

# Appendix 3



## Rights of Way Improvement Plan (RoWIP) Condition of the Network and Opportunities Assessment Report 2017/18

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This document is available in Welsh and alternative format on request.

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## 2 INTRODUCTION

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### 2.1 AIMS AND OBJECTIVES

Monmouthshire County Council approved the current Rights of Way Improvement Plan (RoWIP) on 3<sup>rd</sup> October 2007. This plan is the means by which Monmouthshire County Council identifies, prioritises and plans for countryside access service delivery and improvements to rights of way in the county. Legislation now requires that we review the plan and publish another.

Guidance from Welsh Government on reviewing RoWIPs is that **the new RoWIP should be expanded to cover cycle ways, access land and other provision which is important in our area. In addition guidance says this time we must include within Monmouthshire's RoWIP all of the area in Monmouthshire that falls within the Brecon Beacons National Park.**

This assessment report covers the following topics:

- The opportunities provided by local rights of way for exercise and other forms of open air recreation and enjoyment of the county.
- An assessment of the extent to which local rights of way meet the present and likely future needs of the public.
- The condition of the rights of way network and its record (Definitive Map and Statement)
- An evaluation of the degree to which the current RoWIP has been delivered.
- Resources available to meet people's needs
- Cycling and opportunities to contribute to Active Travel objectives
- Opportunities to contribute Well-Being objectives
- Opportunities to contribute to The Equality Act 2010
- Opportunities to deliver to other plans and objectives

There are separate reports on the following:

- An assessment on the delivery of the previous RoWIP
- Policy Review
- Outdoor disability and health assessment by Ridgeway Consultants
- A report on the consultations carried out in this review

The Countryside Access Service provides a statutory service to the residents of Monmouthshire and its visitors. In order to provide a good service it is important to seek continual improvement. This assessment report aims to highlight the positive and negative issues facing the countryside service in order that we can ensure the new RoWIP is based on sound evidence and will meet the present and future needs of our residents and visitors.

The conclusions drawn from this report and the other assessments will be used to formulate the priorities and actions in the new ROWIP for Monmouthshire.

## **2.2 PRODUCTION OF ASSESSMENT**

The approach adopted in developing this report has included:

- Information from the Public Service Board Well Being Assessment which was recently produced following extensive engagement with contributions from 1400 people in Monmouthshire. This also examined a wide range of evidence and data about what works now and future trends and issues.
- Wide consultation using publicity, questionnaire surveys, direct requests for information to a wide variety of consultees, individual and public meetings.
- A detailed analysis of the current condition of the Public rights of way (PROW) network with particular regard for maintenance and enforcement
- A detailed analysis of the current records regarding the Definitive Map and Statement.
- Identification of resources available and required
- Research of national, regional and local policies and plans
- Review of Countryside Access Management Policies and procedures
- Identification and review of other issues affecting countryside access
- Research and review of evidence regarding the present and future needs of the public (publications, websites, leaflets etc.).

### 3 WHAT IS MONMOUTHSHIRE LIKE?

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Monmouthshire lies in the southeast corner of Wales, sharing its border with England to the east and North. It is a large rural county, covering 850 square kilometres of countryside with an estimated population of 92,476 half of which live in the main towns of Abergavenny, Monmouth, Usk, Caldicot and Chepstow.

The County has a distinctive identity arising from its location in the borderlands between England and Wales. Given its location the County is easily accessible from both the rest of Wales and England.

Monmouthshire's greatest asset is its landscape and natural environment. Monmouthshire has rich and diverse landscapes stretching from the flat open coast line of the Gwent Levels to the Black Mountains and World Heritage Site in the Brecon Beacons National Park and the picturesque river gorge of the Wye Valley Area of Outstanding Beauty. The breath-taking natural scenery here has enthralled visitors for centuries, including painters and poets from Turner to Wordsworth. The work undertaken to inform Monmouthshire's Well-Being Assessment shows the "pull" people feel to the county and the unparalleled access it can offer to awe- inspiring environments.

Monmouthshire has major biodiversity and nature conservation resources, a number of which are internationally or nationally recognised such as The Severn Estuary. This is designated as a Special Area for Conservation (SAC), Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and a RAMSAR site (wetland of international importance). The former Countryside Council for Wales, now Natural Resources Wales LANDMAP sets Monmouthshire's landscape baseline amongst the highest in Wales. The Landscape and countryside of Monmouthshire is therefore important in contributing not only to the health and well-being of Monmouthshire's residents but in supporting the tourist economy.

Welsh Government statistics for September 2016<sup>1</sup> show a small projected increase to the overall population in Monmouthshire to 92,500 (currently 89,000) in 2039. It shows an expected decrease in 0-15 year olds from 15,000 in 2014 to 14,200 in mid-2029. It also shows a decrease in the working age population of 15-65 from 57,000 to 52,500 in 2029. However the over 65 age population is expected to increase to 29,800 from 21,300 and over 85's to further increase from 2800 in 2014 to 5,200 in 2029.

Overall people in Monmouthshire live longer than elsewhere in Wales and are healthier. However Monmouthshire has an increasingly aged population. Daffodil Cymru projects an 87% increase in Monmouthshire's population aged 65 and over with dementia by 2035. This is above the increase projected across Wales of 72% and the second highest in Wales. There is also an increase in the number of children recorded as obese. These are trends which could put significant pressures on the local authority and health board.

Monmouthshire is reliant on the public sector and services for employment. Tourism accounts for 12.1% of jobs, higher than the Welsh average. Public administration,

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<sup>1</sup> Open stats wales 29 sept 2016 SFR 129/2016

education and health sector accounts for the largest number of jobs, whilst retail, hotels and restaurants also accounts for 27.4% of jobs.

Tourist expenditure in 2015 amounted to £186.64M supporting 2,744 full-time jobs. As many as 82% of these jobs were generated directly through visitor expenditure, with the remaining 18% being supported through the supply chain and further rounds of expenditure within the economy including employee spend. Tourism spend supports the most employment in the accommodation and food & drink sectors. In addition, a significant number of self-employed people in Monmouthshire earned a living from tourism<sup>2</sup>.

There is a reliance on car ownership due to the rural nature of the county. Public transport remains a problem with travel times on public transport considerably longer in parts of Monmouthshire than elsewhere in Wales. Poor public transport was highlighted as an issue by the Countryside Access and Disability Assessment report.

There is a strong sense of community and volunteering base in Monmouthshire. This is particularly seen within Countryside work and an expressed wish for volunteering opportunities to be expanded and supported. Estimates show Monmouthshire has the highest rates of volunteering in Wales.

The Draft Green Infrastructure Strategy 2018 has the vision:-

“Monmouthshire has a well-connected multifunctional green infrastructure network comprising high quality green spaces and links that offer many benefits for people and wildlife. The network’s integrity and connectivity is maintained, protected and enhanced in a planned and managed way, which recognises the interdependency and multi-functionality of landscape, heritage and biodiversity elements. Investment in green infrastructure underpins the County’s ongoing economic, social and environmental success by supporting sustainable growth, improving quality of life and place, delivering ecosystem services and tackling climate change. Monmouthshire is a green and healthy place to live, with an increasingly coherent and resilient ecological network of wildlife habitats, helping conserve biodiversity.”

### **Draft GI Strategy Objectives**

- 1 Improve Health & wellbeing
- 2 Enhance Biodiversity & Increase Ecosystem Resilience
- 3 Strengthen Landscape character & Distinctiveness
- 4 Increase Climate Change resilience
- 5 Support Sustainable Economic Development

The Biodiversity and Ecosystems Resilience Forward Plan summary of the objectives are:-

“In order to meet the Section 6 duty, Monmouthshire County Council shall undertake work and change current procedures to achieve the following objectives, so long as

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<sup>2</sup> STEAM Survey 2015

it is consistent with the proper exercise of Monmouthshire County Council's functions as a Local Authority. The objectives have been developed to maintain and increase the resilience of our ecosystems by increasing scale and extent, connectivity, condition, diversity, and ability of ecosystems to adapt. All objectives apply to both marine and terrestrial habitats as required by the Act.

Objective 1 : Embed biodiversity throughout decision making at all levels

Objective 2 : Provide environmental education to raise awareness and encourage action

Objective 3 : Undertake land management for biodiversity and promote ecosystem resilience

Objective 4 : Influence land management to improve ecosystem resilience

Objective 5 : Tackle key pressures on species and habitats

Objective 6 : Support landscape scale projects and partnerships to maximise delivery

Objective 7 : Monitor the effectiveness of the plan and review"

In seeking to achieve the ROWIP due consideration will be given to these duties and requirements the Council is obliged to deliver.

## 4 WHAT COUNTRYSIDE ACCESS PROVISION IS THERE AND WHAT OPPORTUNITIES DOES IT PROVIDE?

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This section describes and assesses the opportunities available from local rights of way and other types of access provision to Monmouthshire's residents and visitors, for exercise and other forms of open air recreation and enjoyment of the countryside.

The Countryside Access provision in Monmouthshire is extensive. Monmouthshire is the gateway to the Brecon Beacons National Park and has canals, rivers, market towns, food festivals, castles, dark sky discovery sites, walks, horse riding routes, walking festivals, vineyards, mountains, gorges, caves, hills, Priors & abbeys, Wales Coast Path, paragliding, museums, paddle boarding experiences and more traditional past time sites like golf courses. There is therefore no shortage of opportunity to access the countryside in Monmouthshire for exercise and enjoyment. Information for visitors and residents can now be found on Monmouthshire's tourism website: [www.visitmonmouthshire.com](http://www.visitmonmouthshire.com)

Countryside access contributes to the delivery of well-being objectives as outlined in Chapter 9.

### 4.1 PUBLIC RIGHTS OF WAY (PROW)

"Local rights of way" is defined to include all rights of way shown on the Definitive Map, all other footpaths, bridleways and all cycle tracks at the side of carriage ways. The scope also extends to include access land and other provision which is important to our area.

The Definitive Map records minor highways known as public rights of way. These minor highways are protected by the same highway legislation as the wider highway network. However they are distinguished from other all-purpose highways in the way they are recorded and can be used. This is dependent on what their status is. PROW are broken down into four levels of status:

- Footpath, a highway over which the public has a right of way on foot only.
- Bridleway, a highway over which the public have a right of way on foot as well as equestrian and cycling rights.
- Byway open to all traffic (BOAT), a PROW open to all types of users, including use by horse drawn and motor vehicles, but which is mainly used for the purposes for which footpaths and bridleways are used.
- Restricted byway (RB), a new category of highway introduced by the Countryside and Rights of Way Act 2000 (CROW), over which the public have a right of way on foot, horseback, bicycle and horse-drawn vehicle. Under the CROW Act, all PROW which were designated as a Road Used as Public Path (often denoted as CRB's or CRF's on Monmouthshire's Definitive Map) were re-designated as Restricted Byways (unless one of the provisions in the Natural Environment and Rural Communities Act applies).

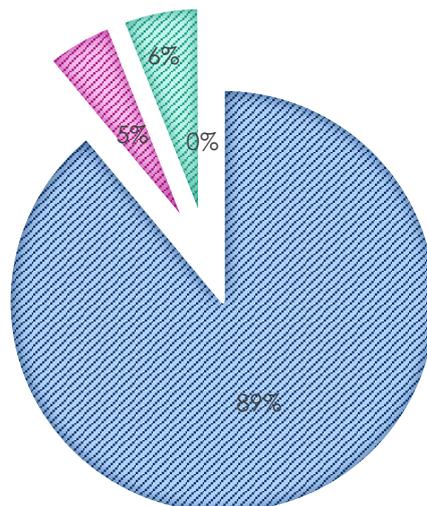
There are 2,164.83 kms of rights of way in the County of Monmouthshire and 1609.6kms<sup>3</sup> of other public highways (roads). However an agreement is in place for the 505.78kms of public rights of way in the Brecon Beacons National Park to be maintained by that Authority. Monmouthshire pays an annual sum to the National Park Authority for this work.

