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Improving Public Access
and Local Rights of Way
in North Somerset

North Somerset Council
**Rights of Way
Improvement Plan
2007 – 2017**
(revised November 2010)

Improving Public Access
and Local Rights of Way
in North Somerset



Forward

I am pleased to be able to introduce this revised Rights of Way Improvement Plan.

Whilst the current plan runs until 2017 we have made some minor amendments in order to link and integrate the plan with the next phase of the Local Transport Plan.

The Plan heralds a new approach to managing our local rights of way network - we will be aiming to better provide what people want rather than only focusing on satisfying our statutory duties.

North Somerset Council's countryside access work has long recognised the breadth of benefits that the service can bring. It is a high priority for government (locally, regionally and nationally) as a means of supporting:

- our health, well-being and quality of life
- sustainable transport and reduction of congestion
- re-engagement with our countryside
- the local economy.

I see great benefit in the council aligning the Local Transport Plan with the Plan we outline here for walking, cycling, horse-riding, carriage driving and



'off-road' driving, whether for recreation or for commuting. Co-ordination of our efforts with those of other government agencies, with regard to agricultural policy, rural diversification, development and so on, will allow us to ensure greater 'joined up' thinking to the benefit of all. Understanding of the scope of the council's work, and satisfaction with it, should be boosted as the public gets directly involved in planning and monitoring progress as we implement the Plan.

The North Somerset Local Access Forum, and officers from inside, and outside, the council have contributed to the development of this Plan. We consulted the public over the winter and received some detailed responses which we have addressed as far as we can in this final version. However, a word of warning. The success of this plan will rely heavily on the continuing help from volunteers, landowners and outside funding sources. For many projects and existing maintenance works, the council can only act as an enabler - we simply do not have the financial resources or staffing available to do more.

Meanwhile, we expect to publish regular updates on our progress towards implementation and to give you opportunities to let us know how you think we're doing. Enjoy our countryside.

Councillor Efan Ap Rees



Executive summary

1. Introduction

We (North Somerset Council) are pleased to publish our Rights of Way Improvement Plan (the Plan). We have produced the Plan in line with guidance produced by government and in compliance with our legal duties. We believe that the actions proposed in the Plan:

- fit in with our strategy at local level and with national government policy
- will improve people's quality of life
- should help to boost the local economy.

The North Somerset countryside has much to offer its residents and our visitors, and local rights of way provide one of the best ways of exploring and enjoying it. For many, the network also provides a convenient, safe, healthy and enjoyable means of getting to work or school.

The aims of the Plan are to:

- set out the actions needed to improve the local rights of way network to meet identified needs of users
- integrate rights of way with other transport planning, including the Joint Local Transport Plan 3 (JLTP3)
- help guide forward planning and development to safeguard and improve the network
- ensure that improvements needed to achieve good access are included in other strategies and funding bids
- secure wider involvement.

We have already consulted widely within North Somerset and published a draft Plan. This final revised Plan reflects comments and ideas we have received in response to the consultation. The Plan only covers North Somerset, although we will move towards integration with the Joint Local Transport Plan 3 (JLTP3) in the future.

2. Users and their needs

In order to identify the needs of different local rights of way users, we have listened to what people have told us locally and have reviewed research results undertaken across the country (which is reasonably consistent in terms of people's needs). The Plan lists the needs of:

- walkers (casual walkers, walkers with dogs, rambles, and those walking to work, to school or to access services)
- cyclists (recreational and utilitarian), including cycling to work
- equestrians (horse riders and carriage drivers)
- drivers of motor vehicles on unsealed roads
- people with a wide range of impairments including mobility, visual and hearing.

We also recognise that some people do not currently make use of the network but may be attracted to use it in future. They too have their needs.

The key points from this section are that:

- there are many different needs to try to satisfy
- 'walkers' are a composite of different types, each with its own needs and preferences and it will be difficult to meet all these at all points of the network. However, all walkers have a basic requirement that routes are easily traceable, useable and welcoming
- cyclists, horse riders and drivers of horse-drawn carriages are keen to have continuity of safe routes with minimum need to use busy main roads
- motor vehicle drivers are looking for interesting and challenging off-road¹ routes that can be used without adverse effects (for example, appropriately surfaced, not obstructed, without conflict)
- mobility and visually impaired users have very diverse needs but much can be achieved by improving the information made available to them
- Local residents and visitors may be unaware of the access opportunities available and therefore represent a large potential source of extra usage
- landowners and farmers are key stakeholders in delivering a functional network and are keen to see network users made more aware of countryside matters.

¹ The term 'road' is generally defined in statutes as including all classes of highway. This means that care is needed when using expressions such as 'driving off-road'. Technically this should be interpreted as driving other than on a highway or any other road to which the public has access. For the purposes of the Plan, the term 'off-road' is used in the generally understood way of meaning 'not on a sealed (tarmacked or concrete) highway', rather than the legal one of 'not on a public route'.

3. Current provision

The local rights of way network of North Somerset extends to 826km, the majority (704km) being footpaths that can only be used by people on foot or by people dependent on mobility vehicles. The balance comprises bridleways (85km), restricted byways (37km) and byways (<1km). A small proportion of the network has been designed for use by people with limited mobility. However, the network is not evenly distributed with some areas having a dense network whilst others are only lightly covered.

We work continuously to maintain and improve the condition of the network – namely the continuous review of the legal record (the Definitive Map and Statement), its maintenance and its promotion. Although we achieve a standard comparable with other authorities for ‘ease of use’ (as measured by the Best Value Performance Indicator 178), there is always room for improvement.

Public access is not restricted solely to local rights of way. Some landowners are happy to allow the public to use linear routes across their land, ranging from simply tolerating it to entering into legally-binding agreements with the government or the local authority. Further, the Countryside and Rights of Way Act 2000 (CROW ACT 2000) gave the public a right of access, on foot for informal recreation, to areas mapped as ‘access land’. There are about 500ha of access land in North Somerset, supplemented by permissive access to some other areas.

Key points made in this section are that:

- despite the district’s relatively small size, it has an array of opportunities for the public to gain access to the countryside
- the opportunities for walkers are reasonably well distributed around the area, meaning that most people will have ready access to the countryside
- the network available for use by cyclists, horse riders and drivers of horse-drawn carriages is small and fragmented, meaning that continuity can, at present, only be achieved by use of lanes and roads, some of which are not well-suited for this use, or with permission of landowners
- there is little scope for accommodating off-road motor vehicle drivers on the area’s current network of local rights of way
- there is limited provision of routes that can be used by the public with mobility and other impairments relative to the number of people who are limited by such conditions

- despite its limitations, the local rights of way network can serve as an important part of the transport network and its improvement will be an important element in encouraging more participation in walking and cycling
- our research has identified a number of areas where we can make improvements.

4. Improving public access and local rights of way to meet identified needs

Bringing the two assessments together reveals where we need to focus our efforts. In summary, we believe the key shortfalls are:

Casual walkers

- Need to reduce obstructions, improve signage and surfacing and thereby contribute to increasing the ‘ease of use’ result.
- More publicity/promotion/way marking.

Walkers with dogs

- Need for greater education amongst dog owners about what constitutes responsible behaviour and the risks to livestock (see appendix E for questions about legal aspects).
- Need for dog friendly routes/areas.
- Need for routes with suitable facilities.

Ramblers

- Need to increase ‘ease of use’ result.
- More publicity/promotion.

Cyclists

- Only small percentage of local rights of way available for cyclists, and very little permissive.
- Poor connectivity.
- Inadequate information.

Multi-user routes (walkers and cyclists)

- Does the network have sufficient links between trip generators – homes, schools, shops and places of work?

Horse riders

- Only small percentage of local rights of way are available for horse riders, and very little permissive.
- Poor connectivity, meaning few circular routes.
- Inadequate information.

Carriage drivers

- Small length of route publicly available.
- Poorly connected.

Off-road motorists

- In effect, there is no provision for off-road driving on local rights of way in North Somerset.

Mobility, visually and other impaired users

- Limited percentage of network available.
- Insufficient targeted information provided.

Non-users

- Insufficient targeted information provided.
- In order for these shortfalls to be overcome, we will need to make changes to our procedures as well as undertaking specific actions on the ground.

These changes are considered under the four different themes:

- Vision and culture (VC) – having the right approach.
- Working practices and processes (WPP) – having the right tools.

- Services and facilities (SF) – doing the right things.
- Communication and education (CE) – publishing the right information.

The Statement of Actions (contained in section four) sets out proposed actions, who is leading on the action, the targets for delivery and the resources required.

5. Implementation

We will continue to strive to meet our duties with respect to local rights of way and exercise our powers as we think best. We recognise that the standard to which the existing network is managed and maintained could be improved and additions made.

The Local Access Forum (LAF) will advise us on matters relating to public access and recreation, and we will have regard to this advice. However, we have not been given additional resources to implement the actions within our Plan. But, the Plan is now incorporated within the JLTP3 and certain actions will be included in the annual delivery programme.

We intend to publish updates on the Plan's progress periodically within the LAF's annual report.



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1 Introduction

North Somerset is blessed with attractive countryside, a coastline packed with interest and delightful towns and villages. Many people want to travel within North Somerset, for example, to go to work or go to school, to visit the shops and to enjoy themselves. Most destinations are accessible to people on foot, bicycle and (in some cases) even on horseback, thanks to the network of local rights of way. We at North Somerset Council are responsible for securing this network of routes for your use.

The Plan has been based upon feedback from the public gained during the consultation exercise. We have formulated actions from this feedback and they are set out in section four. The plan is the first time that such a strategic overview has been undertaken on access issues.

In updating the Plan, we have been guided by:

- the requirements of the Countryside and Rights of Way Act 2000¹
- the statutory guidance produced by the Department for Environment, Food and Rural Affairs²
- the advice available on the Public Rights of Way Good Practice Guide website³.



The Plan covers the period up to 2017, with regular updates, and defines our vision for improving access and local rights of way over the next seven years in North Somerset - a vision to be achieved through a variety of policies and activities. This includes a Statement of Actions outlining what North Somerset Council and others propose to do to secure improvements to the development, promotion and management of the local rights of way.

Our long-term goals are:

- to increase the use and enjoyment of local rights of way by local people
- to encourage visitors to the area to use and enjoy our local rights of way network in order to promote economic benefits
- to provide opportunities for sustainable travel to local services and facilities
- to contribute to the sustainable development and quality of life of North Somerset's communities now and in the future.

The Plan focuses on public rights of way and includes cycletracks, most of which are within rural areas, but not exclusively so. Our responsibilities extend to rights of way throughout the area and so too does this Plan.

1.1 Why have we prepared this Plan?

1.1.1 Because it fits in with our strategy at local and national level

We are required by the Government to prepare and publish a plan for improving local rights of way in our area.

The Plan must look at:

- the extent to which local rights of way meet the present and likely future needs of the public
- the opportunities provided by local rights of way (footpaths, cycletracks, bridleways, restricted byways and byways) for exercise and other forms of open-air recreation and the enjoyment of our area
- the accessibility of local rights of way to blind or partially sighted persons and others with impairments or mobility problems.

1 www.opsi.gov.uk/ACTS/acts2000/20000037.htm (section 60 and 61)
2 www.defra.gov.uk/wildlife-countryside/cl/rowip/rowip.pdf
3 www.iprow.co.uk/wiki/index.php/main_page

In addition, new legislation, current and emerging strategies and policies from government at all levels influence what we do. So, a key element of the Plan is its support for the themes, aims and objectives of a wide range of existing plans and strategies.

The key components of this strategic planning framework are:

- Countryside and Rights of Way Act 2000
- Sport England Regional Plan 2004 and 'sport playing its part series'
- Statement of Community Involvement
- Joint Local Transport Plan
- Forest of Avon Community Forest Plan 2002
- Mendip Hills Area of Outstanding Natural Beauty Management Plan 2009-2014
- North Somerset Council Access Strategy for Disabled People 2005
- North Somerset Public Rights of Way Milestones Statement 1999
- North Somerset Replacement Local Plan March 2007 – Core Strategy – 2011 - onwards
- Cross compliance regulations under the Single Payment Scheme (of the Common Agricultural Policy)
- Association of Severn Estuary Relevant Authorities.

A more complete list of influential documents that form the policy framework is given in Appendix A.

Of particular relevance is Policy T/7 from the North Somerset Replacement Local Plan, 2007. This is reproduced in full in the box below together with paragraph 9.70, which is also highly relevant.



Policy T/7: Protection, development and improvement of the rights of way network and other forms of public access

Development that would reduce, sever or adversely affect the use, amenity or safety of public rights of way and other forms of public access, or prejudice the planned development of the network will only be permitted if acceptable provision is made to mitigate those effects, or divert or replace the right of way or other form of access, before the development commences.

Paragraph 9.70 states:

The council will pursue a programme for the protection, extension, improvement and maintenance of opportunities for access by sustainable modes, including public footpaths, bridleways, byways and cycle routes, together with associated services and facilities.

Key priorities within this programme are to provide and promote:

- urban fringe multi-user rides and trail routes around all towns and villages together with green corridors and gateway sites connecting urban areas with the countryside and wider access network beyond
- strategic multi-user routes connecting all towns, villages and appropriate tourist attractions and open space
- a continuous coastal footpath, broadly following the River Avon and the coast of North Somerset, diverting inland where necessary to avoid undue conflict with biodiversity interests or for reasons of safety and security
- public access to support the objectives of the Forest of Avon
- a series of Safe Routes to School schemes and other links to local services and facilities.

Source: North Somerset Replacement Local Plan 2007

1.1.2 Because it will improve people's quality of life

We recognise the substantial value that good access and local rights of way provide for developing sustainable, safe, strong and healthy communities.

We believe that the Plan will help improve the quality of life for people in North Somerset in several ways.

Sustainable travel

- Encouraging the number of people walking and cycling and decreasing car dependency and use, especially for regular local journeys, for example, commuting to work or school.
- Improving road safety for vulnerable users and enabling better accessibility for all people such as to key community facilities.

Recreation, sport and leisure

- Enhancing the quantity and quality of provision to appeal to all members of local communities, including different forms of transport such as walking, cycling and mountain-biking, horse riding and carriage driving.
- Different forms and levels of activity such as to experience and enjoy the local environment, to observe and interpret wildlife, engage in either gentle or more physically demanding activity.

Health and well-being

- Enabling everyone to have the opportunity for physical exercise, near to their home and free of charge, to help them reduce the risk of health conditions including coronary heart disease, diabetes, stroke, obesity and osteoporosis.
- Good access for all empowers people to lead independent lives, feel a part of their local community and be able to actively participate in it.
- Interacting socially with other people and making a valuable contribution to mental health and well being.

Economic development and tourism

- Promoting sites and routes to all visitors and so support tourism and new business opportunities, including farm diversification, for existing and potential markets such as countryside access generally, mountainbiking and cycling, horse riding and equestrian activities and watching wildlife.

Community life, education and culture

- Ensuring everyone has equal opportunities to access local services and facilities to the same

quality of access experience, and to feel socially included in community life generally.

- Providing opportunities for people to access nearby communities without the need to own a car, and so ensure social cohesion and inclusion.
- Good access provides opportunities for all people to develop a greater understanding of their local environment, and learn about its geography, history, wildlife, and land management.
- Our local network of public paths is a local environmental and cultural heritage resource able to provide opportunities for school and college pupils to enhance their curriculum learning.

