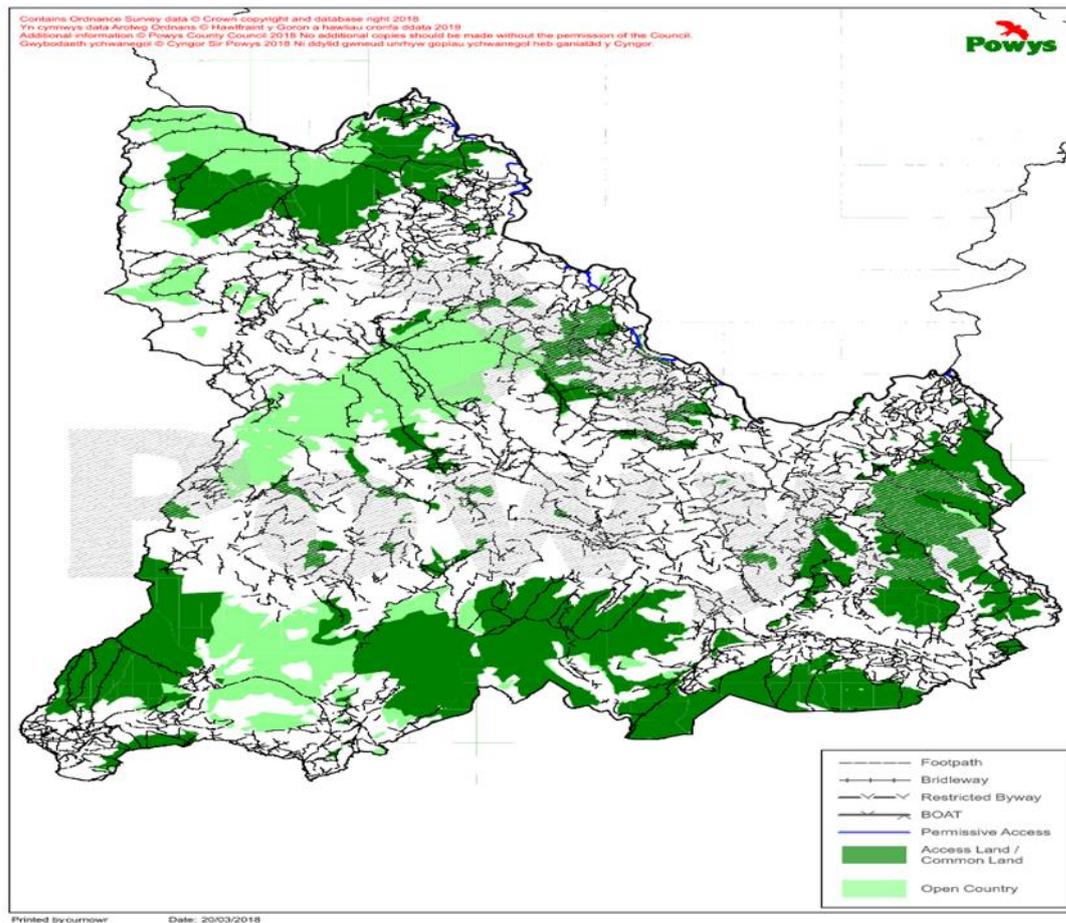
Map 3 above displays the distribution of access across Montgomeryshire. The map clearly highlights the very dense network running across the eastern side of the Shire with a less dense network on the western edge. The gaps in the PRow network interestingly correspond with the areas of Access land shown in orange, leading to a thorough spread of access for walking across the Shire.

Map 4 Access Map for Radnorshire



Proportionally, Radnorshire has a higher percentage of bridleways and byways than Montgomeryshire, allowing a greater range of access. The distribution of paths across the Shire is pretty even, with any gaps in the network again being compensated for by large areas of Access land for walking.

## Map 5 Access Map for Brecknockshire

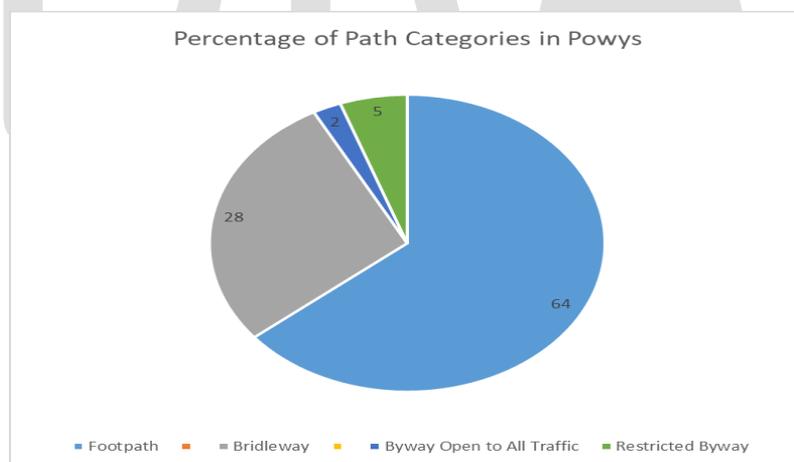


Brecknockshire has a more uneven distribution of paths with large areas of limited linear access. However, as shown in orange on Map 5, these too generally correspond with significant areas of Access land with provision for access on foot. There is exceptional provision of Access land, but this is limited to walkers.

Table 4 Percentage of Network Broken Down by Path Status

Path Status	Legal Users	Total in Powys (including BBNP)
Footpath	Walkers, dog walkers	5,956.4
Bridleway	As above plus horse riders & cyclists	2,611.8
Restricted Byway	As above plus horse-drawn carriages	511.0
Byway Open to All Traffic	As above plus all motorised vehicles	216.1
<b>Total</b>		<b>9,295.3</b>

Table 4 above shows the breakdown of the PRoW network by path status. The graph below shows the percentages of these paths. We can see that the majority of the network (64%) is made up of footpaths; bridleways make up 28% of the network; Restricted Byways 7% with Byways Open to All Traffic making up 1% of the network.



Clearly the network provides the most access for walkers and dog walkers. Countryside Services are working to implement a practice of prioritising higher status paths first in a community (as per the Higher Tier Approach), therefore helping to increase access for as wide a range of users as possible.

### 3.2 Condition of the Network

Within the remit of the ROWIP, it was deemed impractical for a 100% condition survey to be undertaken due to the large scale of the network in Powys. As an alternative, a 5% “ease of use” random sample survey (excluding BBNPA) was commissioned that was last undertaken in 2013. The 2017 survey was evaluated and analysed.

**Analysis of the available data suggests that 37.6% of the length of paths surveyed in 2017 were in a satisfactory condition.**

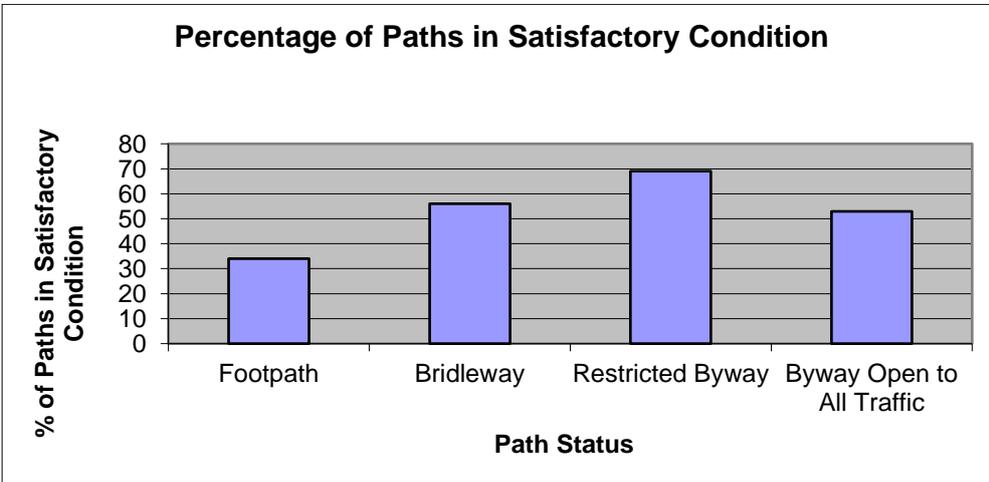
In 2007, the same 5% “ease of use” figure was 46.5% indicating that the condition of the network has been in decline. However, the results for an individual survey should be interpreted with caution. The 5% sample size is relatively small and so confidence levels are not particularly high. It is therefore helpful to view the 2017 survey in relation to previous 5% surveys.

Table 6 of 5% ease of use results

2007	46.5%
2010	38.9%
2012	35.3%
2013	40.7%
2017	37.6%

Table 6 highlights the degree of variability between survey periods and suggests that 2017 is in line with previous surveys undertaken over the last decade.

The graph below shows a breakdown of the percentage of paths that are in satisfactory condition.



The graph highlights that paths of a higher status would appear to be in better condition than the footpath network. Of the bridleways surveyed, 53% are in satisfactory condition with 75% of restricted byways and byways open and easy to use.

The survey recorded maintenance issues along the rights of way surveyed, on average there were 3.4 maintenance issues (problems) per km, or one problem every 294 metres. In other words there could be approximately 28,025 maintenance problems yet to be addressed on the whole network.

These results are a little better than the findings in 2006/07, but again the confidence levels are not that high due to the 5% random sampling of the network outside of the BBNPA. At that time there were 4.2 maintenance issues that rendered paths unusable or inconvenient per km.

These figures are closely matched by the results from the public consultation, which highlighted that 56% of people have encountered obstructions or barriers whilst using the rights of way network.

### **3.3 Improving the Public Rights of Way Network**

The data was separated into problem types and agreed standardised costs were used to undertake a cost analysis of repairs. The average cost per km to rectify all the path problems comes to £898 per km.

