

CYNGOR GWYNEDD CABINET



Report to a meeting of the Cyngor Gwynedd Cabinet

Date of meeting:	22 November, 2022
Cabinet Member:	Councillor Dafydd Meurig - Cabinet Member for the Environment
Contact Officer:	Dafydd Williams, Head of Environment Department
Subject:	Adoption of Rights of Way Improvement Plan

THE DECISION SOUGHT

That the Cabinet:

- Resolves to adopt the Rights of Way Improvement Plan
- Delegates powers to the Head of Environment Department to make non-material modifications to the document prior to its publication.

REASONS FOR THE NEED FOR A DECISION

The Countryside and Rights of Way Act 2000 places a duty on local authorities to prepare, publish and review a Rights of Way Improvement Plan (ROWIP). The purpose of the ROWIP is to set a framework to prioritise, manage and improve the rights of way network.

1. Background

- 1.1 There is a statutory requirement to consult on the review with a range of stakeholders, authorities and the public. The original ROWIP was adopted by Cyngor Gwynedd in 2007, and in 2016 the Welsh Government presented new guidelines for Local Authorities to review their ROWIP. Background can be found in the report to the Scrutiny Committee, Appendix A.
- 1.2 Although the preparing the review has been delayed the final draft was approved by the Communities Scrutiny Committee on 4 November 2021 for public consultation. The outcome of the consultation was reported to the Scrutiny Committee on 27 October 2022.
- 1.3 The results of the consultation have been summarised in the Report to the Scrutiny Committee and are fully analysed in Appendix 2 - Public Consultation Results Report and in Appendix 3 - Responses and recommendations following responses to the questionnaire.
- 1.4 The Scrutiny Committee's decision:
 - To accept the report and to incorporate further information in the ROWIP in terms of volunteers and access for all matters.
 - Recommend that the Cabinet adopt the Rights of Way Improvement Plan.

1.5 In response to the Scrutiny Committee's observations the relevant Sections in relation to Volunteers (Section 2.13) and Access to All (Section 4.5) have been modified.

2. Resources

2.1 Many of the areas of work referred to in the Action Statements are already being addressed by the Service within existing budgets and resources. Core budgets are supplemented by securing grants and working in partnership with other authorities and agencies. It is expected that the ROWIP will be implemented within existing available resource together with grants.

2.2 Section 3.3 of the Report to the Scrutiny Committee recommends that the Action Statements below should be prioritised as these are the areas that lay the foundation for the Service's working procedures.

High Priority Action Statements	Time scale
3b. Update the Rights of Way Policies document to reflect current resource levels and changes in land use	By October 2023
c. "Reassess path categories to create a network that better reflects the needs of the County's communities. "	The first step will be to establish and trial a working procedure before the end of 2023

3. Equality Act 2010

3.1 There is a statutory requirement to prepare and consider the findings of an impact assessment from an equality perspective when preparing the Plan in accordance with the requirements of the Equality Act 2010. Due attention must be paid to the need to:

- abolition of illegal differences
- promote equal opportunity
- foster good relationships based on the protected characteristics.

3.2 As setting a budget falls within decisions that can be considered strategic, there is a duty to pay due attention to act in a way that is designed to reduce inequalities that result from socio-economic disadvantage.

3.4 An Impact assessment on the Characteristics of Equality, the Welsh language and Economic-Social disadvantage was prepared. The assessment is attached in Appendix B.

3.5 The assessment on the Plan does not find any impact that would justify deviating from the recommendation and elements are anticipated to have a positive impact.

4. The Well-being of Future Generations (Wales) Act 2015

4.1 The Well-being of Future Generations (Wales) Act 2015 is about improving the social, economic, environmental and cultural well-being of Wales. The Act imposes a well-being duty on public bodies which is aimed at achieving 7 well-being goals which are a prosperous, resilient, healthier, more equal Wales with cohesive communities and a vibrant culture where the Welsh language flourishes and which responsible and a broad bud level. Paying attention to the context, the recommendations are compatible with these duties.

5. Summary

5.1 The Rights of Way Improvement Plan is an important tool in the work of maintaining and improving the rights of way network and other access assets for which the Council is responsible.

- 5.2 The Plan has been approved by the Communities Scrutiny Committee and has been subject to public consultation. It is therefore considered that the CGHT has been prepared in accordance with the statutory requirements and it is recommended that it should be adopted.

Views of the statutory officers

The Monitoring Officer: It is clear that the recommendation in report stems from a rigorous process of consultation and scrutiny in order to reach Cabinet. I am a satisfied with the propriety of the recommendation.

Head of Finance: There is a statutory requirement to prepare and adopt a Rights of Way Improvement Plan and I am satisfied that the report and draft plan meet the requirement. While the Plan highlights the financial requirements to achieve the Scheme's aspirations, I am satisfied that adopting the plan would not create a direct additional spending commitment. Of course, if additional resources are needed to achieve some of the actions, there will be a need to either seek additional grants or re-direct resources within the Department."

Appendices

Appendix A: Report to the Scrutiny Committee 27 October 2022 including the following Appendices:

- Appendix 1 - The ROWIP (with modifications in accordance with the request of the Scrutiny Committee)
- Appendix 2 - Report on the result of the public consultation, Summer 2022
- Appendix 3 - Questionnaire responses to the 7 questions asked

Appendix B: Equality Impact Assessment.