1.1.3 Because it should help boost the local economy

Residents of North Somerset are a key audience for the Plan but the ability to access the countryside along local rights of way are of wider interest to visitors. North Somerset is a gateway to the south west peninsula. It lies close to the Greater Bristol conurbation, has good road and rail links and Bristol International Airport is close by. North Somerset's coast, countryside and its more developed areas provide immense potential for recreation and healthy activity for all and to significantly enhance tourism and the local economy.

A national survey found that just under three quarters of all adults in Great Britain have made a visit to the countryside, and just over half have visited the seaside/coast within the year prior to the survey interview⁴. Around 527 million walking trips are made annually to the English countryside, which is estimated to generate between £1.5 billion and £2.8 billion for local economies, and further supporting between 180,500 and 245,500 full-time jobs⁵.

The South West Coast National Trail has been judged the greatest asset to tourism in the region. Research suggests that the total economic value derived from the Coast Path is at least £143m per annum. In Somerset, it is estimated that local households and visiting friends and relatives using the Coast Path account for some £34m in spending each year⁶.

Similar figures are not available for North Somerset alone, however, this example illustrates the potential economic benefits of long distance promoted routes.

⁴ GB Day visit survey (CA) 2002/03

⁵ The economic and social value of Walking in England (Ramblers' Association 2003)

⁶ The economic value of the South West Coast Path 2003

It is estimated that equestrian and horse riding activities alone generate in excess of £11-12m each year to the North Somerset economy.

1.2 What has the North Somerset area got to offer?

North Somerset is a diverse mix of coast and countryside with towns and villages spread evenly, and lies adjacent to the Greater Bristol conurbation to its north east. North Somerset's land area of approximately 375sq km is bordered by Bristol City and Bath and North East Somerset Councils, and the county of Somerset. Approximately 42km of coastline along the Severn Estuary forms the district's north western boundary.

The district contains a number of key attractions including the traditional coastal towns of Weston-super-Mare, Clevedon and Portishead. The National Trust's Tyntesfield Estate and the coastline and areas of open space including the levels and moors. Mendip Hills AONB and publicly accessible land such as Ashton Court Estate and Leigh Woods. It has excellent beaches at Weston-super-Mare, Sand Bay and Clevedon. The state and extent of countryside access opportunities are discussed further in Section three.

1.3 Who does the network of local rights of way serve?

Approximately 190,000 people live in North Somerset, of whom around 70% live within the main urban areas of Weston-super-Mare, Clevedon, Nailsea and Portishead. The area's resident population increases each year through visitors. This amounted to around a further 5.3m people during 2004 (up from 3.6m in 1998), of whom around 4.8m were day visitors. Such a substantial increase not only represents a significant potential market for leisure-related tourism, but also represents higher potential usage of local rights of way.

North Somerset is generally prosperous, but some communities have greater needs and problems relating to accessibility and equality of opportunity, unemployment and low income, long-term ill-health, poor environmental conditions and facilities, crime and personal safety. Parts of Weston-super-Mare in particular are amongst the most deprived in the country, with 17,447 North Somerset residents living in the 20% most deprived areas nationally. Around 18% of households have no car and almost 35,000 residents (19%) suffer from limiting long term illness. North Somerset continues to see an increase in the



numbers of school age children. However, the proportion of children walking to school has declined nationally from around 61% in the early 1990s to around 50% in 2004 (the same figure for North Somerset's primary school children), with the school run accounting for 21% of car trips at 8.50am on weekdays during school terms.

There are around 25% more elderly people than the national average living in North Somerset. Currently, around 19% of residents are over sixty five years of age compared with a national average of 16%.

The population of North Somerset has more than doubled over the last fifty years. The area has faced considerable development pressure in recent decades, which is likely to continue. It is estimated that the resident population will rise by about 15% by 2018 to around 216,700 (compared to the 2001 Census of around 191,000). In line with all other council services, we will need to ensure that the local rights of way network will, by 2017, be able to meet the demands placed upon it by the expanded population and our visitors.

1.4 What the Plan will do?

This Plan focuses upon local rights of way and public access in the district, how we intend to provide and promote them, and processes we will follow for achieving improvements. It outlines what we think are the actions needed for improvements identified during the assessment stage.

The document also details what actions we and other key partners propose to take for securing these improvements. It will also form a component of the Greater Bristol Joint Local Transport Plan 2011-2025. Integrating the two plans will ensure that the contribution that good access and local rights of way make towards achieving better local transport is fully recognised and incorporated into wider transport planning and supported through appropriate funding.

The Plan will influence decision-making at strategic and practical day-to-day management levels.

It will be used to further:

- inform and guide forward planning and development control and to assist the determination of individual planning proposals (including seeking developer contributions and protecting land that may be needed for future network development)
- ensure that improvements necessary to achieve good access to the countryside are fully supported through wider transport planning and decision making including through walking and cycling strategies with the LTP, and to assist securing appropriate funding for activities
- encourage greater joined-up working, wider community involvement and enhanced partnership working.

The Plan will thus provide a framework for guiding implementation of our policies and activities, and to ensure on-going improvements that better match the availability of resources with the demands of residents and visitors.

1.5 Who have we consulted?

An outline of the process of completing the Plan is given in Appendix B. A key step in this process is consultation (key stage one). We have already consulted widely during the course of preparing this Plan.

We have consulted our colleagues within the council:

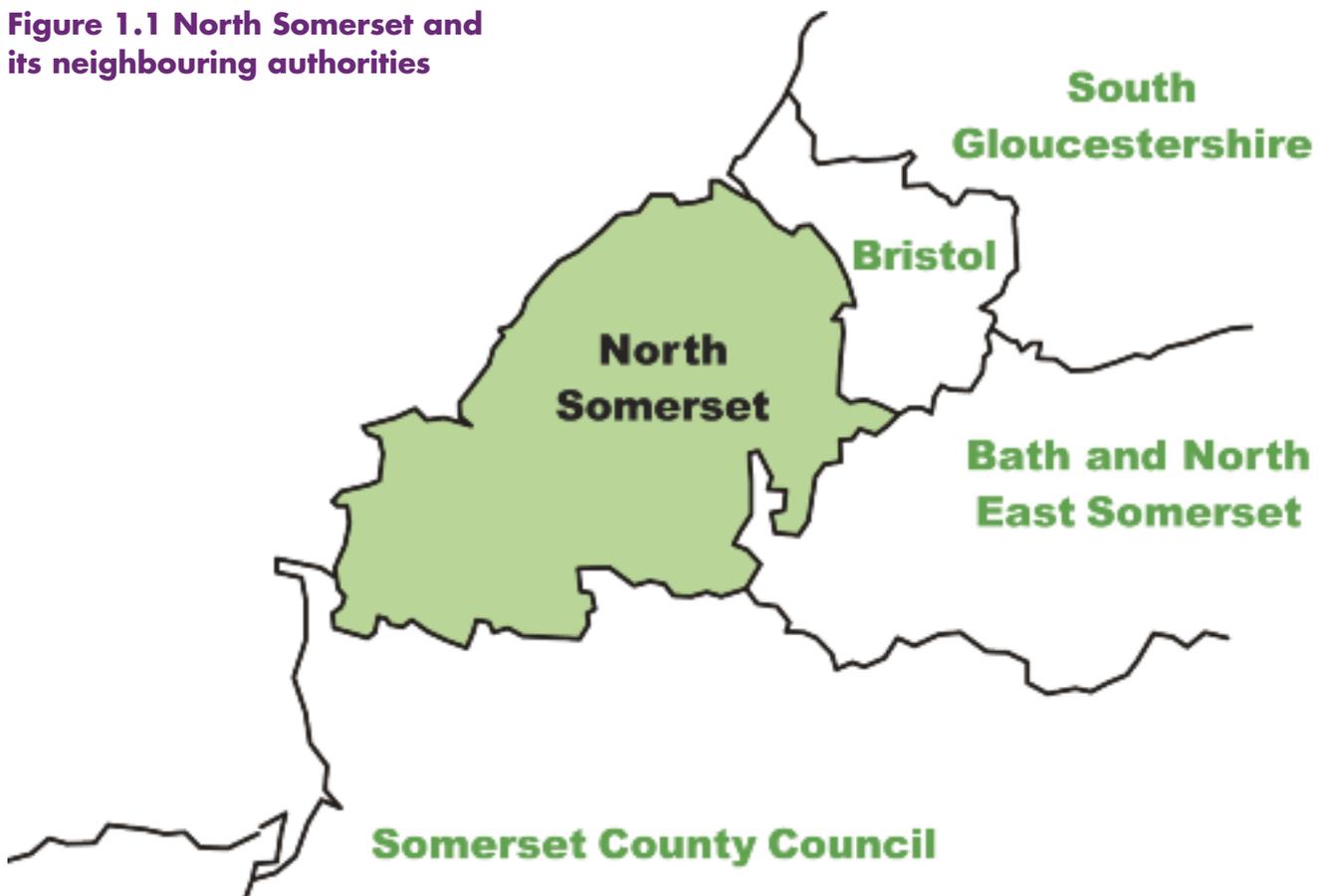
- Access Officer.
- Adult Social Services and Housing.
- Environmental Education Centre (Goblin Combe).
- Education Assets.
- Highways Management.
- Planning and Transport.
- Tourism, Economic Development and Regeneration.

We have also consulted a number of external bodies:

- Avon Wildlife Trust.
- Bath and North East Somerset Council.
- Bristol City Council.
- Bristol Horse Driving Club.
- British Horse Society.
- British Trust for Conservation Volunteers.
- Cyclists Touring Club.
- Disabled Information and Access Line (DIAL⁷).
- Disabled Ramblers Association.
- Forest of Avon Community Forest Team.
- Forestry Commission.
- Local Access Forum (via the RoWIP sub-group).
- Mendip Hills Area of Outstanding Natural Beauty Management Team.
- NHS North Somerset (formerly Primary Care Trust).
- National Trust.
- North Somerset Council Rights of Way Sub-Committee.
- Old Somerset Horse Driving Club.
- Ramblers' Association.
- Somerset County Council.
- South Gloucestershire Council.
- Sport England.
- Sustrans.
- Town and Parish Councils within the district.
- Trail Riders Fellowship.
- Woodspring Bridleways Association.

⁷ a glossary of abbreviations and acronyms is given in Appendix C

Figure 1.1 North Somerset and its neighbouring authorities



1.6 Why have we prepared the Plan for North Somerset only?

We have worked with our colleagues in adjacent unitary authorities (Bath and North East Somerset, Bristol City Council) and Somerset County Council during this Plan's development. This has helped us formulate similar policies and approaches to assessing and planning improvements to our respective local rights of way. It has enabled us to identify shared needs and common issues across the sub-region. Our work will ensure that our respective Plans follow the same principles, and with due regard to the shared needs and common issues.

Separate Plans are being prepared by Somerset County Council and the remaining West of England Authorities (South Gloucestershire, Bristol City and Bath and North East Somerset). However, we aim to continue to collaborate so that the Plans dovetail.

The development of two plans for the Greater Bristol Area also reflects the existence of two Local Access Forums – one for North Somerset and one for the remaining three West of England unitary authorities. It is intended to periodically update the Plan if needed.

1.7 Key points to carry forward

What we want you to take forward from this section is that:

- the local rights of way network is important for functional reasons (like commuting to school and places of work) as well as for recreation
- improving the local rights of way network has the potential to improve the quality of life in North Somerset
- the area has a varied countryside that should be attractive to residents and visitors alike
- we have followed best practice in preparing the Plan, consistent with what we need it to do.

The rest of the Plan follows a logical, step-by-step process, to identify what we, the council, has to do and what we think our priorities should be.

2 Users and their needs

2.1 Introduction

In this section, we review the types of activities normally associated with local rights of way and identify the needs and preferences of the different types of people who participate in these activities.

North Somerset is a relatively small community and we are in regular contact with local groups and individuals with an active interest in countryside access. We have consulted these stakeholders directly during the preparation of the Plan.

However, much work has been done by other authorities and government agencies. We have drawn on research done in many different parts of the country. The consistency of the findings suggests that it is reasonable to conclude that the needs of residents and visitors to North Somerset will be similar to elsewhere.

2.2 Walkers

Walking is the most popular form of activity associated with the countryside. It is a means of transport in its own right and usually accounts for at least part of journeys made by other means, for example walking to and from the bus, train or car. Walking has health and recreational benefits as well as functional uses and yet many of us do not walk enough to gain these benefits.

Walkers are possibly the most diverse group of users as they include everybody from the very young to the very old and those with a wide range of disabilities.

Those who walk also fall into two distinct groups: Those that walk for practical reasons (for example, getting to work, school or the shops). Those that walk for pleasure, recreation or health.

The latter may also be split down further into groups such as walkers with dogs, casual walkers and ramblers. Nevertheless, even though walkers walk for different reasons, their needs are often comparable.

Research carried out by other authorities whilst preparing for their Rights of Way Improvement Plan has taken an in-depth look at the needs of walkers. This research recognises that there are many categories of walker, each with different needs and preferences, and so some segmentation into sub-groups is desirable. A split of recreational walkers into three sub-groups is probably sufficient to consider the range of needs. Many of the findings are relevant to walkers using our network of local rights of way, although it will not be possible to meet all their needs all the time. The findings from a study by ADAS for Bedfordshire⁸ are typical and are summarised below.

Needs of casual walkers

- Natural looking paths – not smooth, artificial surfaces.
- Variety of surfaces and terrain (but not too muddy).
- Maps and information about routes (so you can choose a route suitable for your ability).
- Paths clear of obstruction.
- Way marking – reassurance you are on the right track.
- Safety
- Some areas with activities for children.
- Benches.
- Safe car parking.
- Wildlife interest/attractive environment.
- No litter, fly tipping.
- No children on bikes.



⁷ a glossary of abbreviations and acronyms is given in Appendix C

Needs of ramblers

- Variety – differing grades, surfaces, scenery.
- Natural surface and environment.
- Not too muddy.
- Adequate signage and way marks.
- Ideally no busy road crossings or at least a safe crossing point.
- Paths not obstructed.
- Furniture and bridges in good repair with gaps or kissing gates instead of stiles.
- Adequate public transport for linear routes.
- Safe and sufficient parking.
- Effective response to complaints.
- Access to Definitive Map as required.

Needs of walkers with dogs

- Sufficient dog bins that are emptied regularly.
- Room for the dog to run off the lead.
- Safe for the dog to run off the lead (for example, no vehicles, other walkers or livestock).
- Controlled undergrowth.
- No stiles or dog gates (as dog gates are only suitable for small dogs).
- Clear and sufficient signage.
- Clear routes across fields.
- Lighting in winter on local routes near to the road.
- Attractive environment (and opportunities for the dog to drink).

Dogs have the potential to cause significant adverse effects on livestock and wildlife if not handled responsibly by their owners. Consequently, there are laws in place to protect against these effects. The laws are complex (and are discussed in outline in Appendix E in the form of Q&A). However, there are two simple guidelines for dog owners to follow to make sure they do not fall foul of the law:

- Clean up after your dog wherever you are (go equipped with plastic bags and dispose of the bags responsibly).
- Keep your dog on a lead unless you are certain that you are allowed to take it off the lead, there are no livestock nearby and your dog is unlikely to disturb wildlife.

In addition, many people use the local rights of way network for functional purposes like going to school and work. In its national study, Entec⁹ found that:

- a third of households had at least one member who walked or cycled on at least part of their journey to work
- around one sixth of households had children who walked or cycled to school
- three-quarters of households had at least one member who regularly walked or cycled at least part of their journey to local shops and amenities.