**An estimated £7,330,500 is therefore needed to rectify all the path problems on the public rights of way network outside of the Brecon Beacons National Park Authority.**

This figure only includes structural installation costs (i.e. not Officer costs, travel, etc.), and although includes surface costs, it does not take into account the large capital outlay required to reinstate and maintain a number of byways.

All of these figures are based on the presumption of 37.6% of the network being in satisfactory condition. To date, the 5% BVPI survey results have been variable and this can obviously have a major effect on the accuracy of the statistics. However, the gross costs for improving the situation are still broadly comparable with those from 10 years ago being £5,800,000 at that time.

The figures so far have related to existing maintenance problems that

need rectifying, but attention has also been paid to the ongoing maintenance needed to keep open paths in a satisfactory condition.

With an average of 2.6 items of infrastructure per km on the network, this equates to 21,266 pieces of furniture requiring maintenance. Based on average current costs, an estimated £613,000 per annum is needed to keep the existing level of open paths in their present condition.

**An estimated £613,000 per annum is required to maintain the current network and infrastructure in its present condition outside of the Brecon Beacons National Park Authority.**

In 2006-07, 67% of all furniture installed on paths were gates, and 33% were stiles. In 2016-17, 97% of furniture installed were gates, compared to 3% for stiles. This shows the success of the ‘least restrictive’ approach.

### **3.4 Public Rights of Way Resources**

The countryside access management budget has been decreasing significantly over recent years, with the trend looking set to continue. Officers look to achieve best value for money and work with volunteers and communities where possible. Bids for external grant funding are submitted every year, however, they are generally not available for work that is a statutory duty.

With current resources, it is not going to be possible to open 100% of the public rights of way network or the full hectareage of Common and Access land within the lifetime of this ROWIP.

Considering the declining budget, the public rights of way network and hectareage of Common land and Access land the Service has to deal with, then this needs to be set against the staffing for the work.

ROWIP consultation and data analysis have clearly shown that considerably greater resources are needed to bring the entire public rights of way network up to a standard in Powys that is easy to use. This includes the need for more staff on the ground and a larger supporting revenue budget. With decreasing resources, alternative methods of working will be required to maintain the current situation and prevent more of the network from falling into a state of disrepair.

### **Statement of Actions**

To continually open and have a well-signed public rights of way network.

Effectively manage, monitor and maintain opened paths in a satisfactory condition.

Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.

## **3.5 National and Recreational Trails**

Powys has two National Trails, the Offa's Dyke Path and Glyndŵr's Way and a large number of regionally important promoted trails. The promoted trails currently include the Wye Valley Walk, Severn Way, Ann Griffiths Walk, Kerry Ridgeway, Pererindod Melangell and the Epynt Way.

Collectively these regional routes are referred to as *Recreational Trails* for the purposes of the ROWIP. There are other routes in Powys promoted by outside organisations e.g. Cambrian Way, Radnor Forest Ride and many more, however the ROWIP only looks at those routes managed and promoted by Countryside Services.

The two National Trails are the only trails to have a dedicated officer supporting their management, improvement and promotion. The two Trail Officers are 100% grant funded by Natural Resources Wales and Natural England. Glyndŵr's Way falls wholly within the county of Powys, the Offa's Dyke in comparison is managed in partnership with the other authorities that the Trail runs through.

The Recreational Trails are managed by Area Officers according to the sections that fall within each respective work area. The cycling and active travel routes across Powys are co-ordinated by the Travel Officer based within Highways Transport and Recycling.

### **3.6 Condition of the National and Recreational Trails Network**

The aim is for all promoted routes to be open and easy to use. There is little point in promoting a route if it does not meet the public's expectations. Maintenance and improvement programmes aim to improve path furniture to make routes accessible to as many people as possible. However, 83% of the survey respondents felt that Recreational Trails should not take priority over other PRow, and that they should all be given equal priority. As such, this has been embedded as a Statement of Action. Although the Service will not pro-actively prioritise Recreational Trails over the rest of the PRow, it will prioritise reports being received from the public.

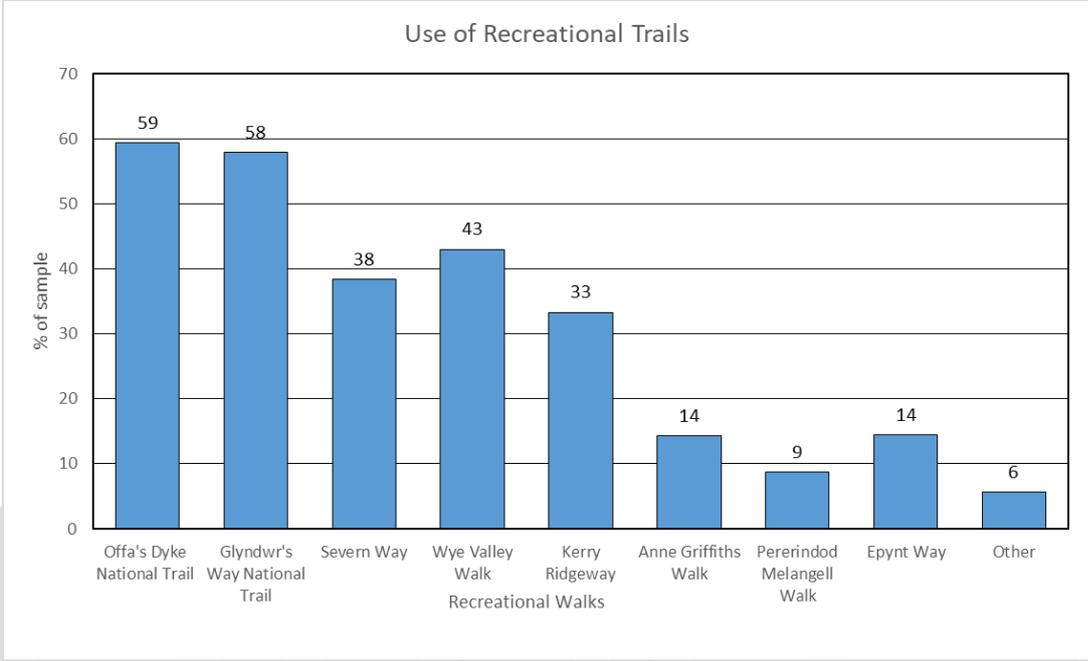
The National Trails are substantially financed by either Natural Resources Wales or Natural England depending on which side of the border the Trail is within. For example, 75% of the works are paid for by Natural Resources Wales and 100% contributions for costs associated with re-alignment issues as well as Officer costs. The Recreational Trails' budget is managed within the Area Officers' own budget, and the improvement of the trails are often further supplemented with external grant funding when bids have been successful.

### **3.7 The Importance of the National & Recreational Trails Network**

The importance of National Trails to the local and indeed national economies are being increasingly recognised, especially following the Countryside Council for Wales' funded report into '*The Benefits to Business of the National Trails in Wales*' published in March 2006. There has been no further research on this since 2006. The report concluded that '*National Trails are a marketable attraction... They offer an opportunity for economic development in rural areas where alternatives are limited, often acting as a catalyst for value added development.*' This is also valid for all of the Recreational Trails in Powys.

The ROWIP public consultation has further highlighted the importance of these National and Recreational Trails to local people, visitors and businesses. The general survey has shown that 45% of the respondents use National and Recreational Trails in Powys with the Offa's Dyke path being the most popular of the routes, followed by Glyndŵr's Way and then the Wye Valley Walk. The landholder survey respondents rated National and

Recreational Trails as their fifth highest priority out of all the services provided by Countryside Services.



The ROWIP consultation has targeted residents, landholders, Town and Community Councils and visitors to the area. All of the surveys have shown that demand for the Trails is not as high as in the 2007 survey. Only 4% thought that sustaining long distance routes was important despite satisfaction with the provision and standard of the routes being high. Additionally, most of the responses felt that equal priority should be given to the general network and the Recreational Trails.

National and Recreational Trails provide a resource for recreation and tourism, offering benefits to the health and well-being of local residents and visitors. They also provide significant economic benefits to local communities, including local pubs, guesthouses, B&Bs, village shops and amenities. All of these elements are important themes in the current strategies of the major bodies, including Powys County Council, Visit Wales, Welsh Government, Natural Resources Wales and Natural England.

### 3.8 Development of the National and Recreational Trails Network

There are currently limited resources available to support Recreational Trails in Powys. Natural Resources Wales substantially supports the Glyndwr's Way National Trail, with both NRW and Natural England supporting the Offa's Dyke Path. This support has been vital in the development of these

Trails over the last 25 years. However, there is limited funding available to support the remaining network of Recreational trails in the county.

Working in partnership with other organisations, European funding has been accessed for improvement and promotional activities on the trails. Projects such as “Walking with Offa” along the Offa corridor has been important in developing a market, including a number of circular walks from the National Trail and a locally brewed ale called “Best Offa” for which a proportion of the proceeds goes back into the management of the Trail. Walk Unlimited are the official promoting partner for all National Trails, and manage the Trails’ website.

Partnership working has long been an essential tool in the management of the National and Recreational Trails network in Powys. Officers will continue to work in partnership with appropriate organisations and communities; with the aim to extend this work in the future. Securing volunteers to support the surveying and maintenance of Recreational Trails will be important in terms of sustainability and achieving *best value for money*.

Work is being continually carried out to improve the accessibility of the National and Recreational Trails with improvements being made to the path furniture along the routes to make them increasingly accessible to all. A condition survey against the Quality Standards underpins National Trail management planning, and ensures resources are effectively targeted. The Quality Standards can be viewed on the NRW website.

There is great potential for the increased use of the National and Recreational Trails network in Powys, with increased and improved promotional activities being very beneficial. Any promotional work needs to be fit-for-purpose and utilise new technology such as social media, apps, websites and interactive interpretation, with less of a dependence on the publication of printed leaflets.