Table 1 Extent of highway network in Monmouthshire (including BBNP) 2018

Status of Path	Km in Mon	Km in BBNP	Total km in all of Monmouthshire	Percentage of total type of RoW
Footpath	1490.118	437.188	1927.306	89%
Bridleway	82.454	26.862	109.316	5%
Restricted Byway	84.95	41.73	126.68	6%
Byway	1.528	0	1.528	0%
Total km	1,659.05	505.78	2164.83	
Total km of other Highways (A, B, and other roads shown on list of streets)			1609.6	
Total PROW in Wales			33,200km	6%

## % OF DIFFERENT TYPES OF PUBLIC RIGHTS OF WAY IN MONMOUTHSHIRE

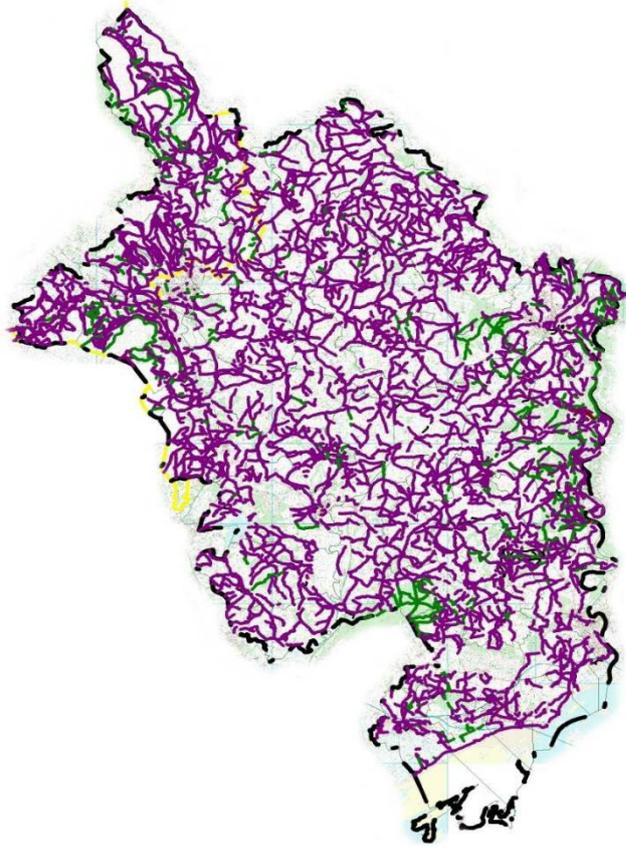
■ footpath ■ Bridleway ■ Restricted Byway ■ Byway



<sup>3</sup> <https://stats.wales.gov.wales/Catalogue/Transport/Roads/Lengths-and-Conditions/roadlength-by-typeofroad-year>

The amount of Bridleways has increased from 71km in 2007 to 82.45 km in 2017. This is probably because of legal changes to the Definitive Map and the Tread and Trot project.

Under the provisions of the National Parks and Access to the Countryside Act 1949 Public Rights of Way are recorded on the Definitive Map and Statement. The map



here and Table 1 shows the high density of rights of way that exist in Monmouthshire. It also shows the highly fragmented and limited bridleway, restricted byway and bridleway network. Footpaths are shown as purple lines and other routes in green.

There are however 459.3km of County Unclassified Roads "C" roads (many of which are not surfaced) which provide access to all types of users and are essential links to the rights of way network. They are particularly useful for cyclists, carriage drivers and horse riders.

Monmouthshire has many promoted routes but the most well-known are the Wales Coast Path and Offa's Dyke Path National Trail, both of which attract grant funding

because of their status and importance to the regional and national economy of Wales.

The Wales Coast Path was opened in 2012. It is 870 miles long in all and a total of 2.8 million visitors walked the route in 12 months to June 2013. 14 miles, or 22km, of The Wales Coast Path runs from Chepstow to Magor. It is maintained by Monmouthshire County Council in conjunction with Natural Resources Wales, other local authorities and Welsh Government. The path is promoted by Welsh Government internationally and was voted by Lonely Planet as the top destination to visit in Wales.

The 870 miles of coast path links with Offa's Dyke Path National Trail to create a 1030 mile continuous walking route around the whole of Wales. The Wales Coast Path also links to other routes in Monmouthshire such as the Wye Valley Walk, Tewdrick's Trail and a whole host of smaller local circular routes.

The county is also well covered with five other promoted long distance routes, all with the exception of the Monnow Valley Walk are promoted by Monmouthshire County Council and or the Brecon Beacons National Park Authority.

1. The Wye Valley Walk
2. The Usk Valley Walk

3. Three Castles Walk
4. St Tewdricks Trail
5. The Beacons Way
6. The Monnow Valley Walk

256.4km of PROW are promoted routes. We also have a series of health walks and 30 pathcare walks which are locally promoted routes (see promotion and publicity).

There is opportunity for other walks to be developed. The Cambrian Way and Monmouthshire Way are routes where discussion is underway with individuals and the Ramblers Association to promote and manage the routes in the future. Local Groups are developing and maintaining circular walks.

## **4.2 PERMISSIVE WALKING AND HORSE RIDING ROUTES**

In addition to public rights of way recorded on the Definitive Map there are also permissive paths this is where the landowner allows, by his consent, certain users to use a route on his land either as a footpath or bridleway. These are not that common and are not usually recorded but we are aware of 4,174m of permissive footpaths and 3,381m of permissive bridleways. A large percentage of the Usk Valley Walk and Wye Valley Walk are on permissive routes. The disadvantage of permissive routes is that they can be closed at any time and they are usually not maintainable at public expense.

## **4.3 HORSE RIDING AND CARRIAGE DRIVERS**

Despite the lack of bridleways, byways and restricted byways the county has some superb facilities for horse riders at the Broome Event Centre, Chepstow Race course and Coleg Gwent. There is also now a series of promoted bridleway routes known as the Tread and Trot Trails.

Horse drawn carriages are permitted on restricted byways and byways open to all traffic. Carriage drivers in Monmouthshire advise that they principally use quiet roads of which Monmouthshire has quite a few. There is opportunity to make more use of county unclassified roads as "quiet lanes" which would benefit more recreational users by looking at how these routes are signed, managed and promoted.

## **4.4 COUNTRYSIDE SITES, GREEN AND BLUE SPACES**

Research shows that access to green space is important for the health and wellbeing of residents.

There are 11 Countryside Service sites including one country park (Caldicot Castle) in Monmouthshire which provide access for walkers to picnic, kite fly etc. Other county council small holdings also allow further countryside access opportunities.

Monmouthshire has 44 Historic Parks and Gardens, which have been identified as having a Special Historic Interest, covering 1,910 hectares.

There are 3 landscapes of "Outstanding Historic Interest" (namely parts of Blaenavon, the Gwent Levels and the Lower Wye Valley) –and one landscape of

Special Historic Interest, (the Clydach Gorge) within the Monmouthshire area identified by CADW in the Registers of Outstanding and Special Historic Interest In Wales.

To the east of the county The Wye Valley AONB is a popular tourist destination which attracts significant numbers of walkers, cyclists and day trippers for its scenic beauty, ecological, geological, historic and cultural attributes.

Chapter 4 looks at "Open Space" provision (parks, play areas, allotments etc.) in Monmouthshire and whether that provision needs improving.

## **4.5 COMMON LAND AND VILLAGE GREENS**

Common land is owned, e.g. by a local council, privately or by the National Trust. There is normally a right to roam on foot over it. However some common land has different rights, so for example the commons in Glascoed can also be used for horse riding. There is an estimated 3,853.587 hectares of mainly rural commons in Monmouthshire. Additionally we have 24 village greens which can be used for sports and recreation, e.g. playing football or walking your dog. Many greens are privately owned and maintained by local community councils but some may be privately owned.

## **4.6 OPEN ACCESS LAND**

Walking is still the most popular and growing form of recreation and the CROW Act 2000 has attempted to address this by introducing areas of designated "Open Access" land for enjoyment on foot.

Open Access land is defined as mountain, moor, heath, down land and common. In Monmouthshire (outside of BBNP) there is about 150 hectares of mainly rural commons which are designated as Open Access. In addition National Resources Wales (NRW) have dedicated 3,550ha of their woodlands as open access in Monmouthshire. Access Land is shown on Access Maps produced by Natural Resources Wales and is shown on their website. Access Land is also shown on some Ordnance Survey maps.

## **4.7 WOODLANDS**

The Woods for People project created a UK wide inventory of accessible woodland and it is known from this, that in 2014, 43% of woods in Wales were publicly accessible. The Woodland Trust has undertaken a major analysis of woodland access provision and deficit across the UK. The project, named "Space for People" suggests that in 2016 23.6 % of the Welsh population live within 500 metres of a wood of 2 hectares or more and 80.6% live within 4 kilometres of a larger wood of 20 hectares or more<sup>4</sup>. The main activity undertaken in woodlands according to the Wales Outdoors Study is walking. There is however scope to extend other activities

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<sup>4</sup> Forestry Statistics 2017  
<https://www.forestry.gov.uk/website/forstats2017.nsf/0e01ca232ca463ed802570a60054c205!CreateDocument>

such as horse riding or cycling more formally over woodlands in Monmouthshire if landowners agree.

## 4.8 OUTDOOR EDUCATION

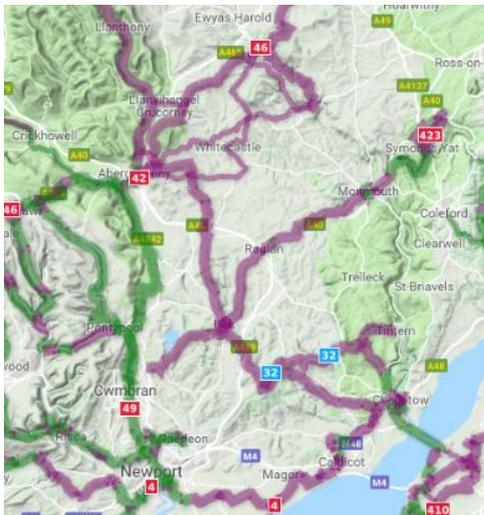
Monmouthshire has an outdoor education service with three sites at Gilwern, Talybont and Hilston Park. In Monmouthshire Gilwern Outdoor Centre can accommodate large groups of around 80 people and is set in 15 acres of grounds. There is a bouldering wall, climbing tower, woodland and large meadow for camping. As it is not far from Clydach Gorge it can also provide caving experiences.

Hilston Park in Monmouth is a listed country house just 10 minutes from the River Wye. It is also therefore ideal for people who like to canoe, fish or walk parts of the Wye Valley Walk. Offa's Dyke Path National Trail is also not far away.

Other private companies also offer opportunities to participate in caving, climbing, canoeing, kayaking, hill walking, camping, raft building, fishing and other adventure pursuits.

## 4.9 CYCLING

Cycling in Monmouthshire is very popular with lots of quiet lanes to follow. We have two of the long distance routes of the National Cycle Network starting in Chepstow: the Celtic Trail (220miles traversing the southern edge of Wales heading west across the Newport Transporter Bridge), and Lon Las Cymru (185 miles heading north through Brecon Beacons to Snowdonia). The map<sup>5</sup> below shows the National Cycle routes available in Monmouthshire.



We are home to the prestigious Abergavenny Festival of cycling<sup>6</sup>, which includes on its programme family rides as well as events which provide the opportunity to watch professional riders, including the annual Velothon giving all the chance to ride the route of champions.

Monmouthshire is also home to “tumble” – a legendary 6km 10% gradient climb (listed as one of the greatest cycling climbs in Britain). In addition Sustrans have and are developing routes through Monmouthshire. The Peregrine Way between Wyesham (Monmouth) and Symonds Yat is popular and they are looking to extend this route to Redbrook. The cycle way from Llanfoist to Clydach has been completed and an extension is planned to link the Heads of The valley cycleway at Beynmawr. The Monmouthshire and Brecon Canal also provides a cycle route from Llanfoist to Goytre.

<sup>5</sup> <https://www.sustrans.org.uk/ncn/map>

<sup>6</sup> <https://www.visitmonmouthshire.com/things-to-do/cycling-in-monmouthshire.aspx>

In 2014 a series of “Tread and Trot” routes were made available. These are multi-purpose mainly off road routes suitable for cyclists, horse riders and walkers.

All of the cycle routes in Monmouthshire can be downloaded at <https://www.visitmonmouthshire.com/things-to-do/cycling-routes-in-monmouthshire.aspx>

#### **4.10 RUNNING**

Whether you enjoy a gentle jog or long distance events running is a great way to enjoy the outdoors and is becoming more and more popular. There are plenty of places where it is possible to run such as Country parks, village greens and commons, Open Access Land, footpaths, bridleways and byways, woodlands and nature reserves.

There are many organised running events in Monmouthshire but these all require permission from the landowners involved.

Parkrun has a popular parkrun at Rogiet Countryside Park that runs every weekend and the Severn Bridge parkrun has also recently started.

#### **4.11 WATERSPORTS**

Llandegfedd Reservoir operates a brand new water sports centre. It offers land and water based activities from team building, windsurfing, dinghy sailing, paddle boarding, kayaking, raft building and environmental studies.

Monmouth Canoe offer canoeing on the river Wye for families, youth and adult groups in Canadian canoes and single Kayaks.

Close to Monmouthshire is the National Diving and Activity Centre at Tidenham Quarry in Chepstow<sup>7</sup>. Here you can experience a complete SCUBA diving package for beginners through to professionals with speciality diving courses for both the sport diver and recreational diver. Depths range from 1-82m making this the deepest inland dive site in the UK.

#### **4.12 AGRI-ENVIRONMENTAL SCHEMES**

63 farms in Monmouthshire were within the Tir Gofal agri-environmental scheme, which in many cases included additional permissive access. This scheme has now been replaced with Glastir which also includes the provision of permissive access. However it is not known how extensive this additional access is in Monmouthshire. Many permissive routes under Tir Gofal are known to still exist but these are not mapped. The Welsh Government promotes Glastir access on its website through a mapping system called Lle Map. This also shows the Wales Coast Path, National Trails and Open Access Land.

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<https://www.visitmonmouthshire.com/thedms.aspx?dms=3&venue=1291730&rgn=Monmouthshire&catid=28&feature=1000>

#### **4.13 OTHER TYPES OF EXISTING ACCESS**

There are 100 scheduled ancient monuments in Monmouthshire including 8 castles, some of which are only accessible by public rights of way.

Other public and voluntary bodies provide access opportunities within the county. A true gem and a favourite for walkers, cyclists and nature lovers is the Monmouthshire and Brecon Canal. The navigable section is 35 miles long. This is managed by The Canal and Rivers Trust.