However, these utilitarian journeys make use mainly of roads, footways and cycletracks rather than public rights of way. Nevertheless, if local rights of way were able to meet the needs of these walkers (and cyclists), there is a large 'market potential'. Utilitarian users are likely to need:

- good route surfaces
- routes that are safe to use (not sharing with traffic, safe road crossings, possibly lighting along some sections)
- good linkages with key destinations (schools, retail outlets, major employment areas).

These findings were broadly echoed in the consultations undertaken during the preparation of our Plan. In particular:

Safety

Walkers, cyclists and horse riders are the most vulnerable users of roads used by vehicular traffic, especially the very young and the elderly for whom busy roads are a particular hazard.

Information

Although there is some published information promoting routes, it was generally felt that more paths and bridleways needed to be publicised/promoted locally as leisure walks. Also, improved signposting and way marking routes was felt important to give walkers confidence that they were on the right track.

Physical improvements

Concerns were raised about vegetation blocking paths at ground level and also of wet and muddy paths in winter making it difficult to walk. Path furniture was also cited as a problem and some found certain stiles too difficult to use. Blocked and ploughed out paths were also concerns.

⁹ reviewed by Hickey in 2003 (www.iprow.co.uk/docs/uploads/reviseuse.demand.pdf)

2.3 Cyclists

Although cycling only accounts for around 2% of all journeys, cycle sales have been buoyant for a number of years and the use of local and national cycle routes continues to rise. There is great potential to encourage people to cycle more often by making the public rights of way network more accessible by bicycle.

Many people use bicycles to get to and from work or school, or for other utilitarian journeys like going to the shops or to access other services. In fact, these uses may account for the majority of journeys made on bicycles (see above). There are also many people who use cycles for recreational reasons. According to research for the Rights of Way Law Review, off-road cyclists can be placed in several categories, each with its own needs:

- Family groups, who need the security of knowing that they are unlikely to get lost or meet major difficulties (for example, steep hills, busy roads) and need only be around five miles in length.
- Casual or occasional cyclists, who have similar needs to family groups.
- More adventurous riders, who are usually more map literate and so will probably venture onto the local rights of way network and tend to be more accepting of the variable conditions they will find.
- Serious enthusiasts, whose key need, according to the CTC, is a route of up to five hours' duration, over terrain suited to their interest.

Cyclists need off-road routes with safe crossing points where a route crosses a busy road. Where a route utilises roads, cyclists are most concerned about the speed of motorists and their attitude, particularly toward children and novice cyclists. It is important that off road routes are:

- free from obstruction and other obstacles like gates and livestock
- not overgrown with vegetation such as brambles and nettles
- well signposted
- surfaced so as to be generally level and free from pot holes. They should also be well drained, preferably with a compacted stone surface (tarmac is preferred where the route may be used by long distance road cyclists or commuters)
- wide enough to share with other users such as walkers and horse riders



- accessible to all cycles including, for example, those with child trailers or tandems.

2.4 Horse riders and carriage driving

A survey undertaken by the British Equestrian Trades Association¹⁰ reveals that 'the number of horses in Britain, including those kept by private owners and in professional establishments, has reached 1.35 million. They are owned or cared for by 720,000 people, or 1.2% of the UK population.'

The study shows that around 2.1 million people ride at least once a month, with a further 2.2 million having done so during the last year, making a total of 4.3 million participants. The previous estimate was that 2.4 million people had ridden during the last 12 months. Leisure riding remains the most important single type of riding, up by 5% since the last survey (1999).

Sheffield Hallam University analysed information about horse riding in the UK when assisting Hampshire to develop its Plan¹¹.

¹⁰ www.beta-uk.org/

¹¹ www.iprow.co.uk/docs/uploads/forest.of.eversley.draft.plan.pdf

Research by rural resources for Shropshire County Council¹² revealed that horse riders, like walkers and cyclists, need off road routes and safe crossing points where a route crosses a busy road.

Those interviewed said how important it is that these off road routes are:

- free from obstruction and other obstacles (mentioning difficult gates, electric fencing, dogs, bulls, cows and other horses)
- not overgrown with vegetation such as brambles and nettles (or have overhanging branches and low trees)
- well signposted and way marked.

Horse riders need surfaces to be generally level and preferably free from pot holes. They should also be well drained to prevent poaching, preferably with a natural surface (not tarmac or concrete).

Riders who use roads are most concerned about the speed of motorists and their attitude to riders. Slippery road surfaces and narrow verges are also of concern, although many riders prefer to ride on the carriageway rather than the verge, as verges are often uneven and hide litter which can spook horses into traffic. Also by riding on the road, vehicles are often forced to slow down in order to pass. Routes of at least five miles long are the most useful, preferably providing rides of around two to three hours in duration.



There are a number of liverys, as well as equine related businesses in the area and there are eight horse riding schools listed in the Yellow Pages for North Somerset. Like walkers and cyclists, horse riders are vulnerable when using trafficked roads. Indeed, they could be considered more vulnerable than other users due to the sometimes unpredictable nature of their mounts. Young and inexperienced riders are at particular risk. The bridleway network is limited and is fragmented with many routes being severed by main roads.



Another equestrian activity that is practiced on public rights of way is the driving of horse-drawn carriages. The number of people who take part in carriage driving is relatively small but is growing, according to the British Driving Society. Evidence of their needs is limited but Sheffield Hallam and Rural Resources both considered their needs in the course of their respective studies. In short, the needs of carriage drivers are similar to those of horse riders, plus:

- adequate parking for manoeuvring carriages and horses
- an area close to a car park to tack up horse and harness horse to carriage
- long distance routes with gates wide enough to allow the carriage to pass through
- absence of blocking vegetation.

Many authorities develop specific strategies to guide developments for equestrians.

¹² www.iprow.co.uk/docs/uploads/salop.horse.and.cycle.study.pdf

2.5 Drivers of motor vehicles

Recreational off road driving/motorcycling is generally carried out within a rural environment, where drivers can experience the challenge of more difficult terrain than offered by surfaced roads. The national rights of way use and demand survey by Entec in 2001¹³ suggests that 4% of households undertake off road driving of some description, but it is recognised that some of this use may be on private land, or other open land, and paths and tracks that are not recorded as rights of way.

The public has a right to drive motor vehicles on byways open to all traffic (BOATs). A detailed study of use of BOATs by motor vehicle drivers, undertaken by Faber Maunsell, showed that the large majority of BOATs are well-maintained and are not problematic. However, where problems do exist, these can be contentious. North Somerset only has one BOAT at present, although off-road use of this does give rise to complaints.

There is some illegal use, which could suggest an unmet latent demand for off-road routes (although it may mean that some people don't want to 'play by the rules'). This illegal access on footpaths and bridleways causes significant concern amongst landowners and legitimate users but is difficult to control. Standard access controls designed to prevent unlawful use also tend to cause problems for legitimate users, especially horse riders on bridleways, and users with mobility problems on all routes.

Like other users, off road drivers need a connected network of routes that are free from obstruction. Research carried out by Faber Maunsell¹⁴ on behalf of Nottinghamshire County Council suggests that recreational drivers are happy to share routes with other users. However, some recreational drivers prefer challenging terrain, which may conflict with the needs and preferences of other rights of way users who require a different surface and regard motor vehicles as disturbing their quiet enjoyment of the countryside.

Another study by Faber Maunsell¹⁵ (this one for Defra) asked a range of organisations that represent off-road motor vehicle drivers what they sought from routes. Each group made a similar response but they embraced the following points:

- Unsurfaced routes that are 'different' from ordinary roads (LARA).

- Routes that are free from obstructions and conflict with other users (All Wheel Drive Club).
- Good surface, free from obstructing vegetation, preferably with some character and history (Trail Riders Fellowship).
- Challenging natural gradient and surface (Association of Classic Trials Clubs).
- Reasonable length and interesting topography (Association of Rover Clubs).
- Routes that are not damaged by light vehicle use (Green Lane Association).

2.6 Impaired users

As a local authority, we have a number of obligations towards people with mobility difficulties and sight problems:

- The Countryside and Rights of Way Act 2000 requires us to ensure that the needs of these groups are taken into account in our Rights of Way Improvement Plan.
- The Disability Discrimination Acts (DDA) of 1995 and 2005 (replaced by the Equality Act 2010) mean we have to ensure we make reasonable provision for the disabled when providing services and carrying out our functions. The Disability Rights Commission holds that public rights of way are a service under the terms of the Act and this view seems to be echoed by Natural England (see Box 2.1 below). However, there is some uncertainty over how the law applies in relation to public rights of way (as distinct from the associated facilities and furniture) and the question has not yet been tested in the courts.

Box 2.1 Does DDA 1995 (as replaced by the Equality Act 2010) apply to Public Rights of Way?

'The DDA 1995 affects all those responsible for providing access to the countryside as 'service providers'...it covers the whole range of countryside services including guided walks, events, visitor centres, information, interpretation, signage, paths and trails and so on. The Act also covers everyone involved in providing a service to the public, including volunteers.'

Source: By All Reasonable Means (page nine) (Countryside Agency 2005)

¹³ reviewed by Hickey in 2003 (www.iprow.co.uk/docs/uploads/reviseduse.demand.pdf)

¹⁴ www.iprow.co.uk/docs/uploads/nottinghamshire.vehicle.users.final.report.pdf

¹⁵ www.defra.gov.uk/wildlife-countryside/cl/mpv/pdf/researchrep-veh.pdf

We are reminded by the Diversity Review¹⁶ of our responsibilities towards meeting the needs of 'hard-to-reach' groups, such as all those people with disabilities - not just with mobility and/or visual impairments. We have embodied the requirements in our draft Policy NSC19 (Access to the Countryside), which is reproduced in Appendix D.

It is important to remember that mobility can be restricted by stiffened joints, pushing a pram or short term health conditions, and restrictions are not limited

to disabled people. So, people with mobility and visual impairments have needs and aspirations as diverse as any but are more likely to be excluded unintentionally. We need to be sensitive to these aspirations at a local level. For example, cycling and horse riding can increase access for people with limited mobility. Care is needed to ensure that easy to use gates remain stockproof. Research for the City of York¹⁷ identified the key needs of people with mobility difficulties (see Table 2.1).

Table 2.1: needs of people with disabilities

Wheelchair users need:	
<ul style="list-style-type: none"> ● Signs at eye level. ● Gates which are easy to open and close. ● Catches which are easy to reach and operate. ● Minimum crossfall on paths or even cambers. ● Space on car parks to transfer from their car to their chair. ● Spaces to sit next to companions at seats and accessible picnic tables. 	<ul style="list-style-type: none"> ● Accessible toilets. ● Space to pass other path users. ● Views unrestricted by handrails or walls. ● Space to turn corners. ● Hand rails at appropriate heights. ● Minimum gradients on all paths. ● Surfaces which are firm, level and non-slip. ● Level space next to ramps or gates.
People with walking difficulties or dexterity/balance problems need:	
<ul style="list-style-type: none"> ● Level, even surfaces on paths. ● Easy to negotiate stiles and gates. ● Steps with handrails and even treads and risers. ● Gates that are not heavy and catches that are easy to operate. ● Seats that are easy to rise from. 	<ul style="list-style-type: none"> ● Passing places on paths. ● Minimum gaps in the path surface. ● Resting places at regular intervals. ● Minimum gradients along and across paths. ● Horseriders need places to mount and dismount, plus easy catches on bridlegates.
Visually impaired people need:	
<ul style="list-style-type: none"> ● Space to pass other path users. ● Warning of hazards at head height. ● Clear edges to paths. 	<ul style="list-style-type: none"> ● Even path surfaces. ● Even and clearly marked steps. ● Easy to use catches on gates.

Source: Hosker et al (2003) www.iprow.co.uk/docs/uploads/York.ROWIP.accessibility.pilot.report.RH.pdf

Disabled ramblers can sometimes be provided with portable toilets for organised walks, which greatly expands the network available for their use, although this is not without logistical and financial challenges. Disability issues are not just confined to users who walk. Horse riding, cycling and motor vehicles can greatly increase accessibility for mobility impaired users, although this can sometimes be overlooked. In addition, the levels of challenge and capability can vary greatly as much within people with mobility and visual impairments as any other group of users.



¹⁶ <http://naturalengland.twoten.com/naturalenglandshop/docs/CRN94.pdf> and <http://naturalengland.twoten.com/naturalenglandshop/docs/CRN95.pdf>

¹⁷ See: <http://www.iprow.co.uk/docs/uploads/York.ROWIP.accessibility.pilot.report.RH.pdf>

A recurring theme amongst people with mobility and sight problems is the need for information that will enable them to judge the challenges of a route against their own capabilities. These groups need particularly good information about accessibility such as locations of gates, gradients, surfaces and supporting facilities such as toilets. Disabled horse riders need other facilities such as hitching rails, places to mount and dismount, catches that can be operated without dismounting, and bridleways wide enough to allow unconfident riders to pass safely, and perhaps to allow one horse to be led from another - these are also welcomed by the majority of disabled users. Increasing accessibility can be as much about increasing awareness, confidence and links with transportation, as physical improvements to path surfaces and furniture.

2.7 Attracting new users

Not everyone makes use of the local rights of way network. It is important to understand why this is and whether there are barriers that can be overcome. Entec's national survey¹⁸ showed that within 44% of households, no one undertook any activity in the countryside. The main reasons given among non-users for this lack of use were:

- Not enough information (58%)
- Routes badly signposted (51%)
- Routes in a poor state (58%)
- I feel unsafe (44%)
- Not enough routes (45%)
- Health problems (16%)
- Old age (13%)
- Not interested (12%)

¹⁸ reviewed by Hickey 2003
(www.iprow.co.uk/docs/uploads/reviseuse.demand.pdf)

As can be seen, the reasons people do not use local rights of way are very varied. Some people are just not interested and never will be. Others may be interested but do not have enough free time. The lack of information and a related lack of confidence seem to be the main factors in discouraging wider use of the network.

It is reasonable to suppose that there are those who could become users given the right information on what opportunities are available, whether this means more signposts on the ground or leaflets in tourist offices, at libraries or on websites. For their interest to be maintained, routes they are encouraged to use

should be well-way marked and easy to follow (even in urban areas), so that new users gain confidence.

Children merit particular attention and education about the countryside and ways of gaining access to it will not only be beneficial but could stimulate interest. There are opportunities to work with the Children's Services Department to add appropriate material to curricula and with citizenship learning.

Another section of society that does not make good use of the public rights of way network is the ethnic minorities. Natural England and the Black Environmental Network found that the main barriers to use are (not in any priority order):

● Lack of cultural habit

Stories of racial abuse circulate and entrench the fears that keep people from ethnic communities at home.

● Lack of knowledge

There may be no pool of knowledge about where to go and what to do when out in the countryside. Fear of trespassing is a barrier, too. They are also not sure how local people will react to them.

● Cost of visiting the countryside

The costs of transport, food, accommodation, visiting tourist sights and activities may be too high for many people, especially as many like to visit with family and friends.

● Transport

Many people from the ethnic minorities live in urban areas and may be less likely to have a car. Using public transport to travel to the countryside may be just too big a step to take, given that it is travel into the unknown, and there will be stress in travelling long distances to seemingly remote places.