Where appropriate, opportunities should be taken to provide for short circular walks off a National or Recreational Trail where this allows for better access to accommodation providers or the trail is near to a settlement or place of interest.

<p><b>Statement of Actions</b></p> <p>Ensure the long terms success of the National and Recreational Trails in Powys.</p> <p>Work in partnership with appropriate organisations and communities.</p>
--

Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.

Work with volunteers to support the management of National and Recreational trails.

Recreational Trails should not take priority over other PRow, and that they should all be given equal priority.

Improve path furniture to make National and Recreational Trails accessible for all.

Promotional work needs to be fit-for-purpose and utilise new technology such as social media, apps, websites and interactive interpretation.

Where appropriate, opportunities should be taken to provide for short circular walks off a National or Recreational Trail where this allows for better access to accommodation providers or the trail is near to a settlement or place of interest.

### **3.9 Open Access in Powys**

Open Access arose from the Countryside and Rights of Way Act 2000, and is sometimes referred to as the '*right to roam*'. The Act has given the right for people to carry out many recreational activities that can be undertaken on foot. These can include walking, running, bird watching and picnicking; however no additional rights of access have been given to horse-riders, cyclists or vehicle users. However, the restrictions on the use of Access land is currently under review by Welsh Government.

Access land includes all Common land and designated 'open country'. In addition, Natural Resources Wales has also dedicated most of the land within its control as Access land. Due to its largely upland nature, Powys has a higher than average proportion of Access land, with 150,000 hectares (579 square miles) which equates to 29% of the county's land area. This corresponds to one third of the total Access land in Wales.

The legal maps of Access land are maintained by Natural Resources Wales. However, Powys County Council is the 'Access Authority' when it comes to practical management of public access over 'Access land' in the county. That responsibility falls to the Brecon Beacons National Park Authority for any land within the National Park area.

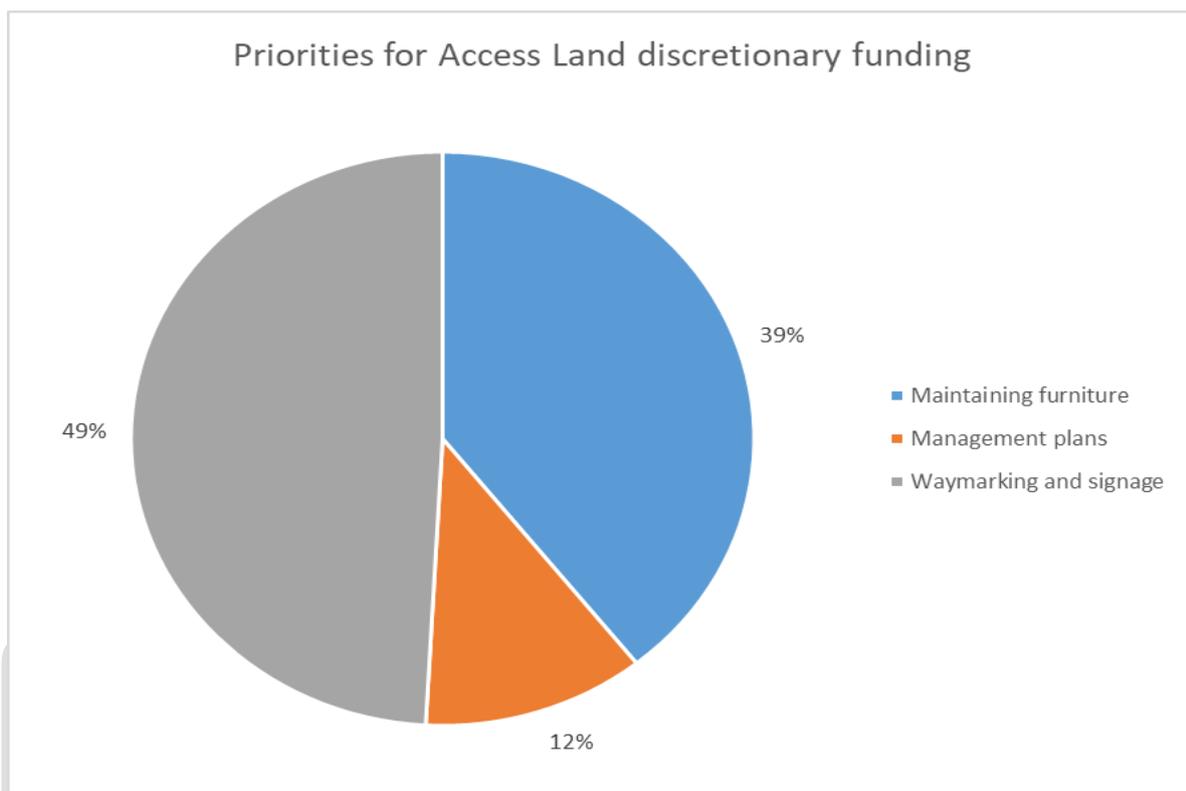
Even after deducting the Access land that lies within the Brecon Beacons National Park, and forests managed by Natural Resources Wales, Powys Countryside Services is responsible for managing access to 88,000 hectares (340 square miles), which corresponds to over 24% of the total Common Land and ‘open country’ in Wales.

### **3.10 Signing of Access Land**

ROWIP consultation has shown that 49% of the general survey respondents wanted the Council to prioritise signage and waymarking routes across Access land and this was the highest priority of work from the survey on managing Access land.

### **3.11 The Future for Access Land**

The consultation highlighted quite a high use of Access land, with only 3% of the 229 respondents never using Access land and 61% using it on a regular basis. Although there seems to be a high use of Access land, there is clearly still a demand for waymarked routes. Other deterrents to the use of Access land were that the respondent either did not know where the routes were, the condition of the network surface is an issue or the routes do not go where they want them to go. It is therefore quite clear that the public still see Access land, as a block of land with definitive routes on the ground, and prefer to use these routes.



**Statement of Action**

Take all reasonable steps to improve access for all.

Improve and increase access onto and across Access land.

Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.

Provide and improve waymarking and signage on public rights of way, Access land and public green space.

**3.12 Common Land**

Much of the Access land in Powys is registered common land. In addition, there are also commons in the county that have public rights of access that pre-date the Countryside and Rights of Way Act 2000.

Countryside Services manages the statutory process of Commons Registration, which involves maintaining legal registers of the location of common land and Town or Village Greens, together with the rights of

common (usually grazing rights) over them. That includes registration of common land and the associated rights within the Brecon Beacons National Park area.

Over and above statutory registration, the Definitive Map and Commons Registration team also have involvement in statutory and non-statutory management of common land.

The team’s role includes advising members of the public about their rights of access to, and management of common land. The legislation relating to this is particularly complex, with its roots being in the medieval manorial system.

Some commons have no known owner and the Council only has limited powers to prevent encroachment on them, in place of the landowner. A number of these commons have been subject of management plans, agreed with the commoners, which include measures to maintain or improve public access, grazing and biodiversity on the land. Many of these schemes need to be reviewed, to make sure that they remain appropriate and relevant.

Other commons are subject to Schemes of Management, under which the Council has statutory management powers and responsibilities. The Council works with the local community to decide how best to exercise those, which may include the making bylaws to regulate public access.

Some commons are formally owned and managed by the Council. As the landowner, the Council then may be asked to decide whether to grant permission for activities that are outside any other access rights, or to share management responsibilities with the community. On one common, for example, the Council permits canoe launching and this has led to involvement in management of inland water access.

As such, management of common land and Town or Village Greens and providing advice to the public about their rights of access makes a significant contribution to public use of Access land in the county.

<p><b>Statement of Actions</b></p> <p>Seek funding to support the review of non-statutory management plans for common land, to ensure that they remain up to date and relevant in terms of delivering public access opportunities.</p> <p>As opportunities arise seek funding for other non-statutory management that would contribute to public access, on commons where the Council has management control.</p>
---

### 3.13 Outdoor Recreation

The Outdoor Recreation Service is now incorporated within Countryside Services. The Service manages a varied number of recreational and amenity open spaces throughout the county on behalf of the Council. The sites managed and maintained by the Service includes, playgrounds with fixed play equipment, allotment gardens, formal parks, open spaces, riverside access and woodlands. These sites are diverse and used by a wide and varied range of residents and visitors. The main remit of the Service is to maintain these areas to ensure that they are a safe and hazard free environment.

Officers will regularly visit and inspect all of their managed sites throughout the year and will arrange and programme all essential works that will be required. Upon discovery, the Service will procure and arrange for the relevant and appropriate contractors to complete the required jobs.

The Service has also worked with various internal partners including Housing, (offering advice on tree management and grounds maintenance issues). Education, providing advice with regards to fixed play equipment located within school grounds; and Town & Community Councils. Officers have had many varied dealings with the majority of Town & Community Councils within Powys, and include many discussions regarding the future management of numerous outdoor recreation sports fields, playgrounds and amenity spaces. This has resulted in asset transfers of ownership from the County Council to local ownership.

**Statement of Actions**

- Take all reasonable steps to improve access for all.
- Provide safe and appropriate outdoor facilities.

## **Section 4 - Theme B: Management and Enforcement of Public Rights of Way and Green Spaces**

### **4.1 Introduction**

Managing the PRoW network, Access land and National and Recreational Trails is the backbone of the work of Countryside Services. Fostering good working relationships with users, landholders, and all other interested parties has long been a high priority for the Service. However, more customer focused and efficient working methods and practices are continually being established.

The team of experienced staff in Countryside Services is an invaluable resource. Importance must be placed on retaining this experience and providing development opportunities.

### **4.2 Existing Policies and Working Practices**

The current policies and working practices largely stem from the original ROWIP produced in 2007. The development of working practices has been carried out over the years, to provide the best possible service within budgetary constraints. The *Condition of the Rights of Way Network* in Section 2 highlights the current state of the network and the resources needed to bring it into a satisfactory state of repair to meet statutory obligations. As these extra resources are extremely unlikely in the foreseeable future, prioritisation is of paramount importance to ensure that existing funding is directed to provide the most cost effective use of resources and to achieve the highest standard of access for the public.