The National Trust look after mountains (Sugar Loaf & Skirrid), meadows, woodlands (St Marys Vale), waterfalls and traditional hill farms across Monmouthshire as well as a medieval castle (Skenfrith Castle) and a naval temple (The Kymyn). This not only allows for a diverse range of landscapes to be accessible but it also provides opportunities to understand and enjoy Monmouthshire's biodiversity, stories, heritage and culture. It also gives opportunities to volunteer.

A National Nature Reserve is a site which is protected and managed by Natural Resources Wales and is a great place for those who enjoy geology and or wildlife. You can find more information about the individual sites on their website. National Nature Reserves are places with some of the very finest examples of wildlife habitats and geological features.

Natural resources Wales manages three National Nature Reserves in Monmouthshire. These are:-

- Craig Cerrig Glesiad a Fan Frynych National Nature Reserve near Brecon (described "as a wild and craggy place home to some arctic survivors by NRW")
- Beacon View, Wye Valley near Monmouth (Recovering heathland and woodland with historic viewpoints across the Wye gorge and river, Bristol Channel and the Old Severn Bridge "Breath taking").
- Coed y Cerrig National Nature Reserve near Abergavenny

Natural Resources Wales have a free app "PlacesToGo" which can be downloaded on smart phones and shows all the walking routes on their managed land along with information on their recreation facilities.

Other accessible countryside sites are managed by Gwent Wildlife Trust, Woodland Trust and other public and voluntary sector land managers.

Geocaching is a treasure hunting game using maps and global positioning system (GPS) enabled devices. The aim is to navigate to a specific set of GPS co-ordinates and then attempt to find the Geocache hidden at that location. If you find a cache you can record your visit and swap treasures. There are lots of geocache routes in Monmouthshire. There are special coins hidden on Offa's Dyke Path National Trail and also on the Wales Coast Path. Some of Monmouthshire's sites and promoted routes like Offa's Dyke National Trail also offer geocache sites. The Geocaching Association of Great Britain has links to websites that list geocache sites.

## **5 EXTENT TO WHICH RIGHTS OF WAY AND OTHER ACCESS PROVISION MEETS PRESENT AND POTENTIAL FUTURE USE**

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This chapter examines where there might be insufficient access provision in the County now or in the future, for whom and the reasons for any this.

### **5.1 PUBLIC RIGHTS OF WAY**

As identified in 3.1 there is a high percentage of footpaths in Monmouthshire providing for Walkers. However the bridleway, byway and restricted byway network are limited and highly fragmented. This means that provision for horse riders, off road cyclists, carriage drivers and vehicular users is limited.

Overall the density of footpaths is extremely high, the only obvious gap in the footpath network is at the Hendre Estate where no public rights of way were registered at all. Llangdeffedd reservoir has recently opened up a permissive footpath around the reservoir which is extremely popular but this is not open all year round.

There is also a need for small footpath/bridleway creations where development takes place to create links into the existing network and there have been many requests for improvements to existing paths such as along the Wye Valley Walk from Monmouth to Rockfield Church so that it is easier for disabled people to access the route.

There is potential for old railways like the ones at Usk and Caldicot to become multi-purpose paths. The Green Infrastructure Strategy and Active Travel Maps should provide a means of recording information on routes for improvements.

### **5.2 MOBILITY/HEALTH**

It is recognised that there is limited countryside access for those with mobility or health issues. This is discussed in more detail in the separate assessment by Ridgeway Consulting Limited entitled "Outdoor Disability and Health Assessment" and in the assessment reviewing policy.

### **5.3 CYCLING**

Cycling is a growing activity both for events, professions riders and recreational riders. Increasingly families in particular are looking for multi-purpose routes on which to teach their children to ride bikes and to ride together safely. Opportunities exist through the Active Travel Plan to extend cycling and this is discussed in Chapter 7.

### **5.4 HORSE RIDING AND CARRIAGE DRIVING**

The British Equestrian Trade Association's National Equestrian Survey 2015<sup>8</sup> says there are 19 million equestrian consumers in Britain with a range of associated interests. This

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<sup>8</sup> <http://www.beta-uk.org/pages/industry-information/market-information.php>

figure has remained fairly constant over the past 20 years. The economic value of the equestrian sector stands at £4.3 billion of consumer spending across a wide range of goods and services each year. This has increased from £3.8 billion in 2011. There has been a decline in regular riders, from 1.6 million in 2011 to 1.3 million in 2015. However, there has been significant growth in the number of riders aged between 16 and 24, rising from 368,000 in 2011 to 403,000 in 2015. An estimated 3 million people have taken a riding holiday in the past 12 months. Older riders, of 55 and over, are more likely to do this.

From these figures it can be seen that horse riding is still a popular activity for residents and tourists and important for the local economy. However Monmouthshire has more road accidents than other parts of South Wales and opportunities for off-road horse riding are limited. There is a recognised demand for longer off road rides and accommodation for horse and riders.

Carriage driving is limited in Monmouthshire as many of our restricted byways are too narrow for use. Carriage Drivers report that they use predominately use the county's smaller roads or private land.

## **5.5 OPEN SPACE**

There are significant economic benefits to having greater access to green spaces. Proximity to high quality green space, like parks, increases property values by 2.6%-11.3%;<sup>10</sup> and every £1 of public spend on green space projects levers in £4.20 of private sector investment, boosting regeneration.<sup>11</sup>

Additionally there is evidence to show a disconnection from nature could be detrimental to health and well-being, educational outcomes and pro environmental behaviours<sup>9</sup>. It is particularly important that children have contact with the natural world. Some types of green space can provide provision for this interaction.

Access to the natural environment benefits people's mental and physical health and sense of well-being and contributes to the quality of life. The potential cost savings to the health service from improved access to green space are significant. For example, if every household in England were provided with good access to quality green space an estimated £2.1 billion in healthcare costs could be saved<sup>10</sup>.

Proximity of local green spaces in walkable distance has a positive effect on longevity regardless of social economic status or age according to a longitudinal study in Japan. This investigated the association between older people's longevity and the existence of nearby green spaces in which they could walk. The five year survival percentage of older people who lived in an area with walkable green spaces was significantly higher than that of people living in an area without such spaces<sup>11</sup>.

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<sup>9</sup> Natural England, Connection to Nature First Edition 14 July 2016

<sup>10</sup> Green dementia (a literature review of the benefits and barriers facing individuals living with dementia in accessing the natural environment and greenspace), Natural England 21 November 2013

<sup>11</sup> Green dementia

The former Countryside Council for Wales recommends that provision should be made of at least 2ha of accessible natural greenspace per 1000 population according to a system of tiers into which sites of different size fit.

1. No person should live more than 300m from their nearest area of natural greenspace
2. There should be at least one accessible 20ha site within 2km from home;
3. There should be one accessible 100ha site within 5km;
4. There should be one accessible 500ha site within 10km

Cemeteries and church yards, countryside in the urban fringe, civic spaces, water, green corridors and accessible natural greenspace can be combined into one heading "Open space". This should be taken to mean all open space of public value, including not just land, but also areas of water such as rivers, canals, lakes and reservoirs which offer important opportunities for sport, recreation and tourism, and can also act as a visual amenity, and may have conservation importance.

In December 2008 an audit<sup>12</sup> was carried out of all the open spaces within identified settlements in Monmouthshire, over a minimum size of 0.3hectares. A total of 560 spaces were visited and individually assessed. For specific details please contact [countryside@monmouthshire.gov.uk](mailto:countryside@monmouthshire.gov.uk) and request a copy of the "open Space audit" report.

Since this audit has been carried out a Greenspace study<sup>13</sup> has also taken place. The outcomes of this report were intended to help better understanding of the Council's Greenspace resource when making decisions to improve both health and well being and planning policy leading to specific development control issues. The report shows that there is generally good greenspace provision within the settlements of Monmouthshire. It suggests that improved management for increasing biodiversity and improving recreational access could focus on issues such as :

1. "Improving management of playing fields and parklands to increase biodiversity value, through additional tree planting, or the creation of less intensively managed natural areas. Although overall such areas are small compared to the main greenspaces, they are likely to be much closer to where people live and perhaps of more immediate benefit
2. Improving woodland management, and increasing numbers of broadleaves within the woodland canopy, at the same time opening dense conifer woodland up for easier access
3. Improving footpath management and accessibility. There are many footpaths that are currently blocked, where access is restricted. There could be a focus on addressing these blockages, especially close to settlements and on circular routes beginning and ending within settlements, in order to improve accessibility on those routes most likely to be used and of benefit to urban populations.

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<sup>12</sup> Monmouthshire County Council Open Space Study Final Report December 2008 Ashley Godfrey Associates

<sup>13</sup> Monmouthshire Greenspace Study produced by Environment Systems September 2010

4. Given the importance of the footpath network around small settlements, more effort could be made to identify circular routes for local recreational use and, if necessary, consider means (such as additional permissive access) to extend this network where circular routes are currently lacking."

The Green Infrastructure Team within Countryside have just drafted and are currently consulting on a "Green Infrastructure Strategy". It sets out the Councils strategic framework for provision of GI in Monmouthshire. It identifies key priorities and strategic opportunities where restoration, maintenance, creation or connection of green features and functions could deliver the most significant benefits on a county wide basis and for key settlements where growth is planned.

Volume 2 of this strategy provides the Councils delivery plan for Green Infrastructure in Monmouthshire. It will include prioritised action plans for delivery of GI projects over the next 5 years and beyond.

## 5.6 PARTICIPATION RATES

While some rights of access have increased over the last decade, the Wales Outdoor Recreation Survey (Natural Resources Wales) suggests that the proportion of Welsh residents undertaking outdoor recreation frequently has remained fairly flat, at around 27%.



Some 60% of people living in Wales state they would like to visit the outdoors more often, with one of the barriers reported being 'a lack of suitable places to go'. In addition, the ways in which people use the countryside are changing with patterns of recreational behaviour indicating that people are increasingly taking part in more than one activity. When this is combined with a preference for convenient 'bite-sized' doorstep opportunities, it suggests that we need better local opportunities which allow a diverse range of activities<sup>1</sup>.

The outdoor recreation survey for Wales 2016-17 says that overall participation in outdoor recreation is very high, with 81% of adults living in Wales taking part in one or more activity at least once in the last 12 months. When asked about leisure and cultural activities, half of Welsh residents aged 65 and over had visited the countryside in the past for weeks, 45% had visited the seaside or coast and 30% had visited a park or country park. Unfortunately the data is not available on a local authority level. However there are overall trends which are important.

When asked about their most recent visit to the outdoors 47% of adults had travelled less than a mile from home, with 30% of visits being to a local park. This suggests that **access to "doorstep opportunities" is an important factor for engagement in outdoor recreation for many people. However, people enjoy visiting a diversity of places. The results show that Wales's beaches, coast and sea are the second most**

**commonly visited destination (19%), whilst many people enjoyed a visit to woodlands and forests (14%).**

There are distinct gender differences in the types of places that people visited, with women much more likely than men to visit their local park or beach/coast; whilst men more likely to visit woodlands and forests, along with hills, mountains and moors.

Similarly, there are differences in age, with younger people more likely to visit local parks and older people to head for the coast.

Proximity also has a significant impact on the place that people visit, with those living in urban areas being more likely to visit their local park, whilst people living in rural areas are more likely to go to woodlands, hills and mountains and farmland.

The results of the survey suggest that are gender differences in participation in outdoor recreation. On the whole, men reported significantly more visits to the outdoors than women. The difference was particularly apparent for people aged 65-74; men in this age group reported on average more visits compared to women of this age.

People living in rural areas made more visits than those in urban areas.

**Walking was the main activity undertaken by 72% of all adults in Wales during the last 12 months of 2016-17.** Social recreation activities were also popular with nearly a third of people enjoying a picnic (31%), taking children to playground (31%) or taking part in informal games such as playing Frisbee (20%). The popularity of these activities reflects the importance of “easy to do” pursuits that require little if any specialist equipment, skills or facilities.

**More “active” outdoor pursuits are also popular, with running (17%), road cycling (13%) and mountain biking (9%) being the most commonly undertaken activities.**

**Wildlife watching was also a commonly undertaken activity (16%), especially with elderly people over 65.**

People have also taken part in a diversity of water based activities, including outdoor swimming (13%); fishing (6%), and non-motorised water sports (5%).

Table 3- Outdoor Activities Activity	Percentage of adults taking part in last year
Walking	71.40%
Picnicking	31.30%
Taking children to play area outdoors	31.10%
Informal games (e.g. Frisbee or golf)	19.80%
None of these	19.50%
Running	16.90%
Wildlife watching	16.20%
Road cycling	13.00%
Swimming outdoors	12.60%
Off-road cycling or mountain biking	9.10%
Fishing	6.50%
Other water sports	4.80%

Rock climbing or caving	3.60%
Field sports (shooting / hunting)	3.50%
Horse riding	3.00%
Off-road driving or motorcycling	2.90%
Other outdoor activities (camping, beach visits and paintballing)	2.90%
Motorised water sports	1.50%
Don't know	0.20%

There were significant gender differences in the types of activities that people took part in, with women more likely than men to say they had taken children to playgrounds, or been for a picnic. In contrast men were much more likely to have taken part in virtually all active outdoor pursuits, particularly road cycling, mountain biking and fishing.