● Different patterns of use (of the countryside)

The ethnic minority groups often prefer to spend their leisure time with relatives and friends. Research shows that family picnics and barbeques were popular and there was a preference for managed sites which offer facilities and structured activities.

● Lack of culturally appropriate provisions

For some groups, the countryside does not cater for their basic cultural or religious needs such as appropriate food and praying facilities. BEN found that there may be a difficulty where women-only groups are expected to have male drivers or organisers.

● Dogs

There is a reluctance amongst some Muslims to put themselves in situations where they may encounter dogs. The countryside, and particularly organised events in the countryside, may be viewed as such a situation and so would be avoided. We need to be mindful of these particular barriers in our work and do what we can to remove them.

2.8 Landowners

Although not normally seen as 'users' of the network, many public rights of way cross fields or follow tracks used by farmers and property owners. Increasingly, they see the demand for access as an opportunity – whether to build permissive access into an agri-environment scheme application or as a potential diversification opportunity.

Landowners also have certain responsibilities towards the network and so are critical to delivery of a good network. Yet, landowners in general, and farmers in particular, are subject to lots of other pressures, including falling incomes, new regulations and changes to their ways of working resulting from these pressures. Network users do not always appreciate why farmers manage the land in the way they do, and there is a need to improve their understanding as this will often improve their enjoyment. Feedback from our research shows that farmers and landowners want network users to:



- be more fully aware of why they manage their land in the way they do
- be aware of where they can and cannot go when crossing land, through clear signing, way marking and education
- be aware of the risks posed by dogs to their livestock caused by irresponsible dog owners, both through stock worrying and spread of disease
- appreciate landowners' contributions to delivery of a good access network and a beautiful and biologically diverse countryside.

As key stakeholders, landowners want to be consulted over changes to the network that will affect them. We need to make sure that we take the opportunity to raise awareness in relevant material that we produce.

2.9 Key points to carry forward

What we want you to take forward from this section is that:

- there are many different needs to try to satisfy
- walkers are a composite of different types, each with its own needs and preferences and it will be difficult to meet all these at all points of the network
- cyclists, horse riders and drivers of horse drawn carriages are keen to have continuity of safe routes with minimum necessity for use of busy main roads
- motor vehicle drivers are looking for interesting and challenging off-road routes that can be used without adverse effects (for example, appropriately surfaced, not obstructed, without conflict)
- mobility and visually impaired users have very diverse needs but much can be achieved by improving the information made available to them
- a significant proportion of the residents and visitors make little or no use of the access opportunities available, and so represent a huge potential source of extra usage
- landowners and farmers are key players in delivering a functional network and are keen to see network users made more aware of countryside matters.

Having looked at the needs and preferences of the different types of user, the next section looks at what is currently available within North Somerset.

3 Current provision for access to the countryside

3.1 Introduction

In this section, we review the extent, type and quality of provision for access on local rights of way and other forms of public access within North Somerset.

3.2 The local rights of way network

3.2.1 Length available

The public rights of way network is recorded on the Definitive Map and Statement, which is a legal document maintained by the council.

There are approximately 826km of recorded public rights of way in North Somerset:

- 704km definitive footpath
- 85km definitive bridleway
- 37km definitive restricted byway¹⁹
- 0.7km definitive byway open to all traffic (BOAT).

This means that only just under 15% of the network is available to horse riders and cyclists and a tiny proportion to drivers of motor vehicles²⁰. The distribution of public rights of way across North Somerset recorded on the Definitive Map is shown in Figure 3.1. However, the recording of a route on the Definitive Map does not guarantee that the route is easy to use by those entitled to use it, and we discuss the quality of our local rights of way below.

We also have powers to introduce a Traffic Regulation Order on public rights of way to prohibit its use by any class of user, where we feel that this is necessary and meets the relevant legal tests. However, we only use this power when all else has failed, and there are no such orders in operation at present in North Somerset.



There are 157km of on-road and off-road (adopted highway) cycle routes. The flagship Strawberry Line Heritage Trail provides 11km of off-road route within North Somerset and links to Axbridge and Cheddar. The Strawberry Line Heritage Trail can be accessed directly from the mainline station at Yatton. Its status is a permissive footpath and cycleway route (although consideration could be given to making all or at least part of it available for horse riding as well).

The network of cycle routes in North Somerset sits within a much wider regional and national network of routes, mainly developed by Sustrans. Figure 3.2 shows open and proposed routes for North Somerset. The availability of this wider network enhances the value of local routes which link to it. However, more needs to be done to secure the network for the future by establishing and recording rights where appropriate.

3.2.2 Coverage and connectivity

A listing of the length of route available by type masks the fact that the network is fragmented in many parts, and severed by roads, often busy ones. Further, the density of the network varies, with some areas relatively well served by routes and others with very few or none. Although gaps in the footpath network are relatively few, this is not the case for bridleways. An analysis of bridleway coverage undertaken in

¹⁹ note: prior to the coming into force of S47 of the Countryside and Rights of Way Act 2000, these routes were known as Roads Used as Public Paths (RUPPs). The public has a right to use restricted byways for walking, cycling, horse riding and driving of non-motorised vehicles.

²⁰ for the purposes of the Road Traffic Act 1988, use of a powered mobility vehicle on a public right of way is not a criminal offence (by virtue of S20 of the Chronically Sick and Disabled Persons Act 1970).

2000²¹ found the results 'very startling and profound'. The main gaps observed are:

- In the North of the Council's area, around the areas South of Portishead and Easton-In- Gordano.
- The area between Nailsea and Failand.
- The area around Long Ashton.
- The area between Blagdon, Wrington and Felton.
- The area East of Cleeve and Congresbury, North East of Yatton and North of Churchill.
- The area between Banwell and Weston-super-Mare.
- The area North of Weston-super-Mare.

- The area South East of Weston-super-Mare to Winscombe.
- The area between Portishead and Nailsea.

However, the report acknowledges that there may be linkages and routes regularly used by horse riders and cyclists that are not shown on the Definitive Map as public rights of way. Lengths of restricted byways and byways open to all traffic, particularly the latter, are of limited length and very fragmented.

3.2.3 Condition of the network

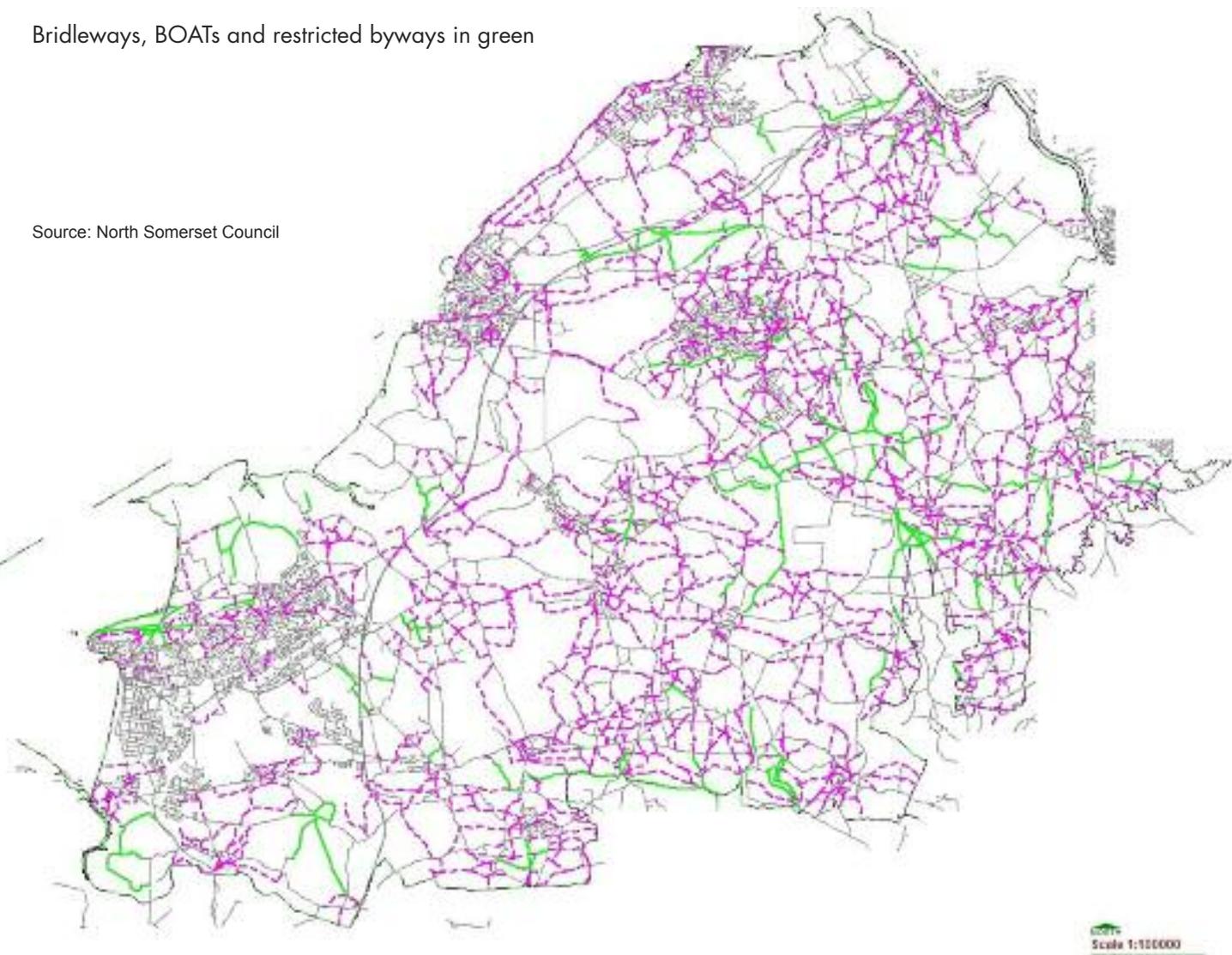
Figure 3.1 Distribution of public rights of way in North Somerset

Road centre lines in grey

Public footpaths in purple

Bridleways, BOATs and restricted byways in green

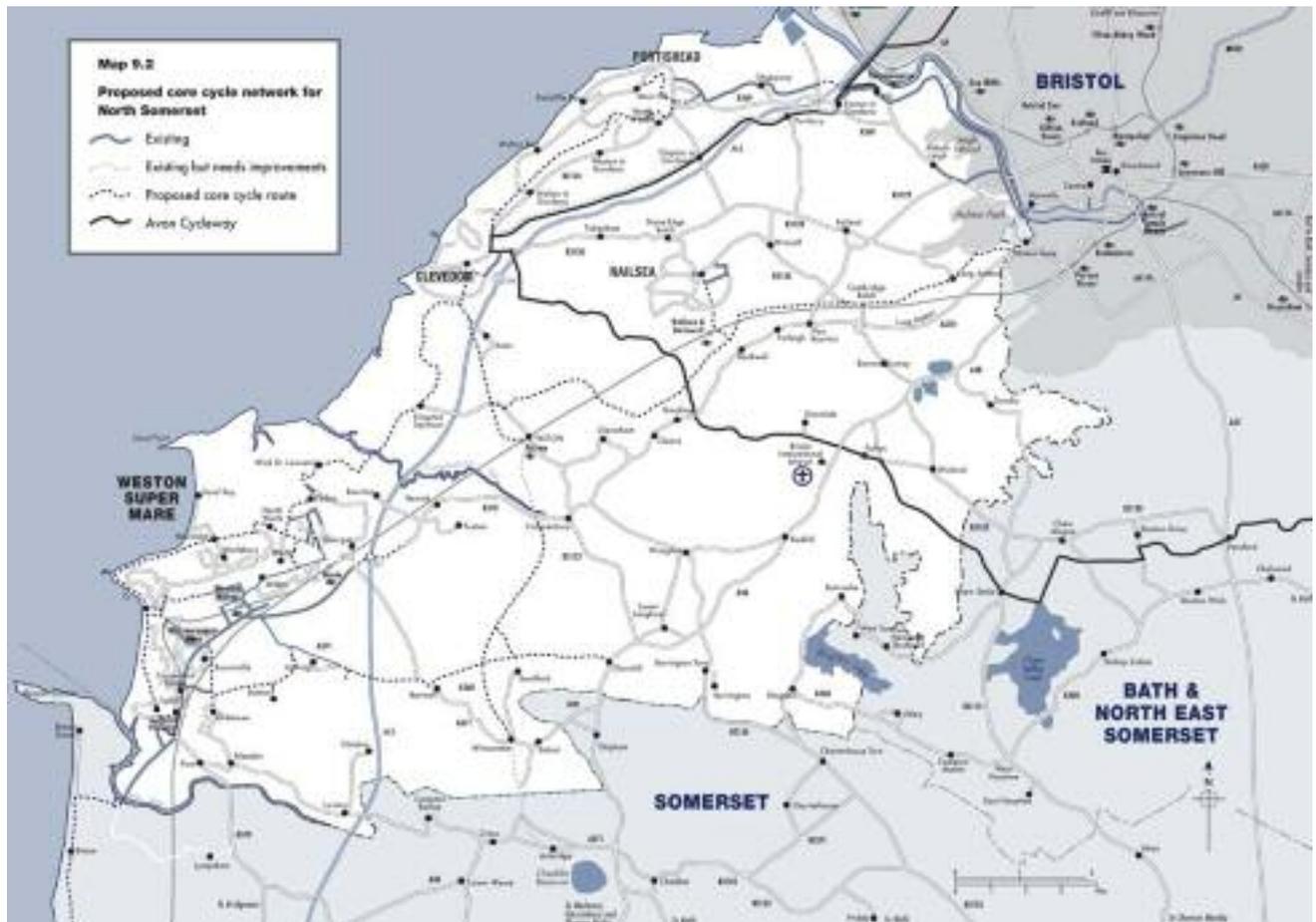
Source: North Somerset Council



21 Collins, A 2000. Improving the public bridleways network within North Somerset, NSC

Figure 3.2: Open and proposed NCN routes in the North Somerset Area

Source: North Somerset Council Replacement Local Plan 2007



To be of most value, local rights of way need to be:

- legally defined
- properly maintained
- well publicised.

As a highway authority, our performance is judged against these criteria. So, how are we doing?

Legally defined – our legal obligations

All public rights of way are required by law to be recorded on a Definitive Map and we are required to keep it under continuous review. This means ensuring that the legal records are kept up to date and reflect the situation on the ground. North Somerset's Definitive Map has not been updated since it was first produced and has a 'relevant date' of 1956. However what is known as the 'working copy' is updated to reflect changes in recorded legal status achieved by dedications, Modification or Public Path orders. The network is not static and evolves for a variety of reasons, such as when new roads are constructed or

buildings developed. But, for the network to be changed, certain tests have to be satisfied to protect everyone's interests. Every time a public right of way is created, permanently closed or diverted, we have to follow a procedure set out in law. The orders we make to bring about these changes to the network are often referred to as Public Path Orders (PPOs).

We also have a duty to correct the Definitive Map if it is shown to be wrong in any way. For example, if an unrecorded path is discovered, it must be added to the Definitive Map. Another common error is for a recorded route to have been recorded with the wrong status (for example, a footpath may, in reality, be a bridleway). The process does not actually create or extinguish any public rights, it only ensures that the legally-definitive record accurately reflects the correct situation.

Anyone can apply for a change to the Definitive Map if they believe it to be wrong. Where we find that an



error has occurred (for example, an unrecorded route is discovered), we must correct the map but the process is lengthy and complex, involving much historical research and gathering of evidence to support the claims. The outcome is often contentious and in many instances leads to a Public Inquiry or Hearing.