### **4.3 Powys Countryside Volunteers**

The Powys Countryside Volunteers team is an innovative partnership that is delivering increased and improved access to the Powys countryside. As an example, in 2017 the volunteer workforce installed 10 bridges and boardwalks, and 4 flights of steps. Volunteer work-hours also increased from 150 per month in 2016 to 240 per month in 2017.

Countryside Services employs a Volunteer Co-ordinator whose work is supported by approximately 150 volunteers across Powys. The material and tools are paid for by external grant support.

Volunteers are valued members of the Countryside Services team. Working in partnership with stakeholders, recent years have seen a fundamental change in how Countryside Services engages with volunteers. Stakeholders felt that having works supervised by an Officer was slowing progress and limiting work. They wanted to see practical works happening on the ground without the need for Officer supervision so that more could be achieved. The Countryside Services team took up this challenge and by working with key stakeholders put together a pilot scheme to recruit Volunteer Team Leaders.

In 2015, six Volunteer Team Leaders (VTLs) were recruited and received training in Risk Assessments, Site Supervision, CAT scanning, First Aid and Manual Handling. VTLs now organise and supervise work days around the county. The pilot scheme is proving to be successful and the ambition is to extend the project across the county; perhaps through closer working with Town and Community Councils. There is also scope to expand the range of tasks undertaken by volunteers, with some people expressing an interest in administration or research-related opportunities.

At present, a pilot project is looking to develop the use of community led volunteers that are maintaining, repairing and improving public access to their own priorities and demands. Such a project and method of working should be developed to ascertain whether this is viable.

<p><b>Statement of Actions</b></p> <p>Take all reasonable steps to improve access for all.</p> <p>Be effective and efficient in the recruitment, retention and management of the volunteer workforce.</p> <p>Identify and provide opportunities to increase the responsibilities and scope of work able to be carried out by the volunteer workforce.</p>
---

## 4.4 Enforcement

An Enforcement policy has been developed and published, and it has set out the approach to be taken by Officers in exercising their countryside access enforcement duties. This will ensure that legislation is effectively complied with, that a consistent approach based on best practice is taken in each instance, and that Powys takes fair and efficient enforcement action when necessary.

Enforcement can be informal, which is often done by approaching and negotiating with a landholder, or it can be formal by the serving of notice or direct prosecution through the courts. In the vast number of cases, enforcement work is conducted informally and resolved successfully. The Enforcement Officer carries out both informal and formal enforcement work. However, only 25% of the survey respondents were satisfied and could see enforcement action being taken to remove obstructions.

Where formal notice is served on the Highway Authority, the legal obligations will be met. However, informal and formal enforcement will only take place as set out within the priorities of the Higher Tier Approach. The Council has developed the ROWIP to determine how it is to prioritise its resources. Any resource cannot be re-directed just because a legal notice has been served whatever justification is provided.

### Statement of Action

To continually open and have a well-signed public rights of way network.

Take effective enforcement action when and where necessary in accordance with policy and the Higher Tier Approach.

Publicise enforcement outcomes at least annually.

Take all reasonable steps to improve access for all.

## 4.5 Prioritisation of Works

The number of reports received regarding issues on the PRow network, far outweighs the availability of staff and resources to resolve them. In August 2017, there were in excess of 4,500 outstanding reports on file. After detailed discussion with the Local Access Forums, key interest groups and through

the ROW Committee, Powys County Council previously adopted a *Priority Community Area* approach. By using the number of reports weighted against the size of the network in each community, Rights of Way and Access Officers concentrated their time and budget in the communities identified as having the highest demand. This approach was successful for a number of years, however, in recent times Officers were not moving on from communities quickly enough, and that some communities were never receiving works at all.

The 2017 public consultations did not offer a clear steer in terms of prioritisation, however, discussions with Officers, the LAF and user groups has highlighted a desire for change. Therefore, a new system of prioritisation is proposed. The prioritisation will be delivered under a “Higher Tier Approach” (Appendix 2) where serious health and safety issues and externally funded projects for example will be a priority.

The first and foremost priority of the Council is to resolve significant health and safety issues. It should be noted that the range of health and safety issues are too numerous to mention. However, an example would be the reporting of a barbed wire fence obstructing a public right of way. Although a barbed wire fence is potentially a hazard, it would not be dealt with as a significant health and safety issue within the Higher Tier Approach.

The Higher Tier Approach will determine how the Service manages its resources with regard to public access. Within the Higher Tier Approach also sits the “Priority Project Area Approach” that will be providing the focus for Area Officers to develop their work programmes and to develop a network within a Community.

The Priority Project Area Approach will aim to prioritise and provide for improved access, appropriate to the needs of the community over a defined period. This may only be a short section of path that needs surfacing to provide multi-user access along a key route, targeted attention on a network of public rights of way, or a trail several miles long allowing access to a local viewpoint or a nearby settlement. The key is engaging with the local community and volunteers to find out what is most important to that area.

<p><b>Statement of Actions</b></p> <p>Develop and implement the Higher Tier Approach.</p> <p>To continually open and have a well-signed public rights of way network.</p>
---

Effectively manage, monitor and maintain opened paths in a satisfactory condition.

## 4.6 Signage

The ROWIP General Survey showed that ‘*improved signage and waymarking*’ is the second highest priority that respondents would most like to see improved.. A lack of way-marking was the most commonly encountered problem by those responding to the survey. Additionally, two of the key reasons people are discouraged from using public rights of way are “*feeling intimidated*” and “*not wanting to cross somebody else’s land*”. These concerns are largely focussed on the confidence of the user, for which signage and waymarking will greatly assist.

Countryside Services in the majority of cases will install a fingerpost where the PRoW meets a metalled road, once the path has been opened or has been determined to be in a satisfactory condition. Waymarker discs are also installed along the path as required. It is important that surveyed paths are only waymarked if there are no obstructions, so as to maintain and improve confidence levels.

The level of waymarking will be appropriate to the landscape and likely level of use. The intensity of waymarking will generally be higher in areas with an anticipated greater level of use, such as near urban areas and on promoted Recreational Trails. In the expansive upland and remote areas, waymarking will be more selective.

Generally, signage is not permitted on the public rights of way for the use of promoted routes by external partners. It is normal practice that should such a promoted route be waymarked, that any literature should reference the following of a public right of way already waymarked. However, in exceptional circumstances, waymarking by external partners could be permitted with the approval of the Portfolio Holder, other than on a National or Recreational Trail. Matters to be considered before permission for limited waymarking to be given include the availability of external funding, the standard of works and the long-term sustainability of the route so as not to increase the financial burden on the Service.

Signage also covers the conveyance of information to users along routes. To assist both landholders and users, Countryside Services has produced a wide

range of information signs such as ‘*Please close the gate*’. Other notices for use in a number of circumstances have also been provided and these have been consistently welcomed by landholders.

Although there seems to be a high use of Access land, there is clearly still a demand for waymarked routes. In addition to the 49% wanting waymarked routes, reasons for deterring use of Access land was the respondent either did not know where the routes were, the condition of the network surface was an issue or the routes do not go where they want them to go. It is therefore quite clear that the public still see Access land as a block of land with definitive routes on the ground, for which using those routes is the preferred choice.

Signage may also be required for the recreational green space open to the public to ensure compliance with health and safety, but also to adequately inform the public of information.

**Statement of Action**

Provide and improve waymarking and signage on public rights of way, Access land and public green space.

Develop volunteer capacity to support the County Council to install waymarking and signage on paths that are assessed as being fully open for use.

Where approved by Portfolio Holder work with external organisations to deliver improved signage and waymarking.

## **4.7 Health and Safety**

As with nearly all areas of work, health and safety plays an integral role in how Countryside Services operates. This not only applies to the welfare of Council staff, volunteers and contractors, but the Council also has a duty of care to anybody utilising PRow and any green space managed by Countryside Services. This is in addition to the landholder’s legal responsibilities regarding PRow. As a consequence, reports of serious health and safety risks are treated as a high priority and dealt with urgently. It is for

Countryside Services Officers to assess the level of risk and decide when something is deemed to be a health and safety concern.

Work is continuous in managing and improving the capability of the Services' volunteer workforce, so that Volunteer Team Leaders can manage volunteers undertaking practical tasks. The application of health and safety law is integral in how this is managed so as much volunteer time as possible is unsupervised whilst ensuring safe and flexible working arrangements.

## **4.8 Biodiversity**

Powys County Council is required to maintain and enhance biodiversity when carrying out all its functions, as set out under s.6 Environment (Wales) Act 2016. The section states that *'A public authority must seek to maintain and enhance biodiversity in the exercise of functions in relation to Wales, and in so doing promote the resilience of ecosystems...'*

There is considerable interaction between public access and the wildlife-rich habitats across Powys. Many areas have statutory designations, such as the Pumlumon and Berwyn Mountains, designated as Sites of Special Scientific Interest, or the Elan Valley; attracting European Special Protection Area and Special Area for Conservation status as well.

Many of Powys' rivers are also designated as SSSIs. The River Wye is also designated as a Special Area for Conservation, to reflect the wildlife being of European importance. The Montgomery Canal, some of which forms part of the Offa's Dyke Path and Severn Way, is similarly designated for its aquatic wildlife. Careful consideration has to also be made of the number of notifiable species that are not necessarily found on designated land, and how the management of public access and recreational activities inland can affect the river and its wildlife.

The importance of these designations and notifiable species clearly has implications for countryside access work; in seeking appropriate permissions, in considering design, promotion, etc. There can also be a legal tension between highway and wildlife law, and this is largely dealt with by regulating public access, or seeking appropriate permissions to maintain and enhance biodiversity whilst at the same time undertaking works to maintain or improve public access.