Fresh air and health and exercise were the most common reasons given for respondent's last visit. The next common responses were

- "for pleasure/enjoyment",
- to relax and unwind,
- to enjoy scenery and wildlife,
- exercise dog,
- entertain children,
- to spend time with friends/family
- for peace and quiet.

People's motivations for visits to the countryside is affected with genre. Men are more likely to be motivated by taking part in a hobby whilst women were more likely to want to spend time with family, friends or entertain children.

### 5.6.1 Barriers

However there are some significant gender and age related differences. For those over 65 the main barriers were old age (41%) and physical disability (34%). For younger adults (16-44) the main barrier was lack of time (57%). Equally women were more likely to cite physical disability and old age as their barrier, whilst for men it was lack of time.

Respondents who reported not having made a visit to the outdoors in last 4 weeks the most common reason was bad weather (46%).<sup>14</sup>

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For those reporting no visits in the survey the single most common reason was a perceived lack of free time (28%), whilst 24% cited physical disability, 19% health reasons and 19% old age. In contrast 2% said there was nowhere suitable for them to go and 1.7% said they didn't know where to go.

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<sup>14</sup> [www.naturalresourceswales.gov.uk](http://www.naturalresourceswales.gov.uk)

## **6 OTHER ISSUES AFFECTING COUNTRYSIDE ACCESS IN MONMOUTHSHIRE**

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Although not required by guidance it is important that the full extent of issues affecting access is considered in order that strategies can be put in place to overcome them as they can have a knock on effect to the delivery of countryside access.

### **6.1 CLIMATE CHANGE**

Climate change could accelerate the introduction of invasive species, pests and diseases leading to adverse impacts on native biodiversity and the landscape. Climate change is also likely to increase the risk of winter flooding and summer drought.

The Met Office's 4<sup>th</sup> annual State of the Climate<sup>1</sup> report confirms 2017 was the 5<sup>th</sup> warmest year in records dating back to 1910. There were 7 named storms in 2017. The central England Temperature Series shows that the 21<sup>st</sup> Century has so far been warmer than the previous three centuries. Sea levels around the UK have risen at a rate of approximately 1.4mm per year since the start of the 20<sup>th</sup> Century, equivalent to a rise of about 16cm. Long term this will have an impact on the Wales Coast Path, Wye Valley Walk and other rights of way.

Widespread deep snow events have been relatively rare in recent decades but notably 2009, 2010, 2013 and 2018 were exceptions. The most recent decade (2008-2017) saw 8% more annual average UK rainfall than in 1961-90.

2012 was the wettest year in 100 years and had a significant impact on the amount of work that could be delivered on the ground and the usability of the network, particularly on stretches of the Wales Coast Path. Increasingly we are challenged to provide alternative "wet weather" routes or other solutions to muddy or slippery surfaces. An increase in storm events has resulted in greater tree fall and land slips. In 2017 we had to increase the amount of grass cuts on all routes as the warm wet weather promoted grass growth quicker than normal.

The change in weather has resulted in an increase in the introduction of new crops and increased viability for new crops i.e. vineyards, along with new animals like wild boar, ostrich and Llamas. Changes in patterns of visitor numbers with increased usage throughout the year and particularly during the colder seasons of spring and autumn have also occurred.

This has all brought about challenges for the Countryside Access Team both in terms of management and enforcement but also in increased costs. Potentially working practices, materials used and resources may have to change. It should be noted the Green Infrastructure plan aims at tackling climate change.

## 6.2 FLY-TIPPING

The annual change in the number of incidents at local authority varies but **Monmouthshire has seen one of the highest percentage increases of 37%**<sup>15</sup>. This may be down to improved recording of incidents and being more pro-active. The number of fly tipping on highways has increased with the majority of incidents recorded on this type of land. Littering and fly-tipping used to be uncommon on rights of way. The growth of such irresponsible behaviour shows perhaps disconnection with the land, its use and value to others.

It is important that responsible behaviour and countryside code are still promoted.

## 6.3 AGRICULTURE AND BREXIT

The Welsh Government is currently consulting on farming and Brexit (<https://beta.gov.wales/support-welsh-farming-after-brexit>)

It is unknown at the current time how BREXIT will help or increase the challenges that farming brings. Anything that changes the economics of farming may lead to land use change and such change can have significant environmental and social impacts. However the current consultation proposes a new land management programme which would include a Public Goods Scheme. This recognises the value of improving the nation's health by increasing access to green spaces and rights of way. Tourism, together with heritage construction or maintenance generates twice as much GVA as the agriculture sector in Wales. Walking and other physical activities generate employment and reduce long term health costs. There is opportunity therefore to work better with land managers in Monmouthshire to provide long-term benefits for all.

Any new land management grant programme will take time to implement and it is thought that Wales will take a transitional approach from 2020 to 2025 allowing time for land managers to adapt to any new system. There may well be pilot projects for the public goods scheme and Monmouthshire needs to ensure it is well placed to take advantage of this.

## 6.4 DEVELOPMENT PRESSURES

There is demand for new housing and development, which if it increases without more resources for monitoring and taking immediate enforcement, the number of obstructions on the rights of way network will continue to expand.

## 6.5 QUALITY OF LIFE /CONNECTION TO LANDSCAPE AND BIODIVERSITY

There has been a loss of local services including the closure of several village pubs and shops throughout Monmouthshire in the last few years. Despite the increased interest in local food production evidenced by the attendance at events such as

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<sup>15</sup> <http://open.statswales.gov.wales/dataset/envi003>

the Abergavenny Food Festival, less and less people in the countryside have any connection to the growing or producing of local produce.

The Wye Valley Area of Outstanding Natural Beauty Management Plan and the development of the Living Levels Landscape Partnership scheme have both evidenced the loss of connection with the natural environment and there is much that can be done to reconnect people and nature and their landscape. Many businesses are either directly or indirectly dependant on the landscape and access to it. However people are uncertain how they can positively contribute towards the conservation or enhancement of the natural beauty of the area and what the role of the Council is in this, or our partners, like the Wye Valley AONB Unit.

More effective information is therefore required to increase the overall appreciation of the landscape and the designations in it to encourage more people in understanding, contributing and benefiting from Monmouthshire's landscapes.

Many of the above pressures can be dealt with by a Green Infrastructure approach. This has been reinforced by the adoption of the GI SPG 2015 and the development of a draft GI strategy for the county setting out clear objectives and GI opportunities on a settlement basis, underpinned by the Ecological Connectivity Study Green space study, Landscape Sensitivity & Capacity Study 2009/2010 and Draft Landscape Character assessment provide clear information. Monmouthshire has developed and is delivering a clear mechanism that delivers ecosystem services in which landscapes, biodiversity, rights of way/accessibility and quality of life benefits are supported through sustainable communities.

## 7 THE CONDITION OF THE RIGHTS OF WAY NETWORK AND ITS RECORD

### 7.1 RESOURCES

The total countryside access management revenue budget in 2018/19 is £399,997 (staff costs £356,489<sup>16</sup>). This is allocated between a team of 11 staff (9.7 FTE), only 6 of which are full time. The volunteer co-ordinator and three Field Wardens are part time and the 2 Field Officers job share one full time post. There has been a loss of 2 full time posts since 2007 and the 2 two hundred hour posts have now been assimilated into the existing Field Warden posts. The management of countryside sites has since late 2018 been a new function with one full time officer allocated.

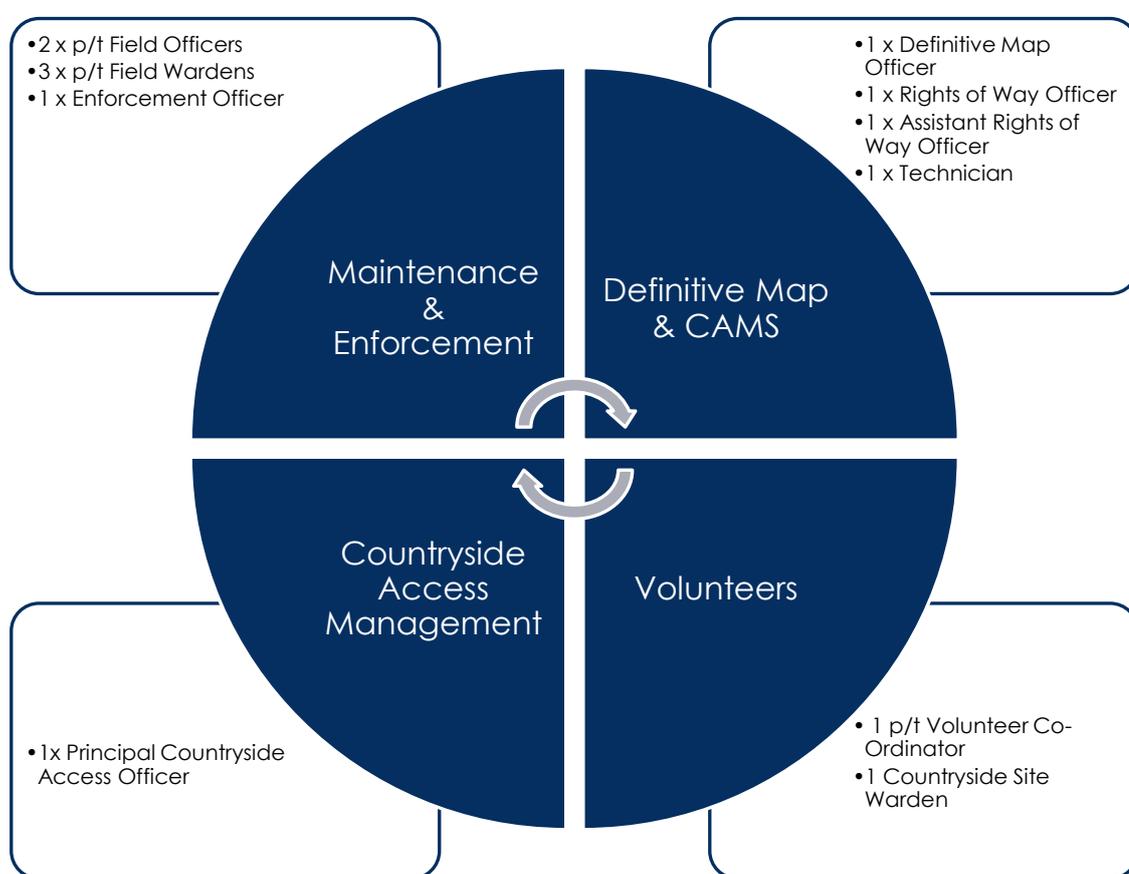


Figure 3 Countryside Access Structure

The Countryside Access Team is supported by one member of legal staff and staff from other teams as required.

The capital budget has gone up and down, but in 2018 it is £38,091. Revenue budgets can be spent on things like cutting contracts only, whereas capital budgets can be spent on things like surfacing and bridges. It is not known from year to year how much if any capital budget will be allocated to rights of way and this makes

<sup>16</sup> Includes an allowance for management and administrative staff support

planning of surfacing and improvements and installation of bridges particularly difficult to manage. **There is no specific budget for Modification orders, enforcement, publicity, volunteers or legal orders.**

It is not possible to really separate budgets for maintenance of public rights of way. However the figures below include premises, transport, supplies and services, third party (contracts and a contribution to Brecon Beacon National Park under our delegation agreement and legal costs). All budget figures are for direct costs only and exclude all support services (admin and management costs).

*Table 4 MCC Actual Maintenance budget*

<b>Year</b>	<b>Resource</b>
<b>2014/15</b>	£42,924
<b>2015/16</b>	£42,201
<b>2016/17</b>	£53, 278
<b>2017/18</b>	£55,588
<b>2018/19</b>	£45,084

In addition the capital programme has enabled a total spend of £281,434 over the last 5 years (£462,106 since 2011).

Significant grant income has been generated from a variety of sources which have provided the main ways in which improvements to the network has been carried out and some paths like Offa's Dyke National Trail and the Wales Coast Path have been maintained. In the last 5 years, this has totalled £623,095 of grant from Welsh Government, Natural Resources Wales, Heritage Lottery Fund and European Funding (£1,060,705 since 2011). Significant additional grant has also secured for landscape scale action and green infrastructure projects such as the past landscape partnership schemes in the Wye Valley and Blaenavon World Heritage Site and more recently for the Living Levels landscape partnership scheme across the south of the county, which has a total value of approaching £4M. These collaborative partnership schemes include major contributions to improved countryside access infrastructure and the visitor experience. £537,184.13 was obtained from Welsh Government under the Rights of Way Improvement Grant to directly deliver projects within the RoWIP.

However much of this grant has been underpinned by European and Lottery funding. With the uncertainties attached to Brexit and the overall reduction to funding available to the lottery distributors, future grant funding cannot be guaranteed and will be increasingly competitive.

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**Within current staffing levels and funding it is impossible to maintain all the network and make improvements. It will be important to review priorities and look at innovative ways of managing the network, including attracting larger funding and forming strategic partnerships to do so.**

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## 7.2 THE DEFINITIVE MAP AND STATEMENT

The current Definitive Map and Statement has a relevant date of 1<sup>st</sup> July 1952. It is hand drawn and produced on an imperial scale of six inches to one mile (1:10,560). Copies can be seen upon appointment at the Gwent Record Office and at County Hall.

