

CHESHIRE EAST COUNCIL

Public Rights of Way Committee

| | |
|-------------------------|---|
| Date of Meeting: | 13 December 2010 |
| Report of: | Green Spaces Manager |
| Subject/Title: | Cheshire East Rights of Way Improvement Plan 2011-2026: Approval of Strategy and Notification of Implementation Plan Prioritisation Methodology |

1.0 Report Summary

- 1.1 This report presents the final Cheshire East Rights of Way Improvement Plan (ROWIP) 2011-2026.

2.0 Recommendation

- 2.1 That recommendation be made to the Portfolio Holder to approve Appendix 1 as the Cheshire East Rights of Way Improvement Plan 2011-2026;
- 2.2 That the prioritisation methodology for projects to be delivered under the ROWIP Implementation Plan be noted;
- 2.3 That delegated powers be given to Mike Taylor, Green Spaces Manager, having first consulted with the Chairman of this Committee, to confirm the final form of the Implementation Plan, taking into account the prioritisation methodology advised by Cheshire Local Access Forum, to be recommended to the Portfolio Holder for approval.

3.0 Reasons for Recommendation

- 3.1 Member recommendation is sought in order for the Portfolio Holder to approve the final document prior to publication and as an integrated document of the Cheshire East Local Transport Plan 2011-2026 (LTP3). The LTP3 document is to appear before the Full Council in February 2011.
- 3.2 Members are informed of the prioritisation methodology to be used to draw up the first Implementation Plan for the delivery of the ROWIP.
- 3.3 Member recommendation is sought for delegated powers for the officer to develop the Implementation Plan, based on the prioritisation methodology, for the approval of the Portfolio Holder. This approval is required prior to the next meeting of this Committee.

4.0 Wards Affected

4.1 All Wards affected.

5.0 Local Ward Members

5.1 All Local Ward Members.

6.0 Policy Implications including - Climate change - Health

6.1 The development of the ROWIP is aligned with the health and wellbeing objectives and priorities of the Council as stated in the Corporate Plan (2.1.1 Encouraging healthier lifestyles), the Local Area Agreement (National Indicator 8 Adult participation in sport and active recreation) and the Health and Wellbeing Service commitment to the Change4Life initiative.

6.2 In addition, the ROWIP, as an integrated part of the Local Transport Plan, is set within the context of the Local Area Agreement indicators concerning air quality and CO₂ emissions.

7.0 Financial Implications

7.1 The ROWIP strategy document contains the policies and initiatives of the relevant sections of the (LTP3). The strategy sets out what the Council will aim to do during the period 2011-2026, although no financial commitment is made. Funding sources, which will include external grants, will be identified through the Implementation Plans for the LTP3/ROWIP.

8.0 Legal Implications (Authorised by the Borough Solicitor)

8.1 It is a statutory duty under section 60 of the Countryside and Rights of Way Act 2000 for every local highway authority to prepare and publish a Rights of Way Improvement Plan.

8.2 Non compliance with the requirement for the full integration of the ROWIP with the LTP3 could result in criticism from statutory monitoring bodies and agencies.

9.0 Risk Management

9.1 No matters arising.

10.0 Background and Options

10.1 The current ROWIP covering Cheshire East expires in March 2011. Therefore a new ROWIP is required.

10.2 It is a requirement for the ROWIP to be integrated into the LTP3. Therefore, whilst the background chapters are specific to the ROWIP, the content of the

chapter of the ROWIP containing the policies and initiatives of the strategy is common across the 2 documents.

- 10.3 As the LTP3 document is finalised, amendments to wording within the ROWIP may be made, although these can be expected to be minor. The final document will be put to the Portfolio Holder for approval.
- 10.4 Public consultation has been undertaken on the Draft ROWIP document, in compliance with Sections 61 (1), (2) and (3) of the Countryside and Rights of Way Act 2000. Responses to these consultations have been assessed and changes made accordingly.
- 10.5 The ROWIP document before the Committee sets out the strategy by which the Council aims to improve the public rights of way over the next 15 years. Which improvements are to be made will be set out in 3-yearly Implementation Plans.
- 10.6 Suggestions for improvement projects have been submitted by members of the public. In order for these to be fairly assessed, a prioritisation methodology has been devised. Three options for this methodology, shown in Appendix 2, have been put before the Cheshire Local Access Forum on 10th December 2010. The local authority is required, in accordance with section 94(5) of the Countryside and Rights of Way Act 2000, to have regard to the relevant advice from this Forum in carrying out its functions.
- 10.7 A verbal report will be delivered to the Committee as to the prioritisation methodology selected by the Forum. The Implementation Plan covering 2011-2014 will be drawn up using this methodology. An officer delegation is requested so that the advice of the Forum can be taken into account by him, in consultation with the Chairman of this Committee, in the final version of the Implementation Plan which will be recommended to the Portfolio Holder for approval. The Implementation Plan will be presented to the March meeting of this Committee for information.

11.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

Name: Genni Butler
Designation: (Acting) Countryside Access Development Officer
Tel No: 01606 271817
Email: genni.butler@cheshireeast.gov.uk