Wildlife and wildlife law also has implications for the timing of access work, such as being careful to avoid cutting vegetation in woodlands, or along hedgerows, when nesting birds may be present.

Biodiversity and the ecosystem we live in is intrinsic to our enjoyment of the countryside, and public rights of way and Access land is in the majority the means by which the majority of us can directly experience the wildlife that Powys has to offer. Our biodiversity-rich landscape is recognised as being a key asset to tourism, which plays a major role in Powys' economy.

The key to sustaining our enjoyment will be to maintain the careful balance between conservation and recreation. Supporting tourism measures that conserve and enhance the landscape and its' biodiversity, are key priorities.

It has been considered that the ROWIP does not require a screening exercise under Article 2(a) of the Strategic Environmental Assessment (SEA) Directive.

## **4.9 Access to Water**

Inland water in Powys includes features such as reservoirs, lakes, rivers and canals. There are a number of locations in Powys where there are a significant amount of water features, such as; the Elan Valley, Lake Vyrnwy, Clywedog reservoir as well as the Wye and Severn rivers.

The Council has a role to play in providing access to the water to provide and improve public access provision across Powys.

## **4.10 Agri- Environment Schemes, Brexit and Horizon Scanning**

Glastir is the current agri-environment scheme in place for landholders in Wales. Any landholder entering into Glastir will not be treated preferentially, but the same as any landholder with a public right of way on their holding.

With the withdrawal from the European Union; there is almost certainly going to be changes to how agriculture is to be publicly funded in the future. It is considered likely that for any 'public benefit' landholders provide, they will get an element of public funding to replace the current regime of subsidy payments. Although agri-environment schemes have a public benefit in improving biodiversity and the natural habitat, there is also the potential to provide improvements to public rights of way.

There are always the possibility of changes to primary legislation in Wales, which would lead either to divergence or convergence with legislation in England. The ROWIP cannot predict future legislative changes within the lifetime of the Plan, but rather that it should be flexible enough to account for any future changes.

**Statement of Action**

Any changes to the subsidy payments for landholders should be a consideration in how the Council priorities its resources in the future.

DRAFT

## **Section 5 - Theme C: Definitive Map and Statement**

### **5.1 Introduction**

The Definitive Map and Statement (DMS) is the legal document that records the location and status of public rights of way. The Definitive Map and Statement thereby underpins the work of the whole Service. It is also a vital tool in answering questions relating to local land charges, planning applications and *agri-environment scheme* applications.

### **5.2 Local Context**

The former County Councils of Montgomeryshire, Radnorshire and Breconshire were dissolved in 1974 and since that time Powys County Council has been responsible for the maintenance and review of three complete Definitive Maps and Statements.

Since 1974 several administrative boundary changes have occurred, resulting in Powys becoming responsible for a substantial portion of a fourth Definitive Map and Statement from the former Clwyd County Council, and smaller areas from West Glamorgan and Carmarthenshire. The current Definitive Map and Statement of Powys now comprises approximately 300 A1 map sheets.

The Brecon Beacons National Park Authority has delegated powers to make its own Public Path Orders and Definitive Map Modification Orders within Powys. However, Powys County Council retains overall responsibility for the whole Brecknockshire Definitive Map and Statement (i.e. for consolidation and publication).

### **5.3 The Definitive Map and Commons Registration Team**

Since the ROWIP for Powys was first published in 2007, the Definitive Map team and Commons Registration team have been merged. Both statutory registers are now managed by two staff members.

The work of this team includes responsibility for:

- Management and processing of Public Path Orders and evidential Modification Orders;
- Overseeing property searches;
- Managing the digital dataset of public rights of way for the county, which will be used to republish the Definitive Map and which underpins the team's countryside access management database;
- Management of the Commons Register, including providing advice to members of the public about their access rights and responsibilities on common land and its management.

## **5.4 Legal Searches on the Definitive Map**

The DMS is in daily use for land charges, planning applications and private searches. These demand an accurate response and an up-to-date DMS. In 2006, over 1600 land charges searches were received. Since July 2016, all Local Land Charges (CON29) searches have included a question about public rights of way and the information required is much more detailed. As a result, the number of public rights of way searches received by Countryside Services has increased to around 1800 per year.

Responding to this increased volume of searches has been greatly facilitated by use of the digital datasets that have been produced for the county, showing public rights of way and legal deposits under section 31(6) of the Highways Act 1980.

## **5.5 Legal Events altering the Definitive Map and Statement**

'Legal events' are orders that change or correct details of public rights of way recorded on the DMS and include: Definitive Map Modification Orders (DMMOs) and Public Path Orders (PPOs) made by the County Council, Magistrates Court Orders, Side Roads Orders made by central government and Enabling Acts of Parliament required for major civil-engineering projects, such as reservoir construction.

The process to alter the Definitive Map by DMMO or PPO is a very public one, with all interested parties including affected landowners being consulted. A period of public advertisement follows the order making, to allow any objections to be lodged. If there are any, a local public inquiry before an inspector is normally held to hear these and determine the outcome.

## **5.6 Outstanding Work and assessment of the condition of the Definitive Map**

### **5.6(i) Consolidation**

‘Consolidation’ of a DMS is the formal process of updating and re-publishing the set of map sheets on a more modern map base, and incorporating details of legal changes that have been made. This requires a significant amount of staff time and other resources.

Using ROWIP funding, a digital dataset has been produced for the whole of Powys; this shows the alignment and status of every public right of way in the county. Some checking and verification of its accuracy is still required, but it will be used as the basis for consolidating and republishing the Definitive Map for the whole county.

However, before republication can happen, the Definitive Statement needs to be updated to show the changes made as a result of legal events. Currently, there are over 400 legal events that are yet to be incorporated into the Definitive Statement.

### **5.6(ii) Legal Orders**

The work of the Definitive Map and Commons Registration team has become increasingly dominated by backlogs of both PPOs and DMMOs.

In recent years, when resources have been available, specialist external contractors have been commissioned to undertake time-consuming tasks such as interviewing witnesses and researching documentary evidence at archives. However, the staff time available to address these applications has been reduced since the 2007 ROWIP was published. Because of that, there are total of 10 pending applications that are in various stages of processing, as at the start of 2018. This represents an estimated minimum of 5-6 years’ work to process existing DMMO applications, within current staffing and budgets.

PPO applications suffer from a similar problem, with around 180 cases currently in the backlog. This represents an estimated minimum of 10 years work at current resource levels. The numbers of new applications have reduced over the last few years; there are now on average, around 6-10 new applications per year, as compared to around 15-20 new applications per year in 2009. This has been achieved by making potential applicants aware of the

backlog and priority system when an initial enquiry is made and by exploring alternative solutions with them.

Since 2007, systems have been put in place to allow applicants to undertake more of the preliminary work themselves. This does significantly reduce officer time dealing with cases, and allows applications to be processed more quickly. To support this approach, an information pack has been produced to facilitate applicants undertaking pre-order consultations themselves. To date, this approach has been offered to those who are required to seek a diversion of a path because it is affected by proposed development. It is now intended to extend that opportunity to more applicants, in a phased way, so that the oldest applications are addressed first.

However, because of the number of applications already on file, significant backlogs in PPO and DMMO work are likely to remain, unless more resources are consistently made available to address the problem.

### **5.6(iii) Errors and Anomalies (Definitive Map Review)**

Public rights of way shown on the Powys DMS contain a range of anomalies that limit their usefulness. Examples range from “dead-ends” at farmyards, buildings, un-adopted roads or old parish or county boundaries, to changes in status and “missing links” between the Definitive Map record and the List of Streets. Some may simply be caused by mapping errors at earlier production stages, or they can result from something inherently wrong with the information upon which the first maps were based.

Although the ‘closing’ of the Definitive Map in 2026 has not been brought into effect in Wales, there has been sustained public interest in “Lost Ways.” This is a phrase used to describe paths which have never been identified for recording on the DMS. The extent of this phenomenon cannot be easily quantified due to its very nature.

Powys County Council has taken the view that priority should be given to resolving problems on paths that are already recorded on the DMS, before seeking to research and record new routes. This is supported by the results of the recent ROWIP survey; the responses suggest that diversions to resolve anomalies on existing paths are a higher priority for the public than recording new ones.

It has been provisionally concluded that about 2,000 anomalies exist throughout Powys. If every anomaly were to become a potential DMMO case, the resource implications would be enormous.

ROWIP funding between 2007 and 2017 has been invaluable in seeking to address anomalies through Public Path Orders. This has been approached through use of external contractors to pro-actively address anomalies on a community by community basis. In the communities nominated so far, uptake by landowners has been good.

Continued resource to deal with anomalies via Public Path Orders is needed. Otherwise, the backlog of DMMO cases may rise and this will be much more resource-intensive to address; with no certainty that a solution will be reached that is acceptable to both landowners and path users.

## **5.7 Current Policies and Working Practices**

### **5.7(i) Prioritisation for Definitive Map Modification Orders (DMMOs)**

The demand for DMMOs greatly outstrips the current capacity to supply. As a consequence, prioritisation of casework has to apply and Committee has approved a “statement of priorities”. Factors such as the potential benefit of a DMMO application to the local PRoW network can be considered, as well as whether efficiency gains can be made through combining the research effort of more than one claim in a given area. Whilst chronological order remains the initial basis for prioritisation, other factors determine whether one is promoted in the queue.