### 7.2.1 Accessibility and Up-to-date Definitive Map and Statement

To improve its accessibility the records have been digitised and several years were spent quality assuring the records so that we were confident enough to publish a “working copy” on the internet (<http://access.monmouthshire.gov.uk>). Over 6000 links were checked along with 666 orders examined and 144 anomalies found. In addition 99.8% of Monmouthshire within Brecon Beacons National Park has been quality assured, leaving a handful of routes and side roads orders to check and 176 anomalies which will require further investigation to resolve.

Consideration of how these anomalies should be dealt with in conjunction with section 53 Modification Orders (claims) may be appropriate in any revised RoWIP or policy review.

**The public now have the ability to view current Ordnance Survey Maps at various scales with the different classes of right of way shown on them at**

<http://access.monmouthshire.gov.uk/>. They can also view furniture, input issues and print maps. This is a significant step forward in ensuring that staff and landowners working on the ground have more accurate plans to use, reducing the risk of errors and making the information much more readily available to the public.

It is no longer possible to obtain the base maps required for hand drafting the Definitive Map. Technology has moved along and Welsh Government are now consulting on making changes to legislation to allow a legal digitised version of the Definitive Map in the near future. We are therefore in a good place with regards to this. However until legislation changes we are still required to bring the Definitive Map and Statement up to date in paper format. To do this we are required to:

- Make Legal Event Modification Orders for all the 600+ orders that have been made since the publication of the Definitive Map in 1952.

Lost Ways is the name given to paths, or ways, on which there may be legitimate public rights of access but they are either unrecorded or incorrectly recorded on the Definitive Map or List of Streets. Unless they are legally registered, such rights may become subject to the Countryside and Rights of Way Act 2000 and will be extinguished in 2026. This will make it impossible to change or upgrade a right using historical evidence.

There is an unquantified number of unrecorded and unregistered routes which the public might claim and no programme or resources to deal with this either for the List of Streets or Definitive Map. However it must also be noted that the Welsh Government has indicated that they intend to delete the 2026 deadline.

Currently the public are able to submit applications for evidential modification orders (often referred to as claims) to Monmouthshire County Council, if they have historical and/or user evidence to show a path is missing from the Definitive Map and Statement, that it is incorrectly recorded, or the status of a path on the Definitive Map and Statement is incorrect. This work is ongoing and currently we have 43 claims on our Register.

A programme of review for claims was agreed by the Licensing and Regulatory Committee and has been in force from the beginning of 2005. This policy has been reviewed again by the Monmouthshire Local Access Forum in 2017 and no changes were made.

There are 253 anomalies on the Definitive Map and there is much interaction with the maintenance and enforcement team as to the width of paths, location or investigation into historical furniture records.

Some Modification Orders go back to the 1990's, applicants are getting elderly and the Modification Order process is time consuming, complex and slow.

A challenge has been made that other issues should be taken into account such as the benefit of the claimed route to the public as a whole. It would seem that there is a case to consider the impacts of under resourcing this work and how the current prioritisation fits with the objectives of the RoWIP. However it will also be important to consider how any changes to policy will affect existing applicants.

The List of Streets maintained by the Highways team also has an effect on rights of way. **Legally all public rights of way are highways and should be on this list.** Staff in both Highways and Countryside teams need to know the background and correct terminology to be using otherwise incorrect information can be given out in land charges and searches resulting in the authority being liable for a claim against it for maladministration.

There is much cross-over where Modification Orders are concerned. The Natural Environment and Communities Act (NERC Act) has resulted in the loss of mechanically propelled vehicular rights where they were not shown on the list of streets or definitive map prior to the enactment of NERC. This more commonly now means highways that would have been shown just on the List of Streets will now need to be recorded on the Definitive Map and Statement. However **in those rare cases where NERC does not apply, there needs to be a method of formally putting those highways on the List of Streets.** Currently there is no legal method of doing so and the public have no method of challenging it without going to court.

The Principal Countryside Access Officer has been working on producing a protocol for adding or removing highways from the List of Streets in conjunction with Highways. This is now at a draft stage and should be consulted upon shortly.

s53 Wildlife and Countryside Act Register and s31 Statutory Declarations can be viewed on line [here](#).

### 7.2.2 Registers/Land Charges

Legislation requires that Highway Authorities produce and continually update a list of all recorded statutory declarations (s31HA) and section 53 modification orders (claims). These registers are available to view on appointment at county hall in paper formats. You can also now search for

individual definitive map modification orders, or statutory declarations, or view all of them on Monmouthshire's website. The Registers are regularly updated as the information is used when undertaking land charge searches and answering requests for information from the public and solicitors.

Legislation has also provided for a register of legal orders, but this part has not yet been enacted by Welsh Government. Nevertheless the Countryside Team see this as an important resource to users and applicants and therefore work is currently ongoing to develop a register on our website for all Legal Orders (diversions, extinguishments, creations etc).

There have been changes to legislation for land charge searches. Prior to July 2016 land charge searches for rights of way information was not mandatory and the Countryside Access Team directly dealt with approximately 350 cases. Since July 2016 there is a need to state what is publicly maintainable, whether any right of way abuts or crosses a property on the definitive map, if there are any pending applications to record a public right of way that abuts or crosses a property on the definitive map, whether there are any orders to stop up, divert, or alter, or create a prowl. This has, dramatically increased the workload to at least 7 cases a day requiring an answer. Each Land Charge case takes approximately 20 minutes to answer, but some cases are more complex and can take longer. This effectively is now a full time job for a member of the team and has **had a significant impact on the Countryside Access Teams ability to carry out other Definitive Map duties** such as preparing Legal Event Orders.

It should be noted that the agreement with Brecon Beacons National Park to undertake responsibility for the rights of way in Monmouthshire within the National Park has been reviewed. As Monmouthshire is the Highway Authority responsible for maintaining the Definitive Map records it was thought best if all Land charge searches within the National Park concerning rights of way were also undertaken by Monmouthshire.

### 7.2.3 Planning Applications

The Countryside Access Team currently deals with approximately 53 planning applications per year. Major applications are dealt with as part of a Green Infrastructure multi-disciplinary team approach, with the aim of achieving a wide range of benefits ( addressing Landscape setting and quality of place, Habitat provision & connectivity, Green space provision connectivity and enjoyment, sustainable energy use local food production and Flood attenuation & water

resource management) and meeting the requirements of the Future Generations and Well-being goals the Councils Well-being Objectives and Biodiversity Ecosystem Resilience Forward Plan.

The current average cost for a diversion is £2000. There were 100 building obstructions in 2007. Now there are 266 such obstructions **(£532,000+ to resolve by order)!**

It is known that there are more applications which we should be seeing. This will inevitably cost the authority in the long term

#### 7.2.4 Legal Orders.

There are currently 80 outstanding requests for Legal Orders to be made amending the public right of way network by either diverting, closing or creating public rights of way. This has increased two fold since 2007. An information pack for applicants is available explaining legal processes involved, the individual legal tests that have to be made and costs involved. A list of diversions and the stages they have reached is kept at County Hall in Community folders.

Applications for legal orders are made for many reasons. Sometimes it is because of development, but often it is because of a landowners need to increase privacy and security. There is also a need to move paths because of obstructions and this remains one of the highest recorded issues for enforcement. Some diversion applications and proposals have been outstanding for many years. There is only one full time officer dealing with planning applications and legal orders and therefore to reduce the backlog there is a need to consider resourcing.

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*There is a need for Legal Orders to be prioritised against an agreed set of criteria and in particular the benefit to the public as a whole.  
There is also a need to seek more resources to tackle the backlog of legal orders.*

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### 7.3 THE CONDITION OF THE NETWORK -MAINTENANCE AND ENFORCEMENT

The 2007 Rights of Way Improvement Plan (RoWIP) recognised that there was a need to prioritise maintenance and enforcement tasks. After extensive consultations a prioritisation system for maintenance and enforcement issues was approved by Cabinet in October 2012. A guide to the prioritisation system can be found in "Monmouthshire Countryside Access Policy, Protocol and Operational Management 2019".

The prioritisation takes into account usage, route status, health and safety and effect, maintenance and enforcement type, barrier free routes and promotion. Those paths prioritised at 100+ are considered as high priority. Everything below that is a lower priority.

An analysis of the high and low issues that have been resolved since 2012 shows that only in the first year of 2012, were more high cases dealt with than low ones.

However there are generally less high prioritised cases than others. From 2013 to present day there are now slightly more cases that are prioritised as low being dealt with than ones that are considered high.

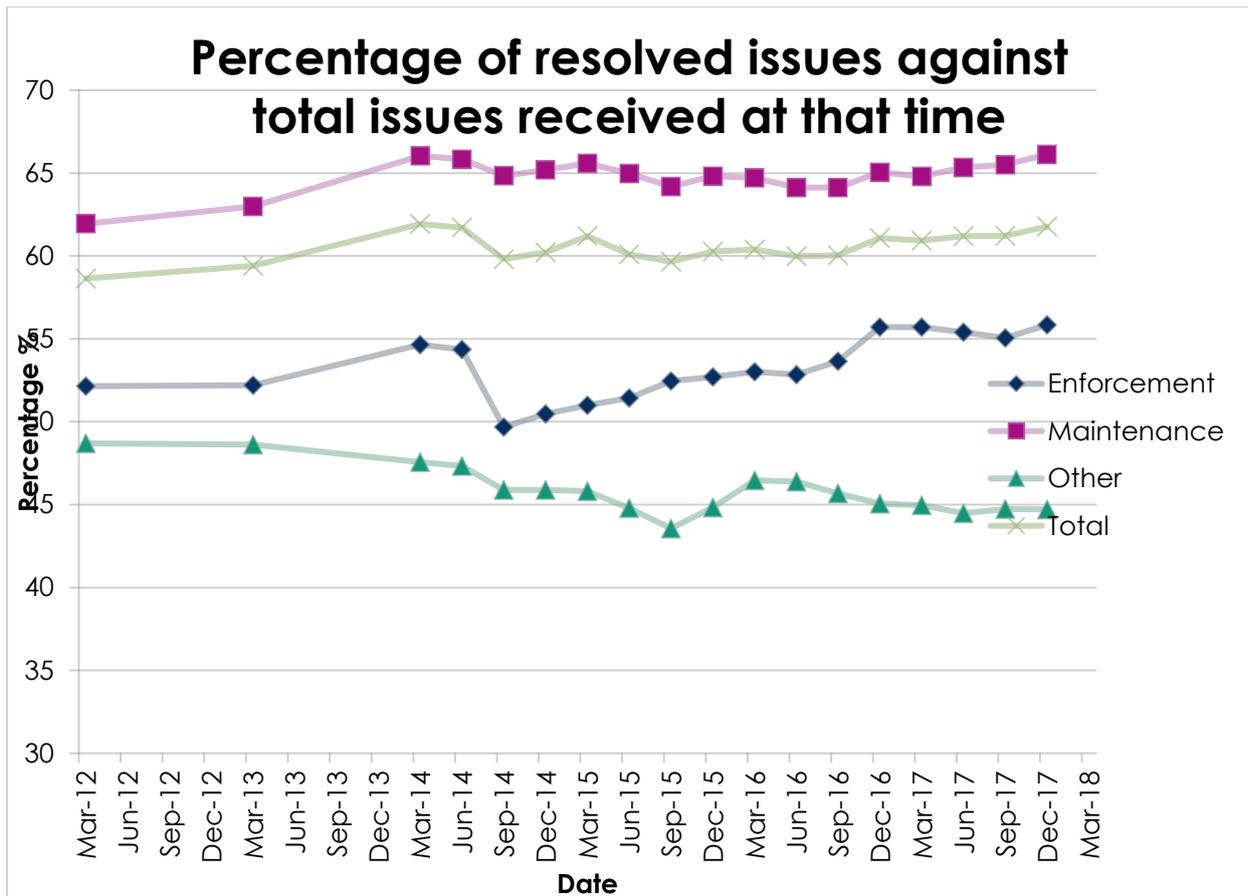
High priority cases are often complex and can take a considerable amount of time to resolve as compared to low risk cases.

*Table 5 Resolved low and high priority cases*

Year (Jan to Dec)	High 101+ Resolved	Low< 100 Resolved	High unresolved	Low unresolved
2012	385	174	67	357
2013	181	325	38	278
2014	144	214	51	177
2015	116	152	64	324
2016	113	135	74	212
2017	92	98	61	378

When the last RoWIP was published there was no integrated rights of way database. Access tables were used but had limited strategic planning capability. Recording of information by staff was also sporadic. The lack of appropriate record keeping and investment in good IT systems helped the service remain in a reactive rather than proactive manner. The 2007 Rights of Way Improvement Plan recognised this and a specialised Countryside Access Management System was brought, affectionately known by staff as CAMS. After extensive training this system is now used as the main means in which all staff record all issues. It has taken many years (see Definitive Map) for all the data there was to be inputted in to this system and for the mapping to be verified as correct. However all staff now have access to an up-to-date mapping system and database where ever they are. The database includes information on the location and status of rights of way within Brecon Beacons National Park but it does not contain all of their maintenance issues which they are unable to supply us with at the current time.