In July 2006, there were 78 outstanding applications made by the public to alter the Definitive Map, either to add routes that are not yet recorded, or to change the status of recorded routes because it is believed that their status may have been recorded incorrectly. The claims are for:

- Byway Open to All Traffic (49)
- Either Byway Open to All Traffic or Bridleway (4)
- Bridleway (12)
- Footpath (13)

Of the 49 applications for Byways, 27 were received after the cut-off date introduced by the Natural Environment and Rural Communities Act 2006 (20 January 2005). These may no longer be assessed as byway claims, but the claims will continue to be investigated and may be found to carry restricted byway or bridleway rights. Any more byway claims we receive will be progressed in the same way.

Making these Orders is estimated to cost between £5,000 and £9,000 each. We expect there will be objections to the majority of the applications so far received, which (if not withdrawn) will result in a Public Inquiry or Hearing. However, the officer time

available is limited and progress is expected to be slow. With current resources, we expect to deal with an average of 3-4 Definitive Map Modification Orders and an average of 6-8 Public Path Orders each year.

Properly maintained – our legal obligations

We have a duty to ensure that all public rights of way are properly maintained. Our maintenance standards are described in our Streets and Open Spaces Service Standards document²². Implicit within these standards are that routes should be appropriately signed and way marked, and be properly 'policed'. But, the exact level and nature of maintenance is not specified.

One exception is the specific requirement to ensure that all rights of way are properly signposted where they abut against tarmaced roads.

An assessment was carried out twice each year (November and May) along a randomly selected 5% of the network, using a nationally-approved survey method. This gave a 'snap shot' of the condition of the network, although research²³ suggests that it is better considered as an indicator of our compliance with our statutory duties over public rights of way.

Currently, 72.1% of the footpaths, bridleways and byways in North Somerset meet the required standard as measured by this method, compared to 71% for England as a whole. Our current target is 80.0%, so this is an area where we need to make improvements.

Town and parish councils are key players because they have good local knowledge, powers to undertake maintenance of footpaths and bridleways in their areas and are able to raise funds through a precept on the rates, should they so wish. Each parish/town has one of our officers linked with it, and the NS LAF operates a 'buddy' system, in which each parish is buddied with a LAF member. We are keen to work more closely with the councils and the LAF to ensure our efforts are co-ordinated for maximum beneficial effect.

Landowners and farmers also have responsibilities. The law sets out their responsibilities with regard to

²² See: http://www.n-somerset.gov.uk/NR/rdonlyres/E7D47449-FB90-4616-AB78-7D6A856AE00F/0/Strategy_Streets_and_open_spaces_Service_Standards_2006.pdf

²³ For more discussion on monitoring of public rights of way and BVPI 178 in particular, see: http://www.countryside.gov.uk/Images/DGdoc_tcm2-28078.pdf

ploughing and cropping²⁴, and we have a duty and powers to ensure they are complied with.

In 2005, the suite of agricultural subsidy schemes was replaced by a new scheme (the Single Payment), and claimants have to comply with rights of way legislation (as well as many other things) in order to be eligible for the subsidy. Failure to comply could result in financial penalties being applied. In addition, the latest agri-environment scheme (the Environmental Stewardship Scheme) places similar obligations on participants in respect of keeping rights of way in good order, with penalties if this is not done.

Landowners are responsible for the maintenance of stiles, gates and hedges that cross or run alongside public rights of way. Our maintenance team works with landowners to ensure that these structures are safe and convenient to use as far as is reasonable. We are legally required to contribute at least 25% of the cost of these structures if asked by the landowner and so we sometimes offer to replace stiles and gates free of charge, especially as this ensures they are constructed and maintained to a satisfactory standard. Even so, we still carry the bulk of the maintenance responsibility and, with the limited budget available, it is not always possible to maintain all paths to the standard we would like and which the public expect.

Representatives of users tell us that common problems encountered on public rights of way in North Somerset are:

- poor way marking and signing
- gates and stiles that are badly maintained (some of which may exist without the correct lawful authority)
- un-official diversions
- recorded routes that cannot be traced on the ground
- obstructions.

Some respondents to the draft Plan have suggested that a formal inspection programme and enforcement procedure needs to be developed to ensure that these problems are identified and dealt with. An enforcement procedure has now been put in place, even so, ensuring that these problems are tackled more effectively will require concerted effort by all stakeholders.

Well publicised



We do not have a statutory obligation to promote local rights of way but we think it is important that people know about them and the opportunities they provide. We currently produce a range of publications that promote routes in North Somerset. For example, Weston-super-Mare's Tourist Information Centre carried stocks of over 40 walking and cycling leaflets.

Examples include:

- Avon Cycleway Map
- Avon Timberland Trail
- Guided Walks in and around the Forest of Avon
- North Somerset Cycle Map
- Cycling in Somerset
- Mendip Hills AONB Bus Walks
- The Strawberry Line – for Walkers and Cyclists
- Family Explorer
- Walking, Riding and Cycling Routes in Somerset
- Town Trail (four options)

A number of the routes are promoted as access trails including the Strawberry Line Heritage Trail, River Avon Trail, Avon Timberland Trail, Two Rivers Way and Mendip Way.

We publicise other aspects of highway use on our website, covering issues like:

- travel to school
- public transport
- cycling.

3.3 Permissive routes and areas

Landowners can, if they



²⁴ Rights of Way Act 1990

wish, give permission for public access along paths and tracks which cross their land. These are called permissive routes (sometimes referred to as 'concessionary routes'). On permissive routes, it is generally the landowner who is responsible for maintenance and safety of users unless agreed otherwise.

Farmers can seek to provide access through an agreement with the Department for Environment, Food and Rural Affairs (Defra) under an incentive scheme. There are currently six such linear routes in North Somerset listed on the Defra Country Walks website²⁵ (four footpaths and two bridleways, totaling 9.1km, of which 1.5km is bridleway - there are area-wide agreements too, see below).

More permissive routes are expected to become available under the Higher Level Scheme, although

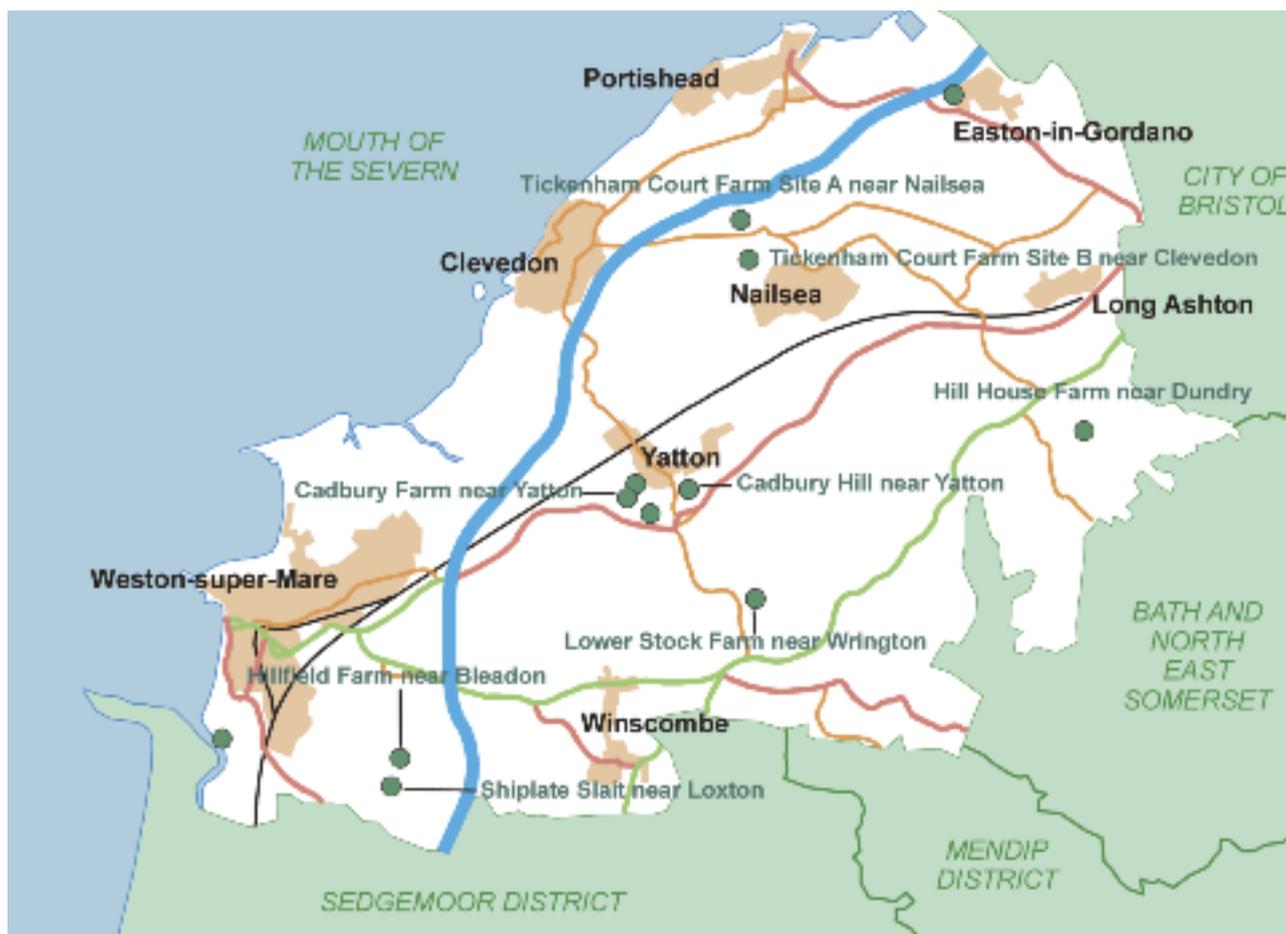
scheme funding is limited. Agreements generally last for ten years and, while the agreement lasts, the access created can be used just like their rights of way equivalent.

Farmers can also provide area-wide permissive access under an agreement with Defra. In North Somerset, there are four such agreements listed on the Defra Country Walks website, totalling at least 35ha (including the important site of Cadbury Hill).

Permissive access routes and areas recorded on the Defra Country Walks website are shown in Figure 3.3.

Figure 3.3: Defra Country Walks

Source: map based on Defra Country Walks website: <http://countrywalks.defra.gov.uk>
 © Crown copyright. North Somerset Council 100023397 2007



²⁵ <http://countrywalks.defra.gov.uk/>

Figure 3.4: Areas of Access Land

Source: North Somerset Council © Crown copyright. North Somerset Council 100023397 2007



3.4 Areas of countryside with public access

The Countryside and Rights of Way (CROW) Act 2000 (Part I) created a right of public access on foot for informal recreation to areas of 'mountain, moor, heath, down and registered common land.' Users can be accompanied by dogs, subject to a variety of restrictions. This land (referred to as Access Land) is recorded on maps of Access Land prepared by the then Countryside Agency (<http://www.openaccess.gov.uk/>).

The CROW Act also provides a means by which landowners can dedicate land for public access, and the Forestry Commission has used this mechanism over virtually all its owned estates in England and Wales. Figure 3.4 shows the location of Access Land in North Somerset.

Public access is available to other areas of land by permission or tolerance of the landowner, such as:

- some of the land that we own, public parks and open spaces (such as Ashcombe Park, Poet's Walk)
- some of the National Trust's land (such as at Middle Hope)
- some other areas (for example, Weston Woods).

Access Land and some other types of land to which the public has area-wide access is shown on Ordnance Survey maps (Explorer series 1:25,000 scale) as a pale yellow wash within an orangey-brown border, and lime green wash where the Access Land is woodland (such as forests dedicated by the Forestry Commission). Some types of land accessible to the public (for example, the National Trust land) are shown on Ordnance Survey maps (Landranger series, 1:50,000 scale) denoted by a thick purple line.

3.5 Access for all routes

These are routes that are easy to use and which are free of obstructions such as stiles, steps and narrow bridges so that they can be used by virtually anyone, even those with mobility impairments.

In North Somerset, there are three promoted routes:

- The Strawberry Line.
- Uphill Local Nature Reserve.
- Weston Woods.

3.6 Road and rail

Quiet rural and urban roads form an important part of the access network, forming important links in the off-road network, particularly for cyclists, horse riders and carriage drivers. Roadside verges, where these are part of the highway and can be used safely, are particularly valuable for horse riders. However, in many cases, horse riders are reluctant to use such verges as experience has taught them that vehicle drivers tend to wrongly assume that there is then no need for them to slow down whilst passing. Verges can also be heavily vegetated and this masks uneven surfaces and litter.

North Somerset is relatively well served by rail connections with stations at Nailsea and Backwell, Yatton, Worle, Weston Milton, and Weston-super-Mare. This provides access to the rural area from Weston-super-Mare and can help users from Bristol visiting North Somerset.

3.7 Key points to carry forward

What we want you to take forward from this section is that:

- despite the district's relatively small size, it has an array of opportunities for the public to enjoy on foot, cycle or horse-back
- the opportunities for walkers are reasonably well distributed around the area, meaning that most people have ready access to the countryside and within urban areas
- the network available for use by cyclists, horse riders and drivers of horse-drawn carriages is small and fragmented, meaning that continuity on many routes can, at present, only be achieved by use of lanes and roads
- there is little scope for accommodating off-road motor vehicle drivers with the area's current network of local rights of way
- there is poor provision of routes that can be used by people with mobility impairments relative to the number of people who are limited by such conditions
- despite its limitations, the local rights of way network can serve as an important part of the transport network and its improvement will be an important element in encouraging more participation in walking and cycling
- our research has identified a number of areas of our work and our access network where we can make improvements.

The potential for improvements is discussed in the next section.

4 Improving public access and local rights of way to meet identified needs

4.1 Introduction

The process of assessing what people want from a countryside access network and the extent to which our network can currently meet these requirements helps reveal current shortcomings. We have summarised the picture that this analysis has revealed in **Table 4.1** below.

We also realise, from the research done so far, that there is a lot we don't know about the needs and preferences of local rights of way users - both current and potential. So, we believe there is a need for us to do more investigation into this as part of the Plan.

Table 4.1: Matching Requirements and Provision

User type	Requirements	Current provision	Shortfall
Casual walkers	Safe, clean and interesting environment for people and children. Good information - leaflets and on the ground (for example, waymarking).	826km of public right of way plus 9.1km of permissive 500ha of area wide access and 35ha permissive (plus NT). Information on some routes BVPI = 72.1%	Need to reduce obstructions, poor signage and surfacing and thereby contribute to increasing the 'ease of use' result. More publicity/promotion/waymarking.
Walkers with dogs	Facilities for dog mess and drinking. Areas in which dog can run free legally and without affecting livestock (see Appendix E for questions and answers about legal aspects of dogs in the countryside). Means of passing through stiles.	826km of public right of way plus 9.1km of permissive 500ha of area-wide access and 35ha permissive (plus NT). Information on some routes.	Need for greater education amongst dog owners about what constitutes responsible behaviour and the risks to livestock. Need for dog friendly routes/areas. Need for routes with suitable facilities.
Ramblers	Varied routes. Good access furniture (for example, gates and waymarks). Mechanisms for dealing with complaints and definitive map problems.	826km of public right of way plus 9.1km of permissive 500ha of area-wide access and 35ha permissive (plus NT). Information on some routes BVPI = 72.1% Backlog of Legal Orders for processing. Procedure for handling complaints is informal.	Need to increase 'ease of use' result. More publicity/promotion. Backlog of Legal Orders increasing. Need formal procedure for handling complaints.
Cyclists	Variety of route options with good connectivity, including routes free of difficulties (for example, dangerous road crossings and steep hills). Information to avoid getting lost.	280km of public right of way and cycletracks plus 11.5km permissive route. Fragmented network. Information on some routes published.	Only small percentage of local rights of way available for cyclists, and very little permissive. Poor connectivity. Inadequate information.