The responses to the public survey carried out in 2016-17 indicates that a review of priorities may be appropriate. Respondents ranked the following as taking the highest priority:

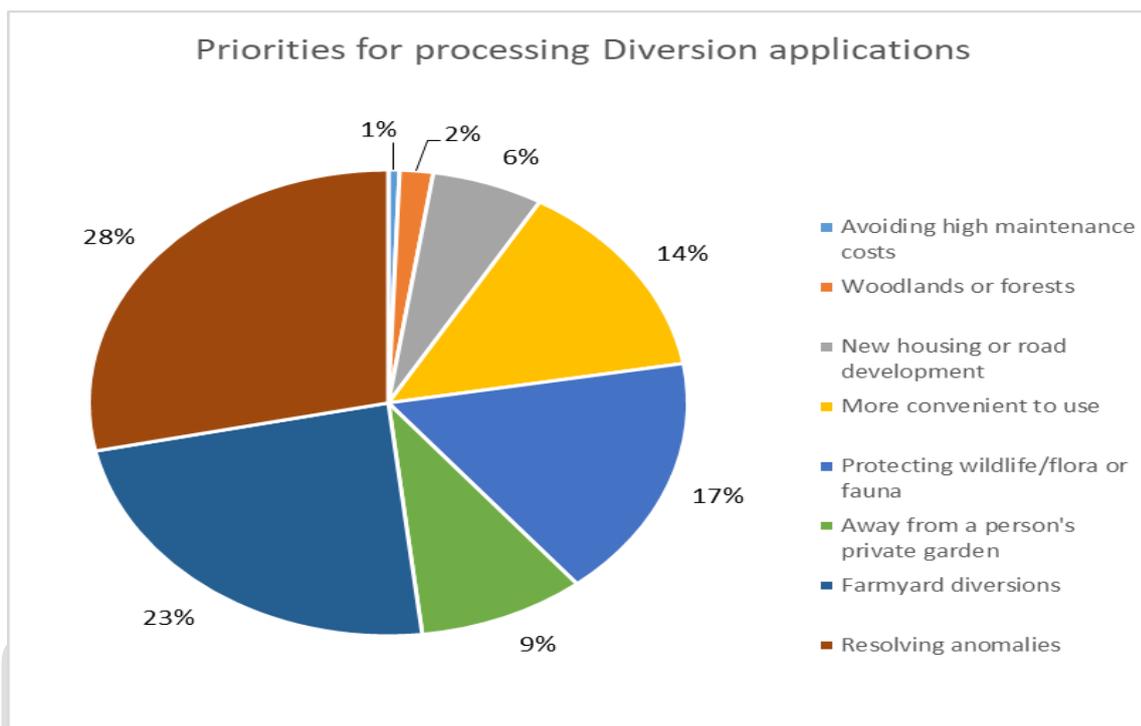
<b>Priority</b>	<b>Ranking</b>	<b>% of sample</b>
Applications where someone's privacy or business are affected	<b>1</b>	<b>31%</b>
By date of receipt	<b>2</b>	<b>31%</b>
Applications where adding or upgrading a public right of way should add significantly to the network e.g. a missing link	<b>3</b>	<b>9%</b>
Applications where the possible error has meant that the public cannot use the path at all e.g. the path on the map passes through a very old building	<b>4</b>	<b>8%</b>
Applications affecting sites where development is proposed	<b>5</b>	<b>3%</b>
Applications that have strong supporting evidence	<b>6</b>	<b>3%</b>

Table 8 Prioritisation for DMMOs

### **5.7(ii) Prioritisation for Public Path Orders (PPOs)**

Officers have delegated authority to prioritise PPO applications, in accordance with the merits of the case. To help potential applicants to understand the rationale that is being used to allocate priorities, a working practice was approved by the former Rights of Way Committee in 2010 and is still in use now. The priorities are as follows, highest priority first:

1. Proposals where a path is affected by permitted development; applicants must carry out their own preliminary work.
2. Proposals removing significant maintenance liabilities or those resolving immediate health and safety risks; these include for example, paths affected by river erosion.
3. Proposals resolving longer-term, potential health and safety risks and those resulting in overall improvement to the rights of way network; this includes resolving anomalies and moving paths out of working farmyards.
4. Proposals that are felt to be primarily in the interests of the applicant (but not related to permitted development); this includes diversions away for residential property for privacy reasons.



The ROWIP survey responses suggested that these priorities are broadly in line with those of the public. Officers have been given authority to make and confirm Orders in uncontested cases.

### **5.7(iii) Charging Policy for Public Path Orders**

Charging levels for PPOs vary widely across England & Wales. In 2010, Powys County Council reviewed its policy. The administration fee set for making an order, under both the Highways Act 1980 and the Town and Country Planning Act 1949 was set at £1,500, with additional and actual costs levied for the newspaper advertisements that must be placed. It was decided that the costs should be increased annually in line with inflation, where positive, without the need for further formal review. The administration fee in 2017-18 is £1,542.

The cost of diverting restricted byways and BOATs in a Magistrates Court is more difficult to assess, but is likely to be in the region of £1,500.

There are categories of exemption from charging, such as in the resolution of anomalies, or other public benefits and issues of public safety such as farmyard diversions.

## **5.8 Record of Limitations**

Public rights of way, being public highways, should be free from obstruction for the passage of the user. There were many structures already in existence when the Definitive Map was first drawn up (such as stiles and gates), and these are referred to as lawful limitations. A pragmatic approach is used to determine what the lawful limitation is; this is covered in the structures policy.

However, landholders for various reasons often need to erect new fence-lines. When this happens, they need to apply to the Council for an authorisation of a new structure under s.147 Highways Act 1980. If an application is not submitted or authorised, then any new structure would be an obstruction to the public highway, which would be a criminal offence.

When authorising a new structure, Countryside Services will always take into account the “least restrictive principle”, and consequently there will be a presumption against a stile. Any authorisation issued will be recorded on a database, with details of the structure and its location.

The standard of the structure is of importance, and any such authorisation will cite the current British Standard or of a standard acceptable to the Council. Authorisations only refer to a current standard, in case there are revisions in the future.

## **5.9 Conclusions and Actions for the Future**

The main problem faced by the Definitive Map Team is the lack of resources to maintain the accuracy of the DMS record and improve its quality and utility, while keeping pace with Order applications.

The work involved in legal orders is increasingly complex, with the evolution of case law and an increased use of consultants and lawyers to challenge the decisions of the Council.

Overall, the PPO workload has increased since 2007, but the number of new applications per year has significantly reduced. The issue now is to try to reduce the existing backlog and continue to deal with new proposals where a PPO is the only reasonable solution available. Examples include paths illegally obstructed by buildings given planning consent many years ago by predecessor authorities, or not subject to the planning process at all. Although the Highways Act 1980 gives the County Council power to remove

them, the moral authority to do so perhaps 20 years after the event is not so obvious.

The DMMO backlog is growing, because the staff time to deal with these applications has reduced since 2007. Digitisation of archive records so that they can be viewed on a public website has been of assistance in reducing the time needed to inspect documents. Tithe Maps, for example, can now be seen on the 'Places of Wales' website. It is only to be hoped that further records will be made available in this way. Other than that, it is difficult to see how anything other than changes to legislation could increase the efficiency with which these applications can be processed.

There are many advantages to having a digitally produced version of the DMS, although maintaining a large paper version cannot currently be avoided. The digital dataset is already proving invaluable in allowing other Council services access to public rights of way data to inform their work, as well as underpinning the work of the Countryside Services team.

The next step is to publish the dataset on the Council website. Although it will not replace the paper-based record for those needing information for legal reasons e.g. property searches, it will certainly be of assistance to members of the public wishing to use public rights of way or report problems in a large rural county; where visiting Council offices to inspect the paper record may involve a long journey.

### **Statement of Actions**

- Achieve an accurate and up-to-date Definitive Map and Statement.
- Make the Definitive Map and Statement widely available on the website and other appropriate formats.

## Section 6

### Theme D: Publicity and Promotion Review

#### 6.1 Introduction

Countryside Services sees the provision of information as important and provides a range of leaflets, guidebooks and online resources. All information is available in Welsh and English. Currently no publications are available in large print or braille; however, copies of the information in electronic form can be sent out, so that people can enlarge them to a size to suit their needs. Throughout the design process, thought is given to making the information as accessible as possible in line with corporate standards.

Current information includes:

- The *Accessible Powys* series promoting routes, activities and accommodation.
- Leaflets aimed at providing information for landholders and developers.
- Information promoting various routes across the county.

#### 6.2 Information for the Public and Professionals

As well as guides to encourage people to use the PRow and Trails in Powys, Countryside Services also produces a range of specific literature covering what services are available to assist key stakeholders.

The *Public Rights of Way in Powys: A Guide for Farmers, Managers and Landholders* has been very popular and sets out the legal background to public rights of way and their rights and responsibilities. The guide was produced in conjunction with the Country Land and Business Association, Farmers Union of Wales and the National Farmers Union and has been distributed widely across Powys.

The *Development and Public Rights of Way: A Practitioners Guide* is aimed at raising awareness of PRow law within the Planning System. It is envisaged that the guide will help minimise conflict between public access and planning developments.

### **Statement of Action**

Review publications to ensure they are accurate and up to date and to distribute effectively.

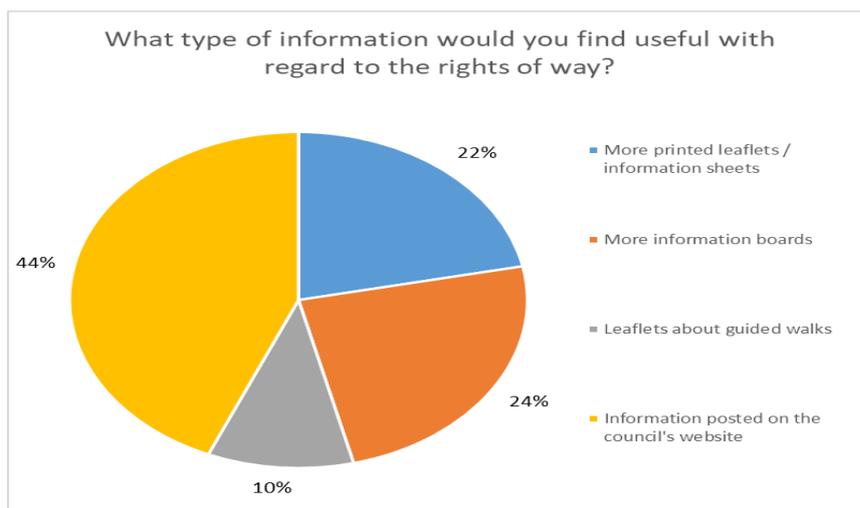
## **6.3 External Publications**

As well as the guides and leaflets produced by Powys County Council, there are a huge number produced by outside organisations and groups. These publications vary in quality and nature. Routes publicised by external bodies will not receive maintenance and promotion, unless it is incidental with another priority of the County Council.