**From March 2012 to March 2018 the Countryside Access Team have received 2800 enforcement and 9400 maintenance issues. Table 6 and 7 and the graph below show that we are resolving approximately 55% of enforcement issues and 66% of maintenance issues per year.**



**Table 6 Enforcement Issues Received, Resolved and unresolved**

Time period up to	Total Enforcement resolved issues	Total Received Enforcement Issues	Total Unresolved Enforcement issues	Percentage resolved enforcement issues
Mar 2012	926	1776	850	52.14%
March 2013	1028	1969	941	52.21%
March 2014	1170	2141	971	54.65%
March 2015	1220	2393	1173	50.98 %
March 2016	1337	2522	1185	53.01 %
March 2017	1499	2691	1192	55.70 %
March 2018	1572	2837	1265	55.41 %
<b>total</b>	<b>8752</b>	<b>16329</b>	<b>7577</b>	

**Table 7 Maintenance Issues received, resolved and unresolved**

Time Period	Total maintenance resolved issues	Total maintenance received issues	Total unresolved maintenance issues	Percentage resolved
March 2012	3594	5802	2208	61.94%
March 2013	4060	6445	2385	62.99%
March 2014	4650	7043	2393	66.06%
March 2015	4967	7574	2607	65.58%
March 2016	5274	8152	2878	64.70%
March 2017	5689	8779	3090	64.80%
March 2018	6198	9400	3202	65.94%

Table 8 below shows that in regards to maintenance signage (waymarking and fingerposts), surface vegetation, stiles and bridges are the highest reported issues.

<b>Table 8: Types of outstanding maintenance and enforcement issues</b>			
<b>Issue</b>	<b>Number outstanding</b>	<b>Issue</b>	<b>Number Outstanding</b>
Fingerposts/signage	1160	improvement	70
obstacle	1005	slope	60
Surface vegetation	846	behaviour	35
Stiles	475	Order implementation	30
Waymarking	440	deposit	30
Bridge/culvert	273	Crops	28
Obstruction buildings	265	Drainage	27
Alignment	253	Notices/signs	24
other	190	animal	22
surface	161	information	21
Gate	159	Enforcement surface	15
Obstruction landscaping	98	Hazard abutting	12
Overhead/side vegetation	95	CROW section 130 Notice	5
Tree	79	Section 56 repair notice	3

### 7.3.1 Signage

There are 2524 signage items on the rights of way network. The Highway authority has a duty to provide signage where a public right of way leaves a metalled road. There are 1390 fingerposts consisting of 8 different types. The remaining signage is not where a metalled road leads onto a right of way but at other locations which provide assurance to the User as to where a path links to other routes, private roads etc. Some fingerposts are made for specific locations, such as on Offa's Dyke. The Three Castles Way and Wye Valley Walk have all been recently signposted. The Wales Coast Path and Offa's Dyke Path contain information down the post bilingually as well as on the finger. Specifically designed fingerposts can be more expensive to purchase than a simple wooden fingerpost.

**With an average lifespan of 15 years, 168 Fingerposts per year need to be erected. Currently there are 1160 signage issues, so there is a considerable backlog to catch up on. A simple fingerpost complete with walking man and blade costs in the region of £65 to purchase and install. Therefore the authority is looking at an estimated cost of £75,400+ to resolve outstanding fingerpost issues, with a further annual cost of £10,920+ every year.**

In addition to fingerposts there are also other items of signage on the rights of way network. The most commonly used is waymarkers to inform the public that they are following certain routes. But there are also other items like Information Boards. It is difficult to estimate the costs of these as they would be specific to the location or path. Generally grants are sought to cover such items.

Fingerposts are not easy to remedy as one would think as many of the footpaths where signage is needed also require enforcement, or major clearance. **There is**

opportunity to work with community groups and volunteers to better manage signage though. This could also include passing on the waymarking issues which many volunteers are trained to do. There is also opportunity to look at using different materials, as a change to metal posts, or plastic, may mean signage lasts longer and costs may be reduced.

### 7.3.2 Surface Vegetation

Surface vegetation is a growing problem, partly due to the weather in recent years which has meant more than the usual two cuts have been required.

A very small percentage of the network is currently cut. The National Trail, Wales Coast Path and Regional routes all receive two cuts per year by a contractor. These are given additional cuts if required, but are also maintained by Pathcare Volunteers. The Field Wardens also have a list of paths which they proactively cut every year. However other ways of keeping vegetation down must clearly be found. This however must be undertaken with the Rights of Way Biodiversity Action Plan in mind.

**If further resources could be found to assist with maintenance a good use of officer time would be to look at setting up clearance schemes with community groups and landowners.** Opportunity might also be found through small grants like that provided by Tesco's for Town and Community/volunteer groups to apply for funding for more cutting contracts. Magor and Undy Community Council have for many years with 50% funding from MCC had a local contractor cut all their rights of way twice a year resulting in few complaints about surface vegetation in this community.

### 7.3.3 Stiles and Gates

There are 3848 stiles and 4004 gates known to be on the rights of way network. There are many different types of stiles and gates and their cost therefore varies. From the figures we hold in cams it would appear that 89% of stiles and 96% of gates are in a good condition. However not all issues are reported so these figures might be misleading.

**The Council operates a “Least Restrictive Access Policy” and also has produced a Countryside Access Design Guide. However this has not specifically been targeted to farmers and other landowners. This is an issue as there are many stiles which were put in 15 or so years ago and will soon need replacing.**

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On the basis that stiles and gates last about 15 years each, there is a need to replace 523 of them per year to keep the rights of way network in good condition

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Stile replacement is not an easy issue as stiles represent barriers to many people and an assessment and request to the landowner to alter the structure has to be made every time a stile is replaced. The Countryside Access Field Officers have been successful in replacing stiles with gates, gaps or kissing gates on the whole of the Usk Valley Walk and Offa's Dyke Path National Trail. Increasingly as the need for health walks is rising there is a need to identify and also change barriers like stiles on smaller local walks nearby villages/towns. **With over 3000 stiles on the network there is room to reduce a large number of these to more accessible pieces of furniture.**

### 7.3.4 Bridges

In 2013 a Welsh Government Rights of Way Improvement Grant paid for a "Countryside Access Bridge Report". The report identified 787 bridges made up of 16 different types, 41% of which were found under the general category and 18% are sleeper bridges. The report details the location and types of bridges in each community in Monmouthshire. It considered usage of which 35% is unknown, 19% is medium use and only 18% have a low use. This shows the importance of bridges in the rights of way network and the need to ensure they are safe to use and adequately maintained.

The majority of bridges are on footpaths with only 9 being found on a bridleway and 8 on restricted byways. 125 bridges, at least, were thought to be of a type and on a route which would make them barrier free and "Least restrictive access routes". Many more had the potential to become so.

In the 2013 report, 47% of bridges are noted as a "satisfactory" condition. 11% of paths "unsatisfactory" and 42% were "unknown". **In 2018 we now have a total of 1326 bridges recorded on the rights of way network of which 9% are now recorded as "unsatisfactory"**. These figures need to be used carefully as the "unknown" category represents where there is no information presently recorded on cams regarding condition. However many are well used and promoted paths with no recorded issues for either the route, or bridge, so it is likely that the percentage of paths which is satisfactory is much higher.

24 out of 33 communities and towns within Monmouthshire are affected by outstanding bridge issues with Mitchel Troy, Llangattock Vibon Avel, Devauden and Grosmont being the worst affected.

**The current 273 bridge issues have been examined. In summary 85 need repair, 67 bridges need replacement and a further 81 are recorded as missing bridges. 88 bridges have "other" issues on them including 51 bridges which require full inspection to further ascertain what the bridge issue is. Of particular issue are the bridges which are 10m and over and require replacement or repair.**

Handrails	34	Replace	67
Unknown	51 +	Inspect	37
decking	24	combination	23
abutments	9	Side posts	10
Missing	81	alignment	7
Bracing support	10	Footwalk/beam	21
Alternative crossing available	11	surface	9
Vegetation/trees	13	Bridge seat	12

There are known to be 81 bridges currently missing across the County. It is difficult to ascertain costs involved as it would depend on the type of bridge required and length. Assuming an average bridge cost of £1400 for a 6m bridge & contractor rates for installation (£850) this amounts to a total of £182,250 to install known missing bridges alone. However this sum is likely to be much higher, due to some bridges

being over 6m in length and therefore requiring special bridge design etc. One example is Oldcastle Bridge that is 35m in length and cost over £75,000 to replace.

61 opportunities have been identified where volunteers could help repair or install small bridges. 10 Volunteers have also been trained to undertake basic bridge inspections. This is assisting the Council to save resources but due to the amount of specialist bridges in the County the use of volunteers to inspect bridges is limited.

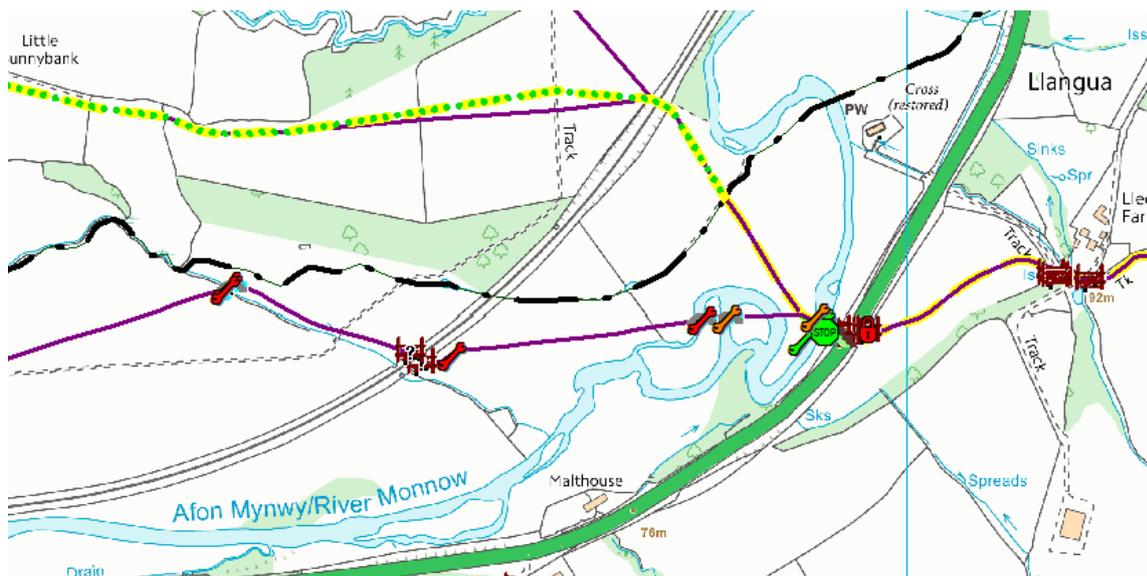
It should also be noted there are 60 bridges on the rights of way network in Monmouthshire within the National Park. All of these are inspected each year by the Wardens. There are currently three bridges needing minor repairs. However inspection records are not kept in a manner where it is easy to see the type or length of the bridges in the National Park. This should be recorded for asset management purposes.

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For safety & maintenance reasons 15 bridge inspections per week are required in Monmouthshire. This is not possible with current resources. It is also anticipated that bridges will last no more than 30 years and, therefore, a new bridge would need to be erected every 2-3 weeks to maintain the network.

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All bridge work is currently prioritised according to the prioritisation used for all other maintenance and enforcement issues and includes risk and inconvenience and use. Recently Llangua Bridge in Grosmont (located at the word "stop" in plan below) was removed, as it was considered highly dangerous. The river is moving very rapidly here and a new site where the river is not ox bowing needs to be sought for replacement of the bridge. The new bridge would need to be at least 13m long, designed for the site, made to order and installed by contractors. It is estimated that the costs of this would be in the region of £27,000+.



This bridge and others like it will therefore only be replaced if additional funding is found. There is a question of policy here as the Council has a duty to maintain the network, but with current resources and the number of bridges that need replacing

benefits to the general public must be taken into account. The previous bridge was little used but since its removal a few local people have asked for a replacement sighting that it helped supply them with a local walk and was good for their well-being. However for the costs of replacing this bridge many other smaller bridges on well used paths could be replaced or fixed. **This resourcing dilemma is something which local people in Grosmont have specifically asked to be looked at.**

### 7.3.5 Enforcement

Section 130 of the Highways Act 1980 makes it the responsibility of this Authority 'to assert and protect the rights of the public to the use and enjoyment of the highway' and numerous sections of the act have vested various powers and duties on Highway Authorities. The Public Rights of Way Team is responsible for serving notice, carrying out work and recharging or prosecuting individuals for offences.

**There is a need to change enforcement policy for some types of action for enforcement to be more effective and timely.**

**There are currently 1585 enforcement issues of which 1081 are “unresolved”, 372 are “unknown”, 4 require “officer attention” and 128 are “part resolved”.** With only one enforcement officer it is difficult to see how the backlog of enforcement issues can be reduced.

Obstacles are the highest enforcement issue. These usually consist of some type of gate or fence obstruction, but can also be things like a builders skip. The current enforcement policy of the Council is a very soft consolatory approach. This does not help to solve these issues which are often time sensitive. In order to resolve more issues, such as padlocked gates, a more reactive but sensitive enforcement is required. For example the ability to serve letters which can act as Notices immediately. This will therefore have to be a matter to consider in a policy review in more detail.