User type	Requirements	Current provision	Shortfall
Utilitarian users (walkers and cyclists)	Safe, off-road network that links residential areas and key destinations (for example, schools, places of work and shops). Good all-weather surfaces.	Existing network of highways, including public rights of way, footways and cycletracks plus permissive paths.	Does the network have sufficient links between trip generators – homes, schools, shops and places of work?
Horse riders	Routes that are: <ul style="list-style-type: none"> ● free of obstructions (for example, vegetation, gates able to be opened from horseback) ● well signposted and way marked ● have suitable surfaces ● safe to use ● at least five miles long and circular 	123km of public right of way and 1.5km permissive route. Fragmented network. Information on some routes published. Roadside verges offer more possibilities.	Only small percentage of local rights of way available for horse riders, and very little permissive. Poor connectivity, meaning few circular routes. Inadequate information.
Carriage drivers	Adequate parking. Good length of route.	38 km of public right of way. Private arrangements.	Small length of route publicly available. Poorly connected.
Off-road motorists	Unsurfaced routes that are free from obstruction and have character. Challenging natural gradient and surface. Reasonable length and interesting topography. Routes that are not damaged. by light vehicle use.	0.7 km of public right of way.	In effect, there is no provision for off-road driving on local rights of way in North Somerset.
Mobility, visually and other impaired users	Routes suitable for use. Good information about routes. Suitable facilities.	Three routes.	Limited percentage of network available. Insufficient targeted information provided.
Non-users	Support and information to overcome barriers.	Material to promote activity using the health agenda.	Insufficient targeted information provided.

In order to plan our proposals to overcome these shortcomings, we believe it will also be necessary to develop our internal policies and practices to give greater priority to providing what people want. We recognise that this may seem somewhat remote from doing work on the ground, but we think that getting our working procedures right is an important pre-requisite to getting the network right.

We have developed four linked themes, each possessing a number of guiding policy objectives and activities for delivering improvements in practice. Each of these is discussed in turn below.



4.2 Key themes

4.2.1 Vision and culture (VC) – having the right approach

We need to:

- develop the Rights of Way Improvement Plan, including policies and service standards in order to provide a clearer statement of what we intend to do:
- develop a more forward looking, creative approach to developing, managing and promoting local rights of way by seeking to focus our work on meeting identified needs
- ensure local rights of way are given appropriate recognition in development control, economic regeneration, tourism development, transport planning and decision making in line with the hierarchy of highway users
- increase the number of people using local rights of way and the quality of their experience and widen the range of users to the whole of society, and thereby promote health and social benefits in the community
- promote alternatives to car travel, thus encouraging people to adopt more sustainable modes of transport
- develop a local vision for achieving good access in North Somerset.

4.2.2 Working practices and processes (WPP) – having the right tools

We need to:

- develop procedures for encouraging the development of new access opportunities using a criteria led approach, with priority to be given to routes that would:
 - be of value to those with disabilities and mobility impairment
 - create routes for horse riders and cyclists
 - provide links that allow circular routes to be created
 - re-align routes so that the resulting route is more convenient and/or safer to use
 - link urban areas to the countryside, especially in areas where provision is currently poor.
- create better partnerships, greater joined-up working with key stakeholders and wider community involvement
- work more closely with landowners and Defra to develop more permissive access to meet specialist demand

- seek, consider and act as appropriate on guidance from the Local Access Forum
- improve the management of legal processes, including handling Orders and keeping the Definitive Map under review
- respond more effectively and efficiently to user needs
- develop, apply and uphold an inspection programme and enforcement policy
- seek to secure higher levels of funding/resources for maintenance and development activities, including external funding
- make sure we have the information we need to judge our efficiency and effectiveness, and to identify how we can improve our working practices
- continue to report on applications to change the network to the PROW sub committee.

4.2.3 Services and facilities (SF) – doing the right things

We need to:

- improve the network condition by keeping it free of obstructions and with surfaces appropriate to usage and, in some situations, facilities such as street lighting, benches, other access furniture
- improve connectivity between existing routes within the overall network and to local communities (including, for example, schools, shops, places of work)
- provide better signage and way-marking
- remove unnecessary barriers to access, applying a policy of least restrictive option
- provide a range of routes to meet the variety of needs of the community and its visitors
- encourage development of new routes, either permanent or permissive, where these generate sufficient benefits to users (for example, by linking network fragments, by allowing better use by commuters to school or work).

4.2.4 Communication and education (CE) – publishing the right information

We need to:

- make the Definitive Map more readily available to those who want to see it
- provide better promotion of key routes through a variety of forms of communication
- provide better access to information about countryside access, including the local rights of way network, to as wide a range of potential users as possible

- in developing promotional material, make sure that information is included to educate the users about the area they will be passing through and how it is managed
- promote greater recognition of the value of good access.

They are a mix of on the ground improvements and internal operations but contribute to achieving the objectives we have set ourselves. A key to the abbreviations used in the tables is given in Appendix C.

Vision and culture (VC) – having the right approach

Our aim is to change positively the way we think about local rights of way and public access in North Somerset to secure widespread recognition and greater support for delivering the benefits of good public access. Activities in this category will help us develop the right approach to delivering as good a network as we can. To achieve our aim we will undertake the following:

4.3 Putting policy into practice

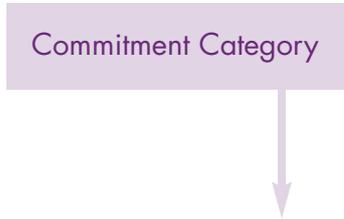
So what does all this mean in practice? It means that the actions we propose to take in future will be more focused on meeting the identified needs of users and potential future users.

The actions we propose to take are contained in the following four tables (tables 4.2 to 4.5 inclusive).

Table 4.2: Vision and Culture - Statement of Actions

Key to commitment category

- A - we can do it
- B - we think we can do it
- C - we would like to do it but currently have insufficient resources



Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
VC1	Consolidate data from VC11 with data from other sources to better understand patterns of visitor behaviour	NSC and input from others doing surveys	Ongoing with regular reviews	NSC	A
VC2	Integrate our RoWIP with the JLTP3 and ensure compatibility with other relevant plans	NSC LTP, NS LAF, neighbouring authorities	Integration with the third Joint Local Transport Plan (2011-2025) by 2012. Compatibility at the next RoWIP review with: <ul style="list-style-type: none"> ● The Sustainable Community Strategy ● Access Strategy ● Local Development Framework ● Mendip Hills AONB Management Plan ● North Somerset's Green Infrastructure Plan 	Existing	A
VC3	Develop strategy for promoting sustainable transport	NSC LTP , NS LAF	Link in with other county-wide regional and national programmes for economic/ tourism developments	NSC/LTP	NSC /LTP

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
VC4	Compile a strategic map of the area which highlights centres of population, existing 'hubs' (for example Burrington Coombe), attractions to better understand where management pressures will be greatest	NSC , NS LAF, Natural England, NSC	Done, keep updated	NSC, Forest of Avon, MHAONB	A
VC5	Capture needs and preferences and ongoing requests from under represented users	NSC ASS&H , disabled groups, Education Authority, leaders/representatives of ethnic communities	Ongoing	Existing	B
VC6	Develop strategy for promoting health benefits of PROW and countryside access	NHS North Somerset (formerly NSPCT) , NS LAF, Natural England, NSC, Go4Life	Link in with other county-wide regional and national programmes for economic/tourism developments	NSC/NHS North Somerset	B
VC7	Research to better understand the needs of our customers, through use of questions through the Citizens' Panel and by our Town and Parish Councils. Revision needed to ensure generic information on needs and preferences are relevant to North Somerset	NSC , NSC Corporate Services, NS LAF	Questions posed early 2012. results analysed by late 2012, inputs to RoWIP review early 2012 to 2013	NASC	B

Working practices and processes (WPP) – having the right tools

We need to develop the way we work in order to achieve our goal of providing good, well-used access.

We will do this by encouraging participation in decision making and enabling the wider community to support us in achieving our collective potential. This will give us the tools we need to do the job in the best way we can. To achieve our aims we will undertake the following:

Table 4.3 Working practices and processes - statement of actions

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
WPP1	Maintain records and respond to ad hoc legal matters including those associated with HA80 S31 deposits	NSC PROW	Ongoing	Existing	A
WPP2	Produce action plans to identify key priorities for management and development	NSC PROW , NS LAF	Annually	Existing	A
WPP3	Produce an annual maintenance programme (and LROW matters incorporated into wider highway asset plan)	NSC PROW and Highways Maintenance, NS LAF	Annually	Existing	A
WPP4	Keep the maintenance programme under review and incorporate routes to be improved and promoted, within the scope of resource availability	NSC PROW , NS LAF	Annually	External improvement funding to be identified	A C
WPP5	Ensure that we work with farmers and landowners to develop better access, such as through negotiation of Public Path Creation Agreements and permissive access where we believe this is justified by the public benefits	NSC , farmers, landowners	Ongoing	Existing, volunteers	A
WPP6	Work with local public transport providers to improve service to access users where feasible	NSC , local public transport providers, user groups	Ongoing	Existing	A
WPP7	Maintain working links with officers in neighbouring authorities	NSC , neighbouring authorities, NS LAF, neighbouring LAFs	Ongoing	NSC	A

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
WPP8	<p>Review NSC material that promotes local rights of way and countryside access to ensure information is included:</p> <ul style="list-style-type: none"> ● about land management practices (for example, for agriculture, forestry and nature conservation), including recommended behaviour when passing through fields containing cattle and bulls ● that will encourage support to the local economy, as appropriate ● that makes it as appealing as possible to as wide a proportion of the population as possible ● about public transport ● that enables mobility impaired and disabled users to judge the suitability of a route for their use 	<p>NSC, NS LAF, NT Landowners, Avon Wildlife Trust, County Archaeologist, Town and Parish Councils, Economic regeneration, User groups, community leaders, Transport providers, disabled users</p>	Ongoing	Existing	A
WPP9	<p>Ensure that new development contributes wherever possible and appropriate towards delivering the RoWIP's aims including improving upon deficiencies in the quality and quantity of services and facilities through appropriate planning obligations and conditions</p>	<p>Developers, NSC Development Planning and Control</p>	Ongoing	Existing, plus assistance from NSC Development Planning and Control	A
WPP 10	<p>Seek to ensure increased levels of funding are made available from the JLTP2 grant towards RoWIP aims that address core shared transport priorities</p>	<p>NSC, funding providers, JLTP3</p>	Ongoing	LTP	A
WPP 11	<p>Have procedures in place that ensure that, when developing access opportunities, we fully comply with our responsibilities towards the protection and enhancement of nature conservation</p>	<p>NSC PROW</p>	Ongoing	Existing	A
WPP 12	<p>Work with our colleagues in Development Planning and Control to develop procedures that ensure PROW/access issues are properly considered, including Section 106 agreements</p>	<p>NSC Development Planning and Control, developers, FoA, MHAONB, NS LAF</p>	Procedures developed by early 2008	Existing, plus contributions from Development Planning and Control	A

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
WPP 13	Develop policies to improve development, management and promotion of countryside access and use of local rights of way	LSP , NSC PROW, user groups, NS LAF	Review service standards for PROW management activities and customer service	All key players with input from wider community	A
WPP 14	Follow design guides on specific matters (for example, gaps/gates/stiles, signage, interpretation), keeping within national standards and legal requirements including, S69 CROW 2000 and British Standard 2006. Ensure our specifications for access furniture complies with latest standards, but retains local distinctiveness	NSC PROW Disabled groups, NS LAF, NSPCT FoA, MHAONB	Ongoing	Existing and secure additional external funding (for example, Local ALSF)	B
WPP 15	Work with colleagues in highways to improve the usability of roadside verges where these are part of the highway and can safely provide a significantly valuable contribution to the network.	NSC Highways , NSC PT&T, BHS, NSC PROW	Ongoing	Highways	B
WPP 16	Seek better levels of revenue funding for both development and management service areas, to include budget to fund the RoWIP's implementation	NSC , funding providers, JLTP3	Ongoing	External funding providers	B
WPP 17	Assisting the Mendip Cross Trails Trust to develop a strategic recreation network	MHAONB Service	Ongoing	MHAONB, Mendip Cross Trails Trust	B
WPP 18	Work with private sector to develop secure car parking where such provision is needed to develop use of the network and in areas not adequately served by public transport	Private landowners , NSC, user groups, FoA, MHAONB	As required by network developments	Private sector	B
WPP 19	Update GIS data and information including digitising schedules of recognised projects and network schemes subject to existing internal resources	NSC PROW/NSC IT	Ongoing	Existing	C

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
WPP 20	Develop procedures for handling complaints from members of the public and consider if/how we can develop the system to provide feedback to complainants (which will require a software review)	NSC SOS , NS LAF	Using NSC EXOR information and reporting system or similar database	Additional resources required for data entry and software development	A
WPP 21	Build on the existing network of local community volunteers to report problems and assist with maintenance tasks	NSC PROW , user groups, Town and Parish Councils, NS LAF, FoA, MHAONB	Ongoing	NSC, Town and Parish Councils, local community volunteers, and user groups, NSLAF	C
WPP 22	Work with town/parish councils to ensure that urban PROWs are properly recorded on the Definitive Map	NSC PROW , Town and Parish Councils	By 2026	NSC	C
WPP 23	Provide ongoing support and training for the volunteer network	NSC , volunteers, Town and Parish Councils, FoA, MHAONB	Ongoing	The extent of support depends on the resources identified (for example, existing resources cover a limited amount of training)	B
WPP 24	Work with Town and Parish Councils to improve way marking and signing of PROW that provide links to wider network and provide information on improvements	NSC PROW , Town and Parish Councils	Ongoing	Additional external funding to be identified	C

Services and facilities (SF) – doing the right things

Our aim is to provide a high-quality and accessible local rights of way network.

The actions proposed in this theme are intended to produce visible improvements to the network. We think these are the right things to be doing.