## **6.4 Website**

Countryside Services has web pages within the Powys County Council's website. The web pages provide a range of information regarding PRow and the work of Countryside Services. The webpages are still under review and further development is planned. There are plans to have a digitised interpretation of the Definitive Map on the webpage, and interactive maps so users can find promoted route information. Detailed information is also included on PRow maintenance, enforcement, Access land and links to the other council pages, which provide information on local countryside amenity sites.

Information posted on the council's website which highlights the routes and the Definitive Map were deemed to be the most useful forms of information the team could provide for users of the network. 44% of the survey responses felt that information on the website would be useful as shown in the graph below. This was followed by information boards positioned at the start of or at a half way point of a route. There has been a change from the 2007 survey results and a clear move away from users wanting printed leaflets or literature about the rights of way network.



It is important to have a comprehensive and detailed web presence to provide information, which may also help to reduce the number of enquiries that the Service receives.

## 6.5 On site Information

Another form of information provided by Countryside Services is site based. Information can take many forms from a standard waymark disc, to notices stating '*Please shut the gate*', and '*No through route*', etc to interpretation boards detailing local history, geography and route plans.

The Countryside Act 1968 imposes a duty on highway authorities to signpost all PRoW where they leave a metalled road and along the route where it may be confusing. Countryside Services has a working practice of waymarking routes once they have been opened up from metalled road to metalled road. Beyond signposting and waymarking; promoted long-distance Recreational Trails may have a higher standard of information provision, such as providing destination and distances to settlements on fingerposts.

Many Recreational Trails also have interpretation boards installed at appropriate points. A stone cairn with panorama boards has been constructed along the Kerry Ridgeway, whilst bronze bibles produced by the local community provide information along the Ann Griffiths Walk. Tastefully and carefully done, interpretation can enhance a route experience.

### **Statement of Action**

Make digital information on public rights of way and open spaces available on the website.

All information produced by Countryside Services will aim to be available, appropriate, accurate and accessible.

DRAFT

# Section 7 - Internal and External Partners

Countryside access is not the exclusive domain of Countryside Services, but rather there is an inter-relationship with a range of other internal and external partners. This section briefly looks at some of these, and how they are linked with public rights of way and countryside access.

## 7.1 Internal Partners within Powys County Council

Improving communication between the different sections of the Council, is one of the main methods to reduce any burden on finances by increasing efficiency.

Countryside Services has been working over a number of years to improve internal communication. Some examples of internal working partnerships are outlined below.

<p><b>Statement of Action</b></p> <p>Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.</p>
--

### 7.1 (i) Planning Services

The work of Powys County Council’s Planning Services can affect public rights of way and countryside. The granting of planning permission for buildings can have a negative impact if paths and access are obstructed. In seeking to tackle this issue, Countryside and Planning Services published *Development and Public Rights of Way: A Practitioners Guide*, which has been distributed to all developers and agents operating in Powys as well as Community Councils. It will also be made available to others seeking planning permission.

By advising developers, and commenting on planning applications in the early stages of the planning process, this will help minimise problems later on.

#### **Statement of Action**

Seek mitigation from the planning development process where it is appropriate.

### **7.1 (ii) Highways Transport and Recycling**

Highways Transport and Recycling (HTR) and Countryside Services work together to look after selected PRow. Generally, surfaced paths within urban areas are managed directly by HTR, alongside other surfaced roads and footways.

It is also important that there is close liaison between the Services, as the List of Streets is managed by Highways Transport and Recycling. The List of Streets and Definitive Map and Statement as legal documents both show public highways, but it is only the Definitive Map and Statement that show highways that carry conclusive public rights. The List of Streets only shows highways that are publicly maintainable such as unclassified roads; which are also shown as Other Routes with Public Access (ORPAs) on Ordnance Survey maps.

If a PRow as shown on the Definitive Map and Statement is publicly maintainable, then it should also be shown on the List of Streets so there is a strong relationship between the two public documents.

### **7.1(iii) Travel Officer for Powys County Council**

Powys County Council employs a Travel Officer who works closely with Officers across the Authority within Road Safety, Traffic Management, Highway Design and Tourism Services and with external partners (such as local community groups, Sustrans and Mid Wales Trunk Road Agency and the Regional Transport Consortia (TraCC)).

The County Council's aims and objectives in respect of cycling are set out in its Regional Transport Plan (RTP) for the Regional Transport Consortia.

Around 8% of car journeys in Wales are less than 1 mile, 26% are under 2 miles and 60% are under 5 miles.<sup>20</sup> When seen alongside employee and school travel surveys undertaken by Powys County Council, statistics such as these indicate significant potential to transfer shorter journeys from the car to walking or cycling. As such, one of the key objectives of this post is to implement the Active Travel (Wales) Act 2013.

To encourage more walking and cycling, the County Council and its partners aim to:

- Provide coherent, linked pedestrian and cycle routes – on or “off-road”.
- Build walking and cycling routes into new development design - e.g. segregated cycle or shared use routes.
- Provide safer environments – street lighting, Toucan, Zebra or Pelican crossings and traffic calming.

### **7.1 (iv) Regeneration Services**

Tourism is a key remit of Regeneration Services, promoting and publicising access to the countryside in Powys. In partnership with Countryside Services, marketing information on the National and Recreational Trails is published, with an Accommodation Guide as well as the other promoted circular walks across Powys. This information is distributed at a local, national and international level.

### **7.1 (v) The Arts**

Discussions have begun over the potential of joint projects between Countryside Services and the Arts Development Officer. Enhancing the experience of access to the countryside with providing sculpture along a Recreational Trail is one idea that has been discussed.

### **7.1 (vi) Healthy Weights Steering Group**

Links have been developed with Public Health Wales and the Powys Teaching Health Board on formal and informal intervention regarding obesity levels, and a joined up approach to providing a healthy living.

---

<sup>20</sup> DfT, National Travel Survey, 2004.

Countryside Services is a partner Service that can assist with delivering assets that will enable opportunities for physical activity and improved mental well-being.

**Statement of Action**

Develop and promote how public access contributes to health and well-being through the Council, Powys Teaching Health Board and Public Health Wales.

**7.2 External Partners**

Access to the countryside is not just the domain of Powys County Council. There is a wide spectrum of access provided by other individuals and organisations. Building strong and healthy external partnerships has always been central to the work of the Service.

This will be increasingly important with external funding opportunities as other organisations obtain funding, the Service can be a partner to deliver and provide advice on public access.

**Statement of Action**

Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.

**7.2 (i) Landholders**

The vast majority of access through public rights of way and Access land is across privately owned land, and as such Countryside Services staff have to work in partnership with a huge number of individuals and groups who own or manage land. Building good partnerships with landholders is very important to manage and improve access to the countryside.

In association with the Powys LAF, the publication of ‘*Public Rights of Way: A guide to farmers, managers and landholders*’ has been part of the process of building relationships, providing information and giving confidence.

## **7.2 (ii) Town and Community Councils**

Communication and positive relations with Powys' local Town and Community Councils is essential to successful engagement with local communities and management at a local level.

Local Councils are a consultee for proposed Public Path Orders and Modification Orders as well as Traffic Regulation Orders. Dialogue and participation is also sought from Area Officers before a work programme in communities start.

Consultation also showed that 64% of the Community Councils who responded indicated that they were involved in path management in some way. There were only 14 responses from Community Councils, but nevertheless there is scope to progress a closer working relationship with Community Councils.

Local councils can offer a significant contribution to the Service in developing and opening up paths in their areas. Local Councils also have powers to maintain publicly maintainable footpaths and bridleways under s.43 Highways Act 1980, as well as a number of other discretionary powers. Feedback and individual support to and from local landholders can make real differences in delivering more effective and efficient work programmes.

### **Statement of Action**

Liaise with Town and Community Councils before implementing works as part of a Project Area Approach.

Work in partnership with Town and Community Councils or constituted Cluster groups to repair, maintain and improve public access.

## **7.2 (iii) Brecon Beacons National Park Authority**

The Brecon Beacons National Park Authority represent a key partner for the County Council. Through agreement, they act for the Council in managing and maintaining PRow and in pursuing all Modification Order work related to their area of Powys. The National Park Authority also independently hold powers to carry out public path orders and can make traffic regulation orders for PRow, but not other classifications of public highway.

The National Park Authority have undertaken their own research and published an independent ROWIP in liaison with the Council for the National Park area.

### **Statement of Action**

Work with internal and external partners to improve countryside access in Powys.

Develop efficient working practices that are mutually beneficial to the Council and the National Park Authority.

## **7.2 (iv) Natural Resources Wales & Natural England**

National Trails are substantially supported by NRW who also produce a number of key publications that provide best practice and observe at the Local Access Forum.

NRW is also the largest landholder in Powys, managing 19,000 hectares of Access land across the county, outside of the BBNP as well as the Welsh Government Woodland estate. In addition to the public rights of way network in the woodland estate, the forest roads also provide opportunities for walking, cycling and horse riding without the need for permission.