As per 6.2.4 there needs to be more assistance with legal orders and planning to ensure there are no further building obstructions and to move footpaths around permanent building obstructions.

### 7.3.6 Volunteering

The citizens of Monmouthshire are active volunteers and there is an expressed desire amongst walking groups/organisations and individual volunteers to help deliver maintenance and promotion of the rights of way network.

The U3A Groups in Monmouthshire have said *“We support the roles that volunteers can play in helping to maintain and enhance the network and to encourage use by local communities, visitors and tourism businesses. However volunteer input is only viable with the support of the dedicated Monmouthshire CC team with their integrated technical, legal and data handling resources. The availability of a dedicated volunteer co-ordinator is critical in encouraging and enabling volunteers to work effectively, to share best practice and in developing innovative approaches to obtaining best value from volunteer effort.”*

Monmouthshire County Council commissioned Resources for Change and Asken Ltd to help it develop a Community Engagement Strategy which would allow it to make better use of the willingness of people to volunteer to do work on public rights of way and countryside sites. Some of the actions are now beginning to be implemented such as training Group Leaders to carry out maintenance tasks. But much remains to be done to adequately, inform, train, arrange activities and manage volunteers.

**Monmouthshire Countryside Service recognises the value of volunteers and the benefits to local communities and Monmouthshire as a destination for visitors. A Statement of Action for the revised RoWIP should therefore be *“to seek to engage with partners and communities and obtain further resourcing which will enable volunteer groups to be actively engaged with promotion and maintenance of rights of way and countryside sites throughout the County.***

## PROMOTION AND ECONOMIC BENEFITS

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### 7.4 PROMOTION

Monmouthshire was one of the first tourist destinations and the extensive network of rights of way and varied landscape provides great potential to market the County to a wide audience.

To improve marketing Monmouthshire County Council has developed a Monmouthshire Walking Product Development Strategy. The aim of the Walking Product Strategy is to take a more proactive approach to stimulate demand for and use of the network to achieve maximum public benefits from it.

The Walking Product Development Strategy has a range of objectives and a delivery programme which suggests that in future there should be more made of existing routes, new products need to be developed to appeal to target markets, there needs to be coordination of marketing and management of maintenance. It also suggested that Volunteer Groups should be empowered to maintain, develop and promote walking routes and activities in their locality.

Importantly it recognises that any new products need to be developed around a range of identified themes.

There is a good supply of literature (produced by the public and private sectors) on walking in Monmouthshire and this is readily available in bookshops and tourist information centres in the County. There is a wide range of leaflets on short walks, but they are of variable quality and distribution is patchy. The Wye Valley Walk guidebook is now produced by a commercial publisher under licence from the Wye Valley AONB Partnership.

The County straddles 5 different 1:25,000 scale Ordnance Survey maps – OL13, OL14, 152, 154 and 189.

Information on walking and other types of routes is readily available through the following:

- Official long distance route websites for Offa's Dyke Trail and Wye Valley Walk
- [www.visitmonmouthshire.com](http://www.visitmonmouthshire.com) has 30 Pathcare walks across Monmouthshire managed by volunteers. It has links/information on all of the County's Long Distance Trails and 23 short easy health walks which can be downloaded. Monmouthshire being the Food capital of Wales also recommends places to eat and drink when the walk is done. This website also has a cycling trails and other recreational activities and events can be found on this website. The Tread and Trot Trails and Tewdrigs Trail can also be found here.
- Websites of other organisations have downloadable routes, for example WyeValley AONB, National Trust, BBNP and Bleanavon WHS.
- National websites on which subscribers post walking routes, for example [www.walk4life.com](http://www.walk4life.com), [www.go4awalk.com](http://www.go4awalk.com), [www.walkingworkd.com](http://www.walkingworkd.com), [www.my.viewranger.com](http://www.my.viewranger.com), etc.

Further research is being carried out into what the requirements of the public are in regard to promotion. Improvements in technology mean there is a wide choice in how information can be supplied.

79% of households in Monmouthshire have internet access<sup>17</sup>. The ONS 2016 report into internet access tells us there has been an increase in daily internet access and that use of smart phones to access the internet has nearly doubled since 2011. The growth of smart phones is important to bear in mind when planning digital services. However the Older People's Commissioner notes that 35% of people aged 50+ in Wales are digitally excluded so for the time being it is important to look at a wide range of publicity material not just digital technology.

**Occasional private individuals or organisations wish Monmouthshire County Council to help design or promote a walk or ride of their own. In this situation, a policy similar to that recommended in the Walking Strategy is required.**

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<sup>17</sup> National Survey for Wales

## 8 OPPORTUNITIES TO CONTRIBUTE TO PLANS SUCH AS ACTIVE TRAVEL PLAN AND WELL BEING PLAN

In preparing the revised RoWIP the Authority is required to have regard to a range of new legislation, policies and plans. Particular attention is to be taken regarding the Active Travel Plan, Well Being Plan and the Environment (Wales) Act 2016.

### 8.1 THE WELL-BEING OF FUTURE GENERATIONS ACT 2015

This Act is about improving the social, economic, environmental and cultural well-being of Wales. The Act puts in place seven well-being goals for Wales which can be seen in the diagram.

The Act also sets out how public services in Wales need to think long term, work better with people and communities and each other and look to prevent problems with a more joined up approach. Public Bodies are bound by the Act to set their own well-being objectives by 31 March each year.

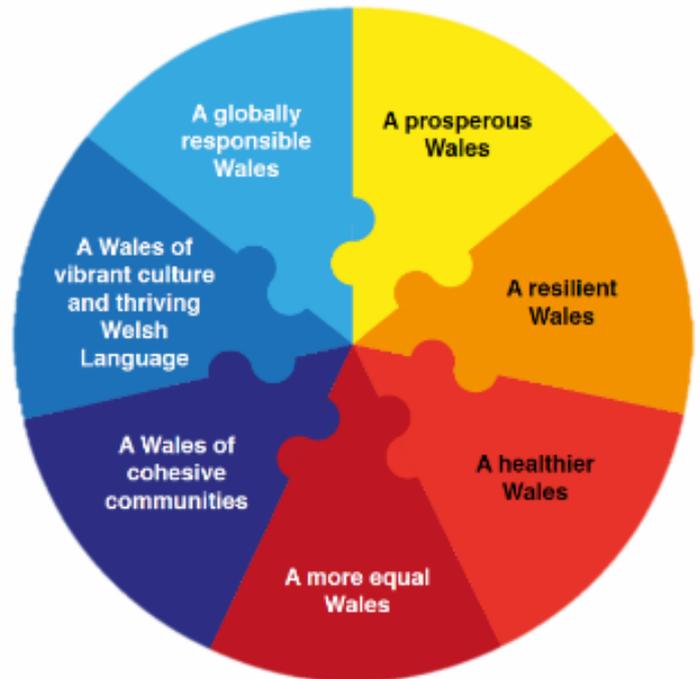
Monmouthshire has a Public Service Board made up of public bodies such as Gwent Police, Aneurin Bevan University Health Board and others like Monmouthshire County Council. A Well-Being Plan for Monmouthshire was agreed by this group in April 2018.

[The Well-Being Plan](#) sets out what public services will work together on to address the things that matter to local communities. This plan is reviewed every five years. From this plan a set of Actions has been produced. The aims of the Well-Being Plan cover areas which the Rights of Way Improvement Plan is also involved with, such as health, climate change, protecting landscapes & biodiversity, reducing levels of inactivity, working with communities etc. There is therefore lots of opportunities for the Rights of Way Improvement Plan to contribute to the Well-Being Act.

An example is health. Physical inactivity is the fourth leading cause of ill health in the UK and spending on the NHS is recorded at £1,000 per second on dealing with preventable ill health. However walking is recognised as a way of getting inactive people active again. A campaign to promote 10 minutes brisk walking could have significant beneficial results as outlined by the Chief Medical Officer for the UK.

Monmouthshire's Public Service Board Well Being Plan has the aspiration of "realising the benefits that the natural environment has to offer"

It has the following objectives towards this:-



<b>Purpose</b>		<b>Building Sustainable and Resilient Communities</b>	
<b>Our aspiration is to:</b>		Reduce inequalities between communities and within communities Support and protect vulnerable people  Realise the benefits that the natural environment has to offer	
<b>Our Well-being Objectives are:</b>	<i>People / Citizens</i>	<i>Place / Communities</i>	
Provide children and young people with the best possible start in life	Protect and enhance the resilience of our natural environment whilst mitigating and adapting to the impact of climate change		
Respond to the challenges associated with demographic change	Develop opportunities for communities and businesses to be part of an economically thriving and well-connected county.		

The Brecon Beacons National Park Authority has identified the following objectives under four key work areas which link to the seven Well-being goals:

1. Heritage – The National Park’s historic, environmental and cultural heritage will be conserved, enhanced and promoted
2. Landscape and Biodiversity – The Authority will lead on the maintenance and
3. enhancement of landscapes and biodiversity through practical programmes and partnership work
4. Resilient Communities – the Authority will lead on creating strong communities within the National Park, providing accessible physical activity for communities outside of the National Park
5. Sustainable Economic Development – The Authority will lead on encouraging the development of new and existing businesses and increasing the number of jobs while promoting sustainable use of natural resources.

## **8.2 ACTIVE TRAVEL (WALES) ACT**

On 4 November 2013 Wales enacted the [Active Travel \(Wales\) Act](#). It aims to make active travel the most attractive option for shorter journeys (journeys to work, school, to access the shops etc. i.e. it is not recreational). The Act required local authorities in Wales to produce active travel maps for certain named settlements (Abergavenny, Caldicot, Chepstow, Gilwern, Magor, Monmouth and Usk) and deliver year on year improvements in active travel routes and facilities. It requires highway authorities in Wales to make enhancements to routes and facilities for pedestrians and cyclists in all new road schemes and to have regard to the needs of walkers and cyclists in a range of other highway functions.

Monmouthshire has developed a set of Integrated Network Maps which set out the Council's plans for improving active travel routes in and around key settlements over the next 15 years. Some of the routes are already up to standard but many fall short of design standards. The maps can be found [here](#).

As the Active Travel Act is aimed at improving access for walkers and cyclists there is therefore great opportunity to link paths to the wider network and to get improvements to the network which otherwise might not have happened. Some of the routes that have been identified in the "Integrated Network Maps" are already public rights of way and form part of promoted routes such as the Wales Coast Path, Usk and Wye Valley Walks. The Active Travel Act will allow big and beneficial projects, such as a bridge for cyclists and walkers across the Wye in Monmouth, to be achieved.

The Active Travel Act however can be restrictive in that it limits provision to "active routes", not just recreational routes and to areas of large populations. However this does not prevent the Council and our Partners from working together to create other routes that connect these to other places. There is opportunity also to connect other projects like creating a cycleway in Usk along the old railway line and linking bridleway networks with active travel routes.

### **8.3 ENVIRONMENT STRATEGY FOR WALES**

The Environment Strategy for Wales (2006) is the Welsh Government's long term strategy for the environment of Wales, setting strategic direction to 2026. The vision is to see the distinctive Welsh environment thriving and contributing to the economic and social well-being and health of people in Wales. To achieve this, the Strategy states that the pressures we place on our environment need to be managed more effectively. It has 5 main environmental themes:

- addressing climate change
- sustainable resource use
- distinctive biodiversity, landscapes and seascapes
- our local environment
- environmental hazards

Monmouthshire's RoWIP can contribute towards this vision in many ways. For example

- By ensuring its policies that sustainable sources of materials are used when undertaking works on routes.
- That works on countryside sites and access routes take into account biodiversity and landscape sensitivities.

### **8.4 THE ENVIRONMENT (WALES) ACT 2016**

This Act received Royal Assent on 21 March 2016. It is complimentary to the Well Being Act and also the Future Generations Act. It puts in place the legislation to plan and manage Wales' natural resources in a more proactive, sustainable and joined up way. The objective of Sustainable Management of Natural Resources (SMNR) set out in the Act is to maintain and enhance the resilience of our

ecosystems and the benefits they provide to deliver lasting, sustainable economic, social, cultural and environmental benefits. The Act also sets the legal framework for decarbonisation and adapting to the impacts of climate change. The overall aim is to build greater resilience into our ecosystems, our businesses and society.

SMNR is delivered by a number of statutory products set out in Part 1 of the Environment (Wales) Act, including the Natural Resources Policy (NRP) which sets out the national priorities for management Wales' natural resources sustainably. These priorities address the major pressing environmental trends of our time, such as climate change and biodiversity decline. The scale and pace at which the national priorities are delivered is key, and an ambitious approach to the proactive provision of public goods is vital to their delivery.

Section 6 of the Environment (Wales) Act also puts in place a Biodiversity and Resilience of Ecosystems Duty for public authorities (including the Welsh Ministers) who must seek to maintain and enhance biodiversity, and in so doing promote the resilience of ecosystems, so far as is consistent with the exercise of their functions in Wales. This recognises the underpinning importance of biodiversity in its widest sense to healthy, functioning ecosystems, and therefore the multiple benefits that we derive from them.