To achieve our aims we will undertake the following:

Table 4.4 Services and facilities - statement of actions

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
SF1	Complete the remaining sections of the Festival Way between Long Ashton and Bristol	NSC Planning Transport Policy and Design , NS LAF	2015	JLPT3	A
SF2	Develop a multi-user cross moor link west of Nailsea from the west end of North Drove	NSC Planning Transport Policy and Design , NSC Rights of Way Team, NS LAF	2015	JLPT3	B
SF3	Pro-actively negotiate with landowners (incrementally across the district) the removal of unnecessary or inappropriate access barriers and furniture (applying the principle of least restrictive option), and to install signage to promote good behaviour and safe access on multi-user routes where necessary	NSC , landowners	Ongoing	NSC PROW and Highways Maintenance with further input from NSC SPG and TP&P via new development links, other key player input and local community support	A
SF4	Process outstanding and new applications for Definitive Map Modification Orders	NSC PROW , Applicants, NS PROW sub-committee	Four or more 'Schedule 14' Definitive Map Modification Orders determined each year, depending on complexity	Existing	A
SF5	Process outstanding and new Public Path Orders applications as necessary	NSC PROW , NS PROW sub-committee, NSC	Six to eight Public Path Orders determined each year, depending on complexity	Existing	A

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
SF6	Create access by foot and cycle to Tyntesfield from Bristol via Failand and via Flax Bourton	Sustrans , NSC Sustainable Travel team, National Trust, NS LAF	Mostly completed apart from a section north of the Flax Bourton greenway	Sustrans, Local ALSF	B
SF7	Improve access within and around Weston-super-Mare including connections east of M5	NSC Highways	Ongoing	Existing – using development control process where appropriate	B
SF8	Monitoring use of public rights of way in MHAONB through visitor counters	MHAONB Service	Ongoing	MHAONB	B
SF9	Resolve enforcement cases, including the removal of unlawful structures where existing resources allow	NSC PROW , user groups, NS LAF	Ongoing	Existing	B
SF10	Develop the Tidal Trail coast path including a route between Clevedon and Weston-super-Mare	Natural England, Environment Agency, landowners, user groups, NS LAF, JLTP3	Awaiting issue of Natural England regulations	Secure additional external resources, JLTP3, Natural England	B
SF11	Improve Two Rivers Way Trail including promotion and a link alongside the River Yeo between the flood bank and the Strawberry Line Heritage Trail (a claimed route)	NSC PROW	2008	External resources to be secured - S106 contributions	B
SF12	Build Congresbury Yeo bridge on Strawberry Line	NSC Highway Structures, CVRWS, YACWAG, TP&P	2015	Secure external additional resources - JLTP, Sustrans, Lottery Fund	B
SF13	Develop circular routes from the Strawberry Line (for example Puxton, Congresbury and Yatton)	NSC PROW CVRWS, YACWAG, FoA and MHAONB	2012	S106 and Access Dedication Scheme	B
SF14	Improve access around Tyntesfield Estate particularly between Wraxall and Backwell railway station and linking the B3130 and B3128	NSC PROW , National Trust, Sustrans, NS LAF	2015	JLTP3, other grant resources, Section 106 contributions, Sustrans	B

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
SF15	Carry out a feasibility study and develop an extension to the Strawberry Line between Yatton and Clevedon	NSC TP&P , CVRWS, YACWAG, NS LAF	2013	S106 plus additional resources to be secured, JLTP3	B
SF16	Develop access links through Lyncombe Wood	Goblin Combe Environment Centre	2013	External resources to be identified	B
SF17	Construct safe crossing of the Portbury Hundred	NSC Development Control	S106	NSC, Developer contribution	B
SF18	Open the Axe sluice at Brean to travellers on cycle and on foot and extend access to the highway at Brean	Sustrans , NSC, Environment Agency, SCC, Somerset LAF, NS LAF	2010 onwards	External resources to be identified, EA/Somerset County Council	B
SF19	Identify and develop areas around towns where dogs can safely and legally be allowed to run freely and promote use of such areas by walkers with dogs	NSC , dog owners/Kennel Club, landowners	Ongoing	External funding to be secured	C
SF20	Develop a bridleway along Charlton Drive and through the Tyntesfield Estate, Wraxall	NSC , PROW, National Trust, landowners, NS LAF	Ongoing	External resources to be secured, JLTP3	C
SF21	Improve access in and around Ashton Court Estate including links to surrounding areas including the River Avon Trail and Bristol city, and the 'park and ride' site to the south	BCC , NSC, Sustrans, NS LAF, Parish Council, Ashton Vale Estate	Ongoing	External resources to be secured, JLTP3, HLF	C

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
SF22	<p>Improve access within the Gordano Valley including development of a circular trail within the valley and develop a:</p> <ul style="list-style-type: none"> ● route alongside Portbury Ditch connecting with ongoing development at Portishead ● route between Portishead and Clapton-in-Gordano, and explore connections to surrounding areas ● bridleway link between Weston-in-Gordano and Clevedon Lane. 	Joint project developing route at Clapton Moor consisting of AWT with support from YANSEC and landowners	Ongoing	Requires additional external funding to develop projects further	C
SF23	Improve access in and around Kewstoke and Sand Bay with a route from the village hall to the beach	NSC , Local community, Parish Council	Ongoing	Resources to be secured	C
SF24	Develop and promote a circular bridleway route around Goblin Combe, Brockley Combe and Chelvey	NSC , Goblin Combe Environment Centre	Ongoing	NS local ALSF	C
SF25	Develop access links in Abbots Leigh Parish	Abbots Leigh Parish Council , NSC/NSC PROW	Ongoing	Resources to be identified	C
SF26	Improve access in and around Bleadon including a horse rider friendly crossing of the A370 and a bridleway link to Brean	NSC , BHS, Sustrans, landowners, SCC, Somerset LAF	Ongoing	External resources to be identified	C
SF27	Carry out feasibility study for development of a multi-user trail on the former Wrington Vale Light Railway joining the Strawberry Line at Congresbury	NSC/TP&P , YACWAG	Ongoing	External resources to be secured	C
SF28	Process in batches correction of anomalies on the Definitive Map, correction of abuses of planning conditions/ requirements and Legal Event Orders	NSC PROW , Town and Parish Councils, user groups, developers	Funding dependent	External additional resources required	C

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
SF29	Improve on 85% signage of routes from carriageways, and effective waymarking on all PROW following asset survey	NSC PROW	Ongoing	External resources to be identified	C
SF30	Develop safer paths from Nailsea to Wraxall School and on to Tyntesfield	Wraxall School, National Trust, NSC	2010 onwards	External resources to be secured	C
SF31	Evaluate, prioritise, develop and promote a set of highly accessible trails focused on meeting the needs of disabled people, and mobility impaired and visually impaired persons. Further develop guided or led access activities to use them	NSC , North Somerset Access Group and disabled groups, Sport Development team	Ongoing	External resources to be secured	C
SF32	Record on the Definitive Map those PROW that are shown on the List of Streets but not on the Definitive Map	NSC PROW	2026	Resources needed to correct digital record and make orders	C

Communication and education (CE) – publishing the right information

Our aim is to improve the quality of information about our services and facilities. We will do this by providing information about LROW and localities to support local and wider community needs, encouraging and enabling less confident and more

vulnerable users to enjoy access to LROW and the district, and enabling people to access appropriate information relevant to their needs.

The actions set out under this theme are intended to make sure we publish the right information. To achieve our aims we will undertake the following:

Table 4.5: Communications and education - statement of actions

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
CE1	Promote road safety training through practical support to key groups and vulnerable users including school children	NSC PP&T, NSC Sustainable Travel Team , NSC Road Safety Team, local walking groups	Child pedestrian and cycle training underway	Existing	A
CE2	Publish and make available an annual NS LAF report, as required by law	NS LAF , NSC PROW	Annually	Existing	A
CE3	Educate dog owners to ensure they are more aware of their legal responsibilities towards their dogs. Promote responsible dog ownership amongst walkers with dogs who use the network through a variety of means (see Appendix E)	NS LAF NFU, CLA, Kennel Club, Natural England, local communities, LAF	Ongoing	NS LAF	A
CE4	Produce, publish and support Travel Plans with employers and others managing sites of high and consistent travel (for example, schools both voluntary and through planning process)	NSC PP&T , NSC Sustainable Travel, NSC Road Safety Team	15 Plans completed by 2010, average of nine Plans per year ongoing, 100% of schools have travel plans	Existing	A
CE5	Assist, where we can, through the provision of relevant material, qualified individuals and user groups who want to develop and conduct guided walks in the area	Walk leaders , NSC PROW, Ramblers' Association, NS WHI	As required, and responses within one calendar month	Ramblers' Association and other walking groups	A
CE6	Maintain and make available register for Public Path Order Applications & Section 31 (6) deposits	NSC PROW , NSC IT and Web Team	Dependent on legislation	Existing	A

Ref	Activity, project or scheme	Lead (in bold)/ Partners	Target and delivery period	Resources	Co. Ca.
CE7	Produce an adopted NSC planning advice note for 'access development', and progress to adoption	NSC Planning Policy Team	Ongoing	NSC – existing	B
CE8	Undertake guided or led walks and rides in a variety of locations and environments, at different times of year and to meet the needs of all people enabling them to enjoy equal access to the district	All key players with NSC to establish partnerships and lead role to develop project with input from local community, Ramblers' Association and other community groups	Ongoing – walks published in North Somerset Life	All key players	B
CE9	Publicising and promoting routes through publications	MHAONB Service/NSC	Ongoing	MHAONB	B
CE10	Make available the updated Definitive Map (dependent on Action SF5 and SF6) and PROW information (currently available on OS Mapping and Source Map) via a public website	NSC PROW , NSC IT and Web Team	To be determined	Additional resources required for project development	C
CE11	Develop a North Somerset website to form a focal point of public access to a whole range of information on promoted routes and localities, where to go for different users, LROW management issues, and links to other sites and useful information to help plan journeys and enjoy the district	All key players with NSC to help establish partnerships and identify lead roles to develop projects with input from local communities	Ongoing	NSC	C
CE12	Consult disabled groups over their information needs and how these can best be provided, and then develop information that can be used by the mobility and visually impaired about use of LROWs in the area	NSC Corporate Services Unit, disabled ramblers, other disabled groups	Ongoing	NSC and disabled groups	C
CE13	Identify potential and existing community leaders able to champion good access and LROW, and provide support and training as appropriate	NSC PROW, elected members, local councils, NS LAF	Dependent on resources	All key players input from the wider community, NSC Existing	C

5 Implementation

5.1 Taking the Plan forward

Many individuals and organisations have helped to shape the development of this Plan and are committed to its values, aims and objectives. These include local Town and Parish Councils, adjacent local authorities, Government organisations and agencies, non-Government organisations, the North Somerset Local Access Forum and numerous local community interest groups.

The process of preparing this Plan has been led by North Somerset Council in its capacity as the Local Highway Authority²⁶. However, whilst we are required to prepare the Plan, there is no legal requirement nor extra funding to implement it. There is a risk that the Plan will not be fully implemented and so that its value is limited. The enthusiasm and collective effort of many key players and decision-makers will be fundamental to getting it implemented and so to its success. They will play a critical role in delivering the actions listed, as shown in the section above.

We expect that:

- elected councillors and senior managers of key delivery organisations will seek to ensure sufficient support and resources are made available for its implementation
- Government departments and agencies will support its aims through relevant processes, technical support and grant funding
- non-Government organisations will collaborate as partners to promote joined-up working and contribute resources to delivering improvements
- local Town and Parish Councils, local community interest groups and volunteers will play an active part in assisting the development and improved management of local services and facilities
- professional practitioners will be dynamic, confident, resourceful, mutually supportive and customer-focused in guiding the Plan's implementation and continued development. Will seek to develop the skills and knowledge of others in the wider community so that they can effectively contribute towards

- achieving its aims and will ensure that every opportunity to secure improved services and facilities and implement the Plan's aims are taken through better joined-up working
- land managers will ensure that the public needs and rights are not compromised in pursuit of their needs
- developers will contribute to the Plan's aims and objectives and so ensure the sustainable development and enhanced quality of life for North Somerset's communities
- the public will take an active interest in and pride in their local rights of way and will contribute to its protection and improvement and will promote appropriate behaviour in using LROW
- funding bodies will support activities that contribute towards achieving good access and local rights of way in North Somerset.

In addition the following key players will particularly help to deliver improvements in practice:

- North Somerset Council
- Town and Parish Councils
- North Somerset Local Access Forum
- NHS North Somerset (formerly North Somerset Primary Care Trust)
- Forest of Avon Community Forest
- Sustrans
- Forestry Commission
- Mendip Hills AONB Service

At a more strategic level, we look forward to working with Natural England and Defra in implementing the Plan.

5.2 Monitoring

We recognise that many of the actions proposed in our Statement of Actions are aspirations that we cannot firmly commit to unless and until we are sure we have the resources to carry them out. Availability of resources and opportunities to complete actions change from year to year and so we propose to monitor and report on each year's activity in the form of an Annual Report. This should include reporting on what has been done in response to complaints. This will be submitted to the LAF for their comment and publicised.

²⁶ Countryside and Rights of Way Act 2000, Section 60(1)

Appendix A

Documents consulted

National and international

- Countryside and Rights of Way Act 2000
- Planning Policy Guidance including Housing (PPG3), Transport (PPG13), Planning for Open Space, Sport and Recreation (PPG17), Sustainable Development in Rural Areas (PPS7), and Planning and Access for Disabled
- People: A Good Practice Guide
- Transport Act 2000
- The countryside in and around towns strategy (Countryside Agency) 2005

Regional

- Regional Spatial Strategy for the South West 2005
- Joint Replacement Structure Plan (JRSP) 2000
- Regional Planning Guidance for the South West (RPG10) 2001
- Sport England Regional Plan 2004-2008 and 'Sport playing its part' series
- State of the Countryside in the South West (Countryside Agency) 2004
- South West Regional Woodland and Forestry Framework 2005
- West of England Partnership Vision for 2026

Local

- North Somerset Community Strategy 2004-2008
- Emerging Greater Bristol Local Transport Plan 2006-2011
- Forest of Avon Community Forest Plan 2002
- Learning in North Somerset: A vision and strategy (NSC) 2003-2006
- Mendip Hills AONB Management Plan 2004-2009
- North Somerset Council Access Strategy for Disabled People 2005
- North Somerset Blue Skies Tourism Strategy 2000
- North Somerset Community Safety Strategy 2002-2005
- North Somerset Compact

- North Somerset Council Corporate Plan 2005-2008
- North Somerset Council Development and Environment Business Plan 2004-2007
- North Somerset Countryside Strategy 1995
- North Somerset Local Plan 2000
- North Somerset Local Transport Plan 2000-2005
- North Somerset Primary Care Trust Annual Report 2004-2005
- North Somerset Primary Care Trust Health Improvement and Modernisation Plan 2002-2005
- North Somerset Replacement Local Plan 2nd Deposit 2004
- North Somerset Safer Communities Audit 2004
- North Somerset Safer Communities Strategy 2005-2008
- Strategy for the Severn Estuary 2001

Additional information

- A countryside for health and well being: the physical and mental health benefits of green exercise (CRN) 2005
- Promoting physical activity: international and UK experiences (DH) 2004
- UK Government's Choosing Health: Choosing Physical Activity (DH) 2005
- Disability Rights Commission in 2003. Code of Practice - Rights of Access Services to the public, public authority functions and premises (www.drc-gb.org/library/publications/services_and_transport/code_of_practice_rights_of_ac.aspx)
- ONS Omnibus Survey 2001: Disability and the Disability Discrimination Act (DWP, IHR)
- Walking and cycling: an action plan (DfT) 2004
- At least five a week: evidence on the impact of physical activity and its relationship to health (DH) 2004
- A Physically active life through everyday transport (WHO, ROE) 2002
- The economic and social value of walking in England (Ramblers' Association) 2003
- Health impacts of countryside access routes in the North East (Countryside Agency) 2004