The Offa's Dyke Path National Trail Officer is also jointly supported by Natural England and NRW.

## **7.2 (v) User Groups**

Interaction with user groups and their members happens in a variety of ways. The local membership can provide very effective 'eyes and ears' in monitoring and reporting issues affecting the path network. They significantly support the work of Officers in delivering work programmes through work with the Powys Countryside Volunteers and independently in undertaking surveys and guided walks.

User Group representatives also act as consultees for proposed legal orders, offering advice and comment to Officers from a local user perspective. At a national level, User Groups can also affect change through lobbying, and are

often able to promote issues on a political stage with greater effect than may be achieved by local authorities and their staff.

Working closely with local user groups takes place mainly through the Stakeholders Working Group, where there are regular meetings.

## **7.2 (vi) Canal and River Trust**

The Montgomery Canal offers a substantial access corridor within the Severn Valley, and has considerable links with the wider PRoW network. Much of it is designated as Offa's Dyke Path National Trail or Severn Way, and Countryside Services has worked in partnership to develop a series of circular trails linked to the canal. The Canal and River Trust are also central to maintaining and improving access along the towpath which mostly has permissive access.

## **7.2 (vii) Local Access Forums**

The Powys Local Access Forum (PLAF) is a statutory body that offers independent advice on outdoor recreation issues, and their membership includes a range of user and landholder interests. With Countryside Services Officers offering a secretariat service and acting as advisors to the LAFs, partnership working has led to the publication *Public Rights of Way: A guide for farmers, managers and landholders* and also *Public Rights of Way: A guide for woodland managers, owners and professionals*. A revision of the *Public rights of Way: A developers guide* is also on the work programme.

The LAF has also contributed significantly to the review of the ROWIP, development of working practices and priorities for Access land, and offer advice to the County Council on budgets and staffing issues. Within the consultation for the ROWIP, the LAF has advised the Service on its "Higher Tier Approach" and this has been beneficial and proactive in prioritising resources.

Within Glastir, the LAF also provides advice to WG on permissive access within the Glastir scheme and will provide recommendations on every application that is submitted.

## **7.2 (viii) Clwyd Powys Archaeological Trust**

The Clwyd Powys Archaeological Trust (CPAT) is an educational charity and one of four regional trusts that cover Wales. Set up in the 1970s their

role has developed from the traditional ‘rescue archaeology’ type work to a more curatorial role in recent decades. The trust is based in two offices in Welshpool. The Trust keeps and updates the Regional Historic Environment Record on behalf of Powys County Council who partly helps to fund the organisation.

The promotion of the PRow network is also an opportunity to educate people on the archaeological sites of interest in the countryside they will be passing through. Interpretation boards along routes are another opportunity to educate and improve awareness on archaeological issues. If people are better educated on the historic landscape, then they are hopefully less likely to cause damage.

### 7.3 Neighbouring Local Authorities

Powys County Council’s Countryside Services has worked in partnership with a number of neighbouring authorities over recent years.

Examples include the Walking with Offa project; the management and monitoring of Pistyll Rhaeadr by Denbighshire Countryside Services; joint local authority partnership groups to review, evaluate and promote the Wye Valley Walk and Severn Way; arrangements with Gwynedd CC to manage cross-border Access land; an agreement with the BBNPA to manage PRow in the National Park within Powys; joint arrangements with Gwynedd, Herefordshire and Shropshire to manage bridges along the County boundaries.

The list of partners of Countryside Services is extensive and only a few have been mentioned here. However, every partner is valued. Countryside Services, throughout the life of this Plan, will seek to extend and improve internal and external partnerships, and take all reasonable opportunities to improve access to the countryside of Powys.

<p><b>Statement of Action</b></p> <p>Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.</p> <p>Work in partnership with neighbouring local authorities. Consider and participate in cross-border initiatives, where benefits exceed investment.</p>
--

Take the opportunity to learn from the best practice of other local authorities.

## **7.4 Walkers are Welcome**

Many towns and villages have gained “Walkers are Welcome” status, for which the purpose is to develop and promote walking in the town or village. This scheme of course has health and well-being benefits, as well as for tourism and visitors to the area. The Service will assist and advise on walking facilities where there has been consultation.

DRAFT

**Powys County Council**  
**Countryside Services**

**Prioritisation of Works on Public Rights of Way**

When a report is received by Countryside Services, it will be assessed and logged. Priority 1 work will receive the most urgent attention, the higher the number, the lower the priority.

**Higher Tiered Approach**

Priority 1	Issues where risk has been assessed as significant in terms of potential harm to people, animals or property.
Priority 2	Reports of development being undertaken that are negatively affecting PRow or where there are re-occurring offences.
Priority 3	Work on external grant funded projects (including capital works on byways/bridges, WG or NRW funded projects etc.)
Priority 4	Issues reported on Powys recreational trails.
Priority 5	Priority Project Approach (see details below).
Priority 6	Glastir and Landowner Requests (supply materials only).
Priority 7	Maintenance of previously maintained routes → pass to volunteers (if works cannot be resolved by volunteers, issue to sit within prioritisation system as outlined here).
Priority 8	All other works.

Note - Where notice is served on the Highway Authority, legal obligations will be met. However, any works required will fit into the priority list above.

The maintenance of Byways Open to All Traffic (BOATs) are to be prioritised in the same way as other public rights of way, but the sustainability of the use of BOATs across Powys will be determined by the Council’s “Motorised Access Strategy”.

## **Statement of Actions**

- To continually open and have a well signed public rights of way network.
- Effectively manage, monitor and maintain opened paths in a satisfactory condition.
- Where approved by Portfolio Holder work external organisations to deliver improved signage and waymarking.
- Work in partnership with appropriate organisations and communities.
- Work with volunteers to support the management of National and Recreational trails.
- Improve path furniture to make National and Recreational Trails accessible for all.
- Promotional work needs to be fit-for-purpose and utilise new technology such as social media, Apps, websites and interactive interpretation.
- Take all reasonable steps to improve access for all.
- Provide safe and appropriate outdoor facilities.
- Improve and increase access onto and across Access land.
- Ensure the long terms success of the National and Recreational trails in Powys.
- Continue to implement 'least restrictive' access practices.
- Work with internal and external partners to improve countryside access in Powys.
- Ensure high quality gates and installation to allow easy access for horse-riders.
- Seek resources to manage and maintain the byway open to all traffic network.
- Work with stakeholders to improve provision, education and enforcement with regards to legal and illegal motorised access.
- Replace stiles with gates wherever possible.
- Identify and improve routes that are most likely to be accessed by people with mobility and sensory difficulties.
- All information produced by Countryside Services will aim to be available, appropriate, accurate and accessible.
- Increase the range and quality of public information in a variety of formats.
- Make digital information on public rights of way and open spaces available on the website.
- Be effective and efficient in the recruitment, retention and management of the volunteer workforce.
- Identify and provide opportunities to increase the responsibilities and scope of work able to be carried out by the volunteer workforce.
- Take effective enforcement action when and where necessary in accordance with policy and the Higher Tier Approach.
- Develop and implement the Higher Tier Approach.
- Provide and improve waymarking and signage on public rights of way, Access land and public green space.

- Any changes to the subsidy payments for landholders should be a consideration in how the Council priorities its resources in the future.
- Achieve an accurate and up to date Definitive Map and Statement.
- Make the Definitive Map and Statement widely available on the website and other appropriate formats.
- Develop and promote how public access contributes to health and well-being through the Council, Powys Teaching Health Board and Public Health Wales.
- Develop efficient working practices that are mutually beneficial to the Council and the National Park Authority.
- Participate in collaborative partnership working with internal and external partners to achieve mutually beneficial aims.
- Liaise with Town and Community Council before implementing works as part of a Project Area Approach.
- Work in partnership with Town and Community Councils or constituted Cluster groups to repair, maintain and improve public access.
- Work in partnership with neighbouring local authorities. Consider and participate in cross-border initiatives, where benefits exceed investment.
- Take the opportunity to learn from the best practice of other local authorities.
- Review publications to ensure they are accurate and up to date and to distribute effectively.
- Seek funding to support the review of non-statutory management plans for common land, to ensure that they remain up to date and relevant in terms of delivering public access opportunities.
- As opportunities arise for other non-statutory management that would contribute to public access, on commons where the Council has management control, seek funding as appropriate to support that work.
- Recreational trails should not take priority over other PRoW, and that they should all be given equal priority.
- Seek mitigation from the planning development process where it is appropriate.
- Review current landholder grant policy.
- Where appropriate, opportunities should be taken to provide for short circular walks off a National or Recreational Trail where this allows for better access to accommodation providers or the trail is near to a settlement or place of interest.
- Publicise and provide press releases of formal enforcement at least annually.
- Develop volunteer capacity to support the County Council to install waymarking and signage on paths that are assessed as being fully open for use.

## **STATEMENT OF ACTIONS PRIORITIES**

### Theme A: Public Rights of Way and Open Air Recreation

1. To continually open and have a well signed public rights of way network.
2. Provide and improve waymarking and signage on public rights of way, Access land and public green space.
3. Effectively manage, monitor and maintain opened paths in a satisfactory condition.

### Theme B: Management and Enforcement of Public Rights of Way and Green Spaces

1. To continually open and have a well signed public rights of way network.
2. Effectively manage, monitor and maintain opened paths in a satisfactory condition.
3. Take effective enforcement action when and where necessary in accordance with policy and the Higher Tier Approach.

### Theme C: Definitive Map and Statement

1. Achieve an accurate and up to date Definitive Map and Statement.
2. Make the Definitive Map and Statement widely available on the website and other appropriate formats.

### Theme D: Publicity and Promotion Review

1. Review publications to ensure they are accurate and up to date and to distribute effectively.
2. Make digital information on public rights of way and open spaces available on the website.
3. All information produced by Countryside Services will aim to be available, appropriate, accurate and accessible.