Opportunities exist to deliver the aims of the Environment Act through protecting Biodiversity and Landscape whilst undertaking rights of way improvement projects and through working closely with the Green Infrastructure Team particularly where there are large developments proposed.

Of most relevance to the development of the new ROWIP will be the Area Statements being developed by Natural Resources Wales. The Act contains no statutory timeline for the production of these statements, but Natural Resources Wales has indicated that full coverage of Wales will be achieved by the end of 2019.

The latest update produced by Natural Resources Wales in September 2017 indicates they will be taking a placed based approach to the development of the Area Statements for Wales and have identified seven geographic areas for planning and engagement purposes. These are:

- North West Wales
- North East Wales
- Mid Wales
- South West Wales
- South East Wales
- South Central Wales
- Marine Area

Monmouthshire would fall within South East Wales, but the Brecon Beacons National Park would mainly be in South Central Wales. This may or may not cause problems with partnership working if Natural Resources are not flexible with the National Park.

Whilst Area Statements for Monmouthshire and Brecon Beacons area are not yet available there are ways that in developing the new ROWIP regard can be made to some of the principles set out in the Natural Resources Policy Statement.

<b>Table 10 Principle</b>	<b>Brecon Beacons and Monmouthshire Rights of Way Improvement Plan Review</b>
Building Resilience	In developing the new RoWIP regard can be had to the pressures and demands upon sites, landscapes and paths and how these can be managed to ensure long term enjoyment of them.
Managing for multiple benefits	Ensuring that all aspects of least restrictive access, biodiversity and landscapes are taken into consideration when developing policies and priorities.
Long term	As with the five ways of working within the Well-being of Future Generations (Wales) Act 2015 requires the long term to be considered, the RoWIP will be taking a 10 year view and consider the implications and impacts of this.
Collaboration and Co-operation	The RoWIP review shows that future collaboration and partnership working is essential to deliver countryside access improvements and other public benefits.

Monmouthshire County Council and Brecon Beacons National Park<sup>18</sup> will work with Natural Resources Wales to develop work programmes and projects that will contribute towards the sustainable management of natural resources.

## **8.5 EQUALITY ACT 2010**

The Equality Act 2010 brings together the various aspects of discrimination legislation. It absorbs the Disability Discrimination Act and goes further in requiring public bodies to be proactive in eliminating discrimination, in advancing equality of opportunity and fostering good relationships between people with a disability and others. Mobility difficulty, poor sight, learning difficulties, manual dexterity and certain long term illnesses all come within the Act. Monmouthshire has a lease restrictive access policy to ensure that any works carried out take into account the Equality Act and have published a Countryside Access Design Guide to assist with this.

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<sup>18</sup> BBNP Pre Consultation Draft ROWIP

## **8.6 “CLIMBING HIGHER” (2005) AND “CLIMBING HIGHER NEXT STEPS” (2006) – WELSH ASSEMBLY GOVERNMENT**

Copies of the documents are available here:

<https://gov.wales/docs/drah/publications/150311-climbing-higher-en.pdf>

<https://gov.wales/docs/drah/publications/100201-next-steps-en.pdf>

The Climbing Higher Strategy is the Welsh Assembly Government's twenty-year vision for sport and physical activity. It sets out objectives and targets dealing with health, economy, culture, society and the environment. Its vision is as follows:-

*“An active, healthy and inclusive Wales where sport, physical activity and active recreation provide a common platform for participation, fun and achievement, which binds communities and the nation and where the environment of Wales is used sustainably to enhance confidence in ourselves.”*

Particular objectives and targets that are relevant to the Rights of Way Improvement Plan are:

- The percentage of people in Wales using the natural Welsh environment for outdoor activities will increase from 36% to 60%
- 95% of people will have a footpath or cycleway within a 10 minute walk
- No one should live more than a 6 minute walk from their nearest green space.
- Encourage the integration of walking and cycling into everyday life and as a means of transport and recreation
- Minimise the gaps related to gender, age, disability, ethnicity and deprivation.
- By increasing participation in sustainable ways that ensure the quality of the natural environment is maintained and enhanced.

## **8.7 “CREATING AN ACTIVE WALES” (2009) – WELSH ASSEMBLY GOVERNMENT**

Creating an Active Wales is central to the One Wales ambition for a healthier nation for all. It recognises that physical activity and sport are beneficial to health and that a partnership across the Welsh Assembly Government, local Authorities, the NHS, the Third Sector and communities, is essential if benefits are to be gained from an active and healthy Wales.

The actions in this document seek to further support people who are already active and provide encouragement for those who are not. The strategic aims are to

- Develop and maintain a physical environment that makes it easier and safer for people to choose to be more physically active.
- To support children and young people to live active lives and become active adults
- To encourage more adults to be more active, more often, throughout life.
- To increase participation in sport, by all sectors of the population.

Priorities to achieve that aim are:-

- Developing an infrastructure to support travel by healthier and more sustainable modes, such as cycling, walking and public transport.

- Ensuring that the natural and built environment encourages people to be more active, designed to make physical activity an attractive option
- Increasing availability, access and high quality green space, waterways and countryside

Monmouthshire will support this policy and the aims within this document via our Leisure Service Department and with actions such as continuing to support the Walking Exercise Referral Scheme. Creating and maintaining partnerships is also crucial.

## **8.8 PLANNING POLICY WALES (PPW)**

(PPW) sets out land use planning policies of the Welsh Government. It is supplemented by a series of Technical Advice notes (TAN). PPW, the TAN and circulars together comprise national planning policies which are taken into account in Monmouthshire's Unitary Development and Local Development Plans. PPW requires that local authorities should provide the framework for well-located sport, recreation and leisure facilities and that these should be: "sensitive to the needs of all users, attractive, well designed, well maintained, safe and accessible to all."

PPW also refers to the need for the planning system to ensure that adequate land and water resources are allocated for informal and informal sport and recreation.

## **8.9 OUTDOOR RECREATION AND ACCESS ENABLING PLAN 2015-2020 NATURAL RESOURCES WALES**

This plan presents Natural Resources Wales objectives for outdoor recreation and access. The plan supports the goals in the Well-Being and Future Generations Act, Climbing Higher, Vibrant and Viable Places, Active Travel etc.

The document provides information on how outdoor recreation provides benefits to the economy etc. It states three overarching principles which are:-

1. All outdoor recreation provision delivered, facilitated or funded by NRW will adhere to the principles of least restrictive access and be developed and delivered in accordance with the Equality Act 2010
2. We will align our work to deliver the benefits of recreation and access through spatial targeting, focussing first on those areas that deliver the greatest public benefit for people and communities.
3. We will be an enabling organisation, working with partners and others to facilitate outdoor recreation and access activity both on and off our own land.

The overarching aim is that "**Wales has more people participating in and benefitting from outdoor recreation more often.**"

This aim is to be achieved by ensuring that

1. Access opportunities are provided and improved that best meet people's needs for recreational enjoyment of the outdoors

2. Promotional information and engagement about recreational access opportunities are widely available in appropriate formats
3. Recreational users have an increased understanding of how to act responsibly in the natural environment
4. Effective planning for the sustainable recreational use and management of natural resources is embedded in our work
5. Effective mechanisms for the delivery of the benefits of outdoor recreational activity are developed and embedded in our work

Natural Resources Wales is a major forestry landowner and has dedicated most of its woodlands "open access". NRW is also a Quango with other functions to manage. The U3A Walking Groups and the Local Access Forum have expressed concern that access has been impeded through NRW woodlands in Monmouthshire, either through problems regarding long access diversions or closures to fell woods, or for other reasons such as sitting on the fence with modification orders and requiring paperwork and a fee for using the woods for walks.

Meetings have been held between Monmouthshire Countryside Access and NRW staff. As a result NRW is considering if it can introduce access plans into its management of woodlands which would considerably help with managing the woodlands for both production of wood and recreational purposes. It is recognised that there is great scope for extending access within the NRW woodland for cyclists and horse riders and opportunities to improve and provide walks for those with disabilities. Monmouthshire will continue to work in partnership with NRW to ensure that access can be improved for all within Monmouthshire.

## **8.10 MONMOUTHSHIRE'S CORPORATE PLAN 2017 -2020**

The Monmouthshire County Council Corporate Plan "A Monmouthshire that works for everyone" sets the direction for the council. It states the Council's purpose of building sustainable and resilient communities and sets out the direction the Council will take to deliver services in Monmouthshire.

It sets out five priority goals and a number of work programmes. The five goals are:

- Best possible start in life
- Thriving and connected communities
- Natural and built environment
- Lifelong-well being
- Future focused council

Countryside sets out its work programmes each year to support these goals and also the Well-Being goals which are similar. The RoWIP is future focused as it looks to provide services not only now but for the next ten years. Thriving and connected communities is reflected in our aims for volunteers and community group work and the current and future RoWIP considers well-being and health projects.

## **8.11 GREEN INFRASTRUCTURE (GI)**

Monmouthshire is currently developing a Green Infrastructure Strategy (GIS) which will be in place later in 2018. The purpose of the GIS is to provide a framework for

delivery of a range of national and local policy goals (including Welsh Government's Well Being Goals, the Council's Wellbeing objective and Monmouthshire's Biodiversity and Ecosystem Resilience Forward Plan).

Green Infrastructure can be defined as "*the network of natural and semi-natural features, green spaces, rivers and lakes that intersperse and connect places.*" Access is therefore an important part of Green Infrastructure.

When completed the plan will provide a strategic framework identifying key priorities, opportunities and management strategies for improvements around settlements in Monmouthshire. Green Infrastructure pulls many different disciplines together to ensure cohesive actions.

Consultations are currently taking place to identify projects which will include many access improvements. Monmouthshire has already adopted a Green Infrastructure Supplementary Planning Guidance and Gwent Levels Green Infrastructure Strategy to inform the implementation of Local Development Plan policies.

## **8.12 SEVERN ESTUARY STRATEGY 2016 -2026**

The Severn Estuary Partnership incorporates a wide range of interests including national agencies, voluntary bodies and 13 local authorities and covers a broad area spanning the boundary between Wales and the South West England.

The 2001 Severn Estuary Strategy aims to develop a strategic management framework to guide/support sustainable development and wise use of the Estuary. The RoWIP has a direct impact on the Severn Estuary. Locals and visitors can access the coast through the Wales Coast Path. There are also a wide range of other activities that occur on the Severn Estuary including boating, walking, cycling, angling and other land and beach based activities. It is recognised that participation in recreational and sporting activities often serves to foster attitudes of environmental awareness and well-being. This can lead to increased support for conservation and the sustainable use of the area.

## **8.13 WYE VALLEY AREA OF OUTSTANDING NATURAL BEAUTY (AONB) MANAGEMENT PLAN 2015 -2020**

This management plan provides guidance and strategic objectives to support and steer positive landscape change to the Wye Valley AONB Joint Advisory committee, wider AONB partnership, local visitors, residents, landowners and communities in the area.

The lower Wye Valley remains a nationally renowned as a destination for tourism and recreation with 2.3 million tourist days per annum. The Management Plan has a vision for the Wye Valley AOB. Of particular relevance are the following:

- *Where the natural and heritage assets are in good order, well understood and accessible where appropriate, in fully compatible uses and adapted and changed in ways which respect and enhance their significance.*

- *Where both visitors and residents are able to enjoy the area, particularly for sustainable tourism, recreation and informed appreciation of the historic and natural environment, with minimal conflict or disturbance from other users.*
- *Supported by the goodwill pride and endeavour of local people, visitors, and the public, private and voluntary sectors.*

The Management plan also has extensive Recreation and Access strategic objectives and targets to encourage and promote recreational pursuits and responsible access, resolving conflicts, supporting sustainable management of access and identifying gaps in access and recreational provision, including for under-represented and minority groups, to support and promote access enhancements and improved access for all.

These targets are ones which appear in the current Rights of Way Improvement Plan.

## **8.14 BRECON BEACONS NATIONAL PARK**

The corporate plan for the National Park can be found here:-

<http://modgov.breconbeacons.org/ecCatDisplay.aspx?sch=doc&cat=13131>

A copy of the current National Park Management Plan is available here:

<http://modgov.breconbeacons.org/ecCatDisplay.aspx?sch=doc&cat=13311>

The National Park Management Plan is the Authority's leading document setting out its vision and strategic objectives. The current plan covers 2015 -2020 and is currently being reviewed. It has 6 themes.

1. Managing park landscapes to maximise conservation and public benefits
2. Conserving and enhancing biodiversity
3. Providing opportunities for outdoor access and recreation
4. Raising awareness and understanding of the Park
5. Building and maintaining sustainable communities, towns and villages (duty)
6. Sustainable economic development (duty)

The rights of way improvement plan for Brecon Beacons National Park and Monmouthshire's rights of way improvement plan encompasses many of these themes already.

## 9 GLOSSARY

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BBNP	Brecon Beacons National Park
GI	Green Infrastructure
MCC	Monmouthshire County Council
NERC Act	Natural Environment Rural Communities Act
NRW	Natural Resources Wales
PPW	Planning Policy Wales
RoWIP	Rights of Way Improvement Plan
SAC	Special Area Conservation
SPA	Special Protection Area
SSSI	Special Site of Scientific Interest
SMNR	Sustainable Management Natural Resources
TAN	Technical Advice Notes
WVAONB	Wye Valley Area of Outstanding Natural Beauty

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