Appendix B Outline process for preparing

Lead authority	North Somerset Council Highway Authority
Key statutory directive	Countryside and Rights of Way Act 2000 S60(1)
Key stages	<ul style="list-style-type: none">● Assessment of relevant strategies, policies and plans, existing services and facilities, and consultation with wider community to elicit key issues and needs for improvements to LROW● Evaluation of assessment data, information and consultation comments● Preparation and preliminary circulation of draft RoWIP to key players to elicit and incorporate shared objectives into the RoWIP's action statement● Publication of Provisional RoWIP and consultation with wider community● Evaluation of consultation comments and redrafting of RoWIP where appropriate● Adoption and publication of RoWIP by North Somerset Council

Appendix C Abbreviations and acronyms

ALSF	Aggregates Levy Sustainability Fund
AWT	Avon Wildlife Trust
BANES	Bath and North East Somerset Council
BEN	Black Environmental Network
BHS	British Horse Society
BCC	Bristol City Council
BOAT	Byway Open to All Traffic
BVPI	Best Value Performance Indicator
CE	Communications and education
CLA	Country Land and Business Association
CRN	Countryside Recreation Network
CROW	Countryside and Rights of Way Act 2000
CTC	Cyclists Touring Club
CVRWS	Cheddar Valley Railway Walk Society
DDA	Disability Discrimination Acts (1995 and 2005)
Defra	Department for Environment, Food and Rural Affairs
DfT	Department for Transport
DH	Department for Health
DIAL	Disabled Information Access Line
DWP, IHRS	Department for Work and Pensions, In House Report Series
EA	Environment Agency
FoA	Forest of Avon (Community Forest)

Good access	This refers to the range of measures that can contribute towards ensuring good accessibility and availability of LROW services and facilities, and the achievement of their effective and efficient provision, promotion and management
GOSW	Government Office South West
HA80	Highways Act 1980
HLF	Heritage Lottery Fund
HLS	Higher Level Scheme (of Environmental Stewardship)
JLAF	Joint Local Access Forum (for the adjoining unitary authority areas of BCC, BANES, and SGC)
JRSP	Joint Replacement Structure Plan
LARA	Land Access Recreation Association (of Motoring Organisations)
LEMO	Legal Event Modification Order
LROW	Local rights of way are defined in section 60(5) of CROW Act 2000 as including footpaths, cycletracks, bridleways and restricted byways within the authority's area and the ways within the authority's area which are shown in a Definitive Map and Statement as byways open to all traffic
LRSA	Least Restrictive Standard Access
LSP	Local Strategic Partnership
LTP/JLTP2	Local Transport Plan and joint second LTP for Greater Bristol area
MCCT	Mendip Cross Trails Trust
MHAONB	Mendip Hills Area of Outstanding Natural Beauty
NFU	National Farmers Union

NHS NS	NHS North Somerset
NSC	North Somerset Council
NSC ASS&H	North Somerset Council Adult Social Services and Housing
NSC IT	North Somerset Council Information Technology
NSC PROW	North Somerset Council Public Rights of Way
NSC SOS	North Somerset Council Streets and Open Spaces
NSC SPG	North Somerset Council Strategic Planning Group
NSLAF	North Somerset Local Access Forum
NSPCT	North Somerset Primary Care Trust
ONS	Office for National Statistics
PPG/PPS	Planning Policy Guidance to be superseded by Planning Policy Statements
PPO	Public Path Order
PROW	Public Rights of Way - public footpaths, bridleways, restricted byways and byways open to all traffic
RoWIP	Rights of Way Improvement Plan
RPG/RSS	Regional Planning Guidance to be superseded by the Regional Spatial Strategy
S106	Section of the Town and Country Planning Act 1990 that enables the council to require developers to contribute towards the cost of associated infrastructure development as a condition of planning consent
SCC	Somerset County Council
SF	Services and facilities
SGC	South Gloucestershire Council
SPG/SPD	Supplementary Planning Guidance to be superseded by Supplementary Planning Documents

SSSI	Site of Special Scientific Interest
Sustrans	National charity that is developing a national cycling network
SWERDA	South West England Regional Development Agency
TIC	Tourist Information Centre
TP&P	Transport Policy and Planning (within NSC)
UA	Unitary authority
User groups	Collective term for community groups representing different LROW users from national to local levels of representation and especially those with interests in walking and rambling, cycling and mountain biking, horse riding and equestrian pursuits, motorised recreation including trail bike riding and four-wheel drive vehicles, and people with particular needs relating to accessibility such as disability, mobility or visual impairment
VC	Vision and culture
WHI	Walk the Way to Health Initiative
WHO, ROE	World Health Organisation, Regional Office for Europe
WPP	Working practices and processes
YACWAG	Yatton and Congresbury Wildlife Action Group
YANSEC	Yanley and North Somerset Environmental Company

Appendix D Draft policy NSC19 - access to the countryside

North Somerset Access Strategy

Key principles

- 1 The design of any equipment or the layout of any right of way or open space must always be directed towards the highest standard of inclusivity. Known as the Least Restrictive Standard of Access (LRSA), it should be applied to any rural or urban leisure area.
- 2 Sites for landscape improvements must be audited to assess their accessibility for disabled people prior to any work being undertaken to identify exactly any design requirements.

Design criteria

- 1 The LRSA is defined as seeking to achieve on a site by site basis the highest standard for a piece of work that is possible whether it is for a stock control gate or a substantial visitor centre and attractions.
- 2 In applying the LRSA reference should be made to the guidance produced by the Countryside Agency entitled 'By All Reasonable Means: Inclusive Access To The Outdoors For Disabled People' and the standards it refers to in Appendix One produced by the Fieldfare Trust entitled 'BT Countryside for All Accessibility Standards'. To obtain these guidance notes visit www.countryside.gov.uk/Publications/articles/Publication_tcm2-27720.asp
- 3 Opportunities to remove barriers to any user, but particularly disabled people, and to widen accessibility should always be taken as a part of any new works or maintenance work. Attention must always equally be paid to:
 - a. how information is provided
 - i. to plan visits
 - ii. for wayfinding on routes or within a site
 - iii. for interpretation of the site or area
 - b. How disabled visitor arrive at the site
 - i. Car parking areas where parking provision is made
 - ii. Bus drop-off and parking areas
 - c. The management of the route or site both in terms of staff training and service provision for

disabled people as well as physical maintenance of route surfaces etc.

- 4 Focal points such as large car parks or interpretation centres must always provide toilets, seating and access to on-site facilities (for example, shops, catering outlets or interpretation centres).
- 5 Some wider key detailed issues include:
 - a. car parking standards are met in full with bays marked out, enforced, and in appropriate locations
 - b. regular provision of accessible seating along routes
 - c. ensuring gates and barriers, etc., restricting access whether for stock control or to prevent motorcycle access, are accessible to disabled people.

Other issues

- 1 The general auditing of all routes and sites should be undertaken irrespective of whether any work is proposed to ensure:
 - a. services are meeting the needs of disabled people and standards of service required by the Disability Discrimination Act 1995 and Amendment Act 2005 are maintained
 - b. management plans are accurate, inclusive and up to date. Works should be evaluated following their completion and routes and sites monitored to maintain standards of accessibility for disabled people.
- 2 The preparation of a management plan may on some sites seem heavy handed but it should be borne in mind that the management of the needs of disabled people and the adopting of a more inclusive approach may generate complex issues if it's a site where these matters have not previously been considered. Such a document can often be a simple list noting tasks, responsibilities and recording the action taken against them.

Further information

The Countryside Agency's document 'By All Reasonable Means: Inclusive Access To The Outdoors For Disabled People' contains a range of additional supporting information on the issues raised in this note.

Appendix E Laws relating to dogs in the countryside

The contents of this Appendix are for guidance only and do not constitute a definitive statement or interpretation of the law. Anyone seeking to rely on the relevant legislation should seek independent legal advice.

Can a dog be guilty of trespass?

No – but the dog's owner can.

Are dogs allowed on a public right of way?

Dogs are regarded as a 'usual accompaniment' to anyone using a public right of way. Dogs and their owners are, however, required to stay on the line of the route and not to stray from it.

Do landowners have to make stiles 'dog friendly'?

In short, no. Although many stiles are the responsibility of the landowner, they are under no obligation to provide dog flaps or other means of making it easier to get dogs through the hedge, fence or wall. Damaging a fence to allow a dog to pass through it could constitute criminal damage.

Do dogs have to be kept on a lead on a public right of way?

(See also the question about bylaws, below)
The Dogs (Protection of Livestock) Act 1953 S1(2)(c) makes it an offence for a dog to 'be at large (that is to say not on a lead or otherwise under close control) in a field or enclosure in which there are sheep' but 'under close control' is not defined. It is possible for the local highway authority to make an order under Section 27 of the Road Traffic Act 1988 requiring dogs to be kept on leads on specific public rights of way, although these require approval of the police and are rarely used. NOTE: irrespective of the legal obligation, a dog owner has a moral obligation to guard against their dog doing harm so, if in doubt, keep it on a lead.

Can dog walkers be stopped from using a public right of way?

One leading expert suggests that a Traffic Regulation Order can be sought to prohibit use of a right of way by anyone accompanied by a dog.

Can a farmer legally shoot a dog?

Section 9 of the Animals Act 1971 provides that the owner of livestock, the landowner or anyone acting on their behalf is entitled to shoot any dog if they believe it is the only reasonable way of stopping it worrying livestock. Such action must be reported to the local police within 48 hours.

What about dogs on CROW access land?

(these restrictions do not apply to public rights of way or land referred to as 'Section 15 land', which may be subject to other forms of restrictions).

There are several provisions in the CROW Act:

- A dog must be on a lead of not more than 2m at any time when in the vicinity of livestock and between 1 March and 31 July each year.
- 'The owner of any land may, so far as appears to him to be necessary in connection with lambing, by taking such steps as may be prescribed, provide that during a specified period the right conferred by section 2(1) is exercisable only by persons who do not take dogs into any field or enclosure on the land in which there are sheep.' (S23(2). Section 23(3) limits the size of the field or enclosure referred to above as 15ha. Section 23(4)(b) limits the period to a single period within any calendar year of no more than six weeks. The restriction 'does not prevent a blind person from taking with him a trained guide dog, or a deaf person from taking with him a trained hearing dog.'

Landowners or tenants can apply to the relevant authority for additional restrictions, which could include further limits to people with dogs. These would be specific to the local circumstances (under s24 and s25). Some Government bodies (such as Natural England) can seek restrictions on dogs for reasons such as nature conservation (under s26, for example). Commercial dog walkers/carers may be trespassing if they go onto access land with their dogs, as Schedule 2 of CROW states that the rights granted under CROW Part I do not extend to anyone coming onto the land who 'engages in any activity which is organised or undertaken (whether by him or another) for any commercial purpose'.

What about dogs elsewhere?

Local byelaws may impose restrictions over land owned or managed by bodies with byelaw making powers, such as local authorities, National Trust and MoD. Byelaws are usually posted on signs at key entry points. Byelaws can be made to regulate behaviour associated with dogs in four ways:

- Keeping dogs on leads.
- Keeping dogs on leads where disturbance is likely.
- Banning dogs (although these cannot be used on rights of way).
- Requirement to prevent dog fouling.

What about farm dogs that appear to be threatening?

Farm dogs must also be kept under control. Allowing farm dogs loose to behave aggressively in a farm yard through which a public right of way runs, is not desirable – especially if the dog (or dogs) have a record of aggressive behaviour, as this could constitute an obstruction of the highway under s137 of the Highways Act 1980. It may also put the public at risk and so could constitute a common law nuisance.

Is failing to clear up dog mess an offence and is it acceptable to pick up mess in a plastic bag and throw away the bag?

Does it need to be an offence? Common sense suggests that the dog's owner is responsible. However, the legal position is less clear:

- It is an offence under Section 87 (of the Environmental Protection Act 1990) to throw or drop or otherwise deposit, in a public open place, anything that could cause, or contribute to or tend to lead to the defacement of that place by litter.
- Any member of the public dropping litter on CROW access land loses his/her access rights on that land (and any other land in the same ownership) for 72 hours and becomes a trespasser.
- The Clean Neighbourhoods and Environment Act 2005 (and regulations and orders made under its provisions) will empower unitary authorities to issue dog control orders relating to one of the following:
 - Fouling of land by dogs and removal of dog faeces.
 - The keeping of dogs on leads.
 - The exclusion of dogs from land.
 - The number of dogs which a person may take onto land.

- It is never acceptable, having picked up the mess in a plastic bag, to then throw the bag onto the ground or hang it from a tree.

Are dogs required to have a collar and ID disc?

Control of Dogs Order 1992: requires that every dog, whilst on a highway (note that public rights of way are highways) or in a public place (note that CROW Access land may be regarded as a public place), must be wearing a collar with the name and address of its owner on the collar itself or on a plate, disc or some other device attached to it. There are exceptions to the general rule for working or assistance dogs. Anyone failing to comply is guilty of an offence under the Animal Health Act 1981.

Who is responsible for clearing up dog mess?

Natural justice suggests that the dog's owner is responsible for clearing up the mess created by their dog. However, once someone has failed to meet this obligation, who is then responsible?

The Litter (Animal Droppings) Order 1991 made under Section 86 of the Environmental Protection Act 1990 places a duty on local authorities to keep the following areas clear of dog faeces:

- Any public walk or pleasure ground.
- Any land ... laid out ... or used for the purpose of recreation.
- Any part of the seashore which is frequently used by large numbers of people and managed by the person having direct control of it as a tourist resort or recreational facility.
- Any land forming part of a public highway (public rights of way are highways) which is open to the air, which the public are permitted to use on foot only and which provides access to retail premises.
- a picnic site provided by a local authority under Section 10(2) of the Countryside Act 1968.

The requirement does not apply to woodland, heath or land used for the grazing of animals. In any case, the dog's owner should pick up their dog's mess.

Is it an offence to allow a dog to chase or disturb wildlife?

Wildlife and Countryside Act 1981, Section 28 (as amended by the Countryside and Rights of Way Act 2000) is relevant here. Where land has been notified by Natural England as a SSSI under Section 28 of the Wildlife and Countryside Act 1981, trespass may constitute a criminal offence under Section 28P if a person, without reasonable excuse, intentionally or recklessly destroys or damages any of the flora or fauna or geological or physiographical features by reason of which the land is of special interest, or intentionally or recklessly disturbs fauna and the person knew what he had destroyed, damaged or disturbed was within an SSSI. It is possible that if a person was the keeper of a dog that was being encouraged to destroy or damage such features, the person could be held liable. Thus, to succeed, the prosecution would have to show it was reasonable for the person to have known the site was an SSSI, either through signage or because they had been told by, for example, a land manager, warden or ranger. This suggestion is speculative, as the legislation is relatively new.

Can dogs be controlled for health and safety reasons?

There may be grounds, either under Health and Safety at Work etc. Act 1974 and associated regulations, or under Occupiers' Liability Acts, for a landowner to seek to introduce measures to reduce significant risks. However, these requirements are site specific and may impact more on the land manager than the dog owner. Powers exist for Defra to bring in restrictions to help control the spread of certain animal diseases, although rarely used, and these might affect dogs.

Do the public's dogs affect a farmer's assured status?

This depends on the details of the protocols of the scheme to which the farmer seeks to comply. For example, the National Dairy Farm Assurance Scheme requires that 'dogs and cats (where practical) must be wormed regularly' (www.ndfas.org.uk/standards/herd_v2.asp). It is open to interpretation as to whether it is practical for a farmer to require visitors' dogs to be wormed regularly. Participation in farm assured schemes is voluntary, although breach of scheme rules can have significant effects on the saleability of the farmer's produce.