

# CABINET MEMBER FOR ENVIRONMENT - 24 NOVEMBER 2016

## COUNTRYSIDE ACCESS PRIORITISATION: A PRIORITY CASELOAD APPROACH

Report by Interim Deputy Director for Environment & Economy (Commercial)

### Introduction

1. Over 2600 miles of Public Rights of Way (PRoW) exist across Oxfordshire, including Footpaths, Bridleways, Restricted Byways and Byways Open to All Traffic.
2. Public Rights of Way are valuable assets for current and future generations. They are used by countless Oxfordshire residents and visitors for many different sports, pastimes and physical activities. This network of paths, including the Thames Path and Ridgeway National Trails, give unrivalled access to the countryside and landscape of the County, are free at the point of use and make a significant contribution to it being an outstanding place in which to live, work and visit.
3. In addition to access for leisure and pleasure, Oxfordshire's PRoW network makes a significant contribution to the health and wellbeing of residents and visitors. There is extensive evidence to show that well managed, well promoted access to the natural environment is a key positive factor in both physical and mental health and also plays a central role in tackling health inequalities. It is essential that the paths with the greatest capacity for health improvements benefit from enhanced resources to both maximise this potential and manage the maintenance demand arising from escalated usage.
4. Oxfordshire County Council's Countryside Access Team (CAT) is the key delivery body for PRoW management across the county. Benefiting from highly experienced, efficient and committed in-house Tasks Officers, Area Field Officers and other development and support staff, the CAT works closely with landowners, community groups and voluntary bodies to maintain and enhance the network to excellent standards and continues to demonstrate an exceptionally high return on the investment of public funds.
5. Oxfordshire County Council's statutory duty for PRoW management under the Highways Act 1980 centres on ensuring that, across the network, rights are not obstructed and routes are maintained in a reasonable condition. The strategy for this is set out in the Rights of Way Management Plan 2015-2025 (RoWMP), adopted by Cabinet on 25 November 2014 and available on-line at:  
<https://www.oxfordshire.gov.uk/cms/content/oxfordshires-rights-way-management-plan>.
6. A key feature of the RoWMP was a new approach to prioritising caseload on the network. The emerging '*Priority Caseload Approach*' has been developed to better manage public expectations, make more efficient use of existing resources and to introduce a measured, objective approach to management of Oxfordshire's rights of way.

## **Countryside Access Prioritisation**

### *Central objective*

7. The Priority Caseload Approach (PCA) is intended to manage public and stakeholder expectations and give objective guidance to officers and others involved in the fulfilment of OCC's statutory responsibility for PRoW in a transparent and fair way. It is intended to encompass the majority of the OCC Countryside Access Team's (CAT) work through this approach, and is not restricted to the prioritisation of reported issues.

### *Planned benefits*

8. Public and stakeholder expectations and the authority's ability to meet them will be better understood as people understand that resources need to be concentrated on higher priority issues across the county.
9. Greater objectivity in issue prioritisation and management will lead to less reliance on officers' subjective assessments.
10. CAT Field Officers retain knowledge and oversight of their geographical areas but embedding the PCA means that the highest priority issues can be shared out across management areas when necessary. Time allocated to support community and volunteer work can then be balanced across the county to ensure consistency.
11. The CAT and wider organisation can still add 'value' across the county by working to secure additional resources whilst supporting and encouraging farmers, land managers, local communities, groups, volunteers and individuals to improve the network for all users; but in a more structured and transparent way.
12. Resources can be objectively focussed on those routes that offer the greatest strategic potential or that provide other social, health or economic benefits.

### *Allocating priorities to reported issues*

13. The majority of public rights of way issues reported to the County Council or identified through internal inspections will be prioritised or programmed by CAT after the issue has been assessed. This assessment may use supplied reports, photos, database records, and site visits to help in the determination and will normally consider one or more of the following factors where they are relevant:
  - a. Overall level of hazard or actual risk that the issue (if a safety matter) represents.
  - b. The degree of obstruction.
  - c. The cause and likely duration of the issue.
  - d. The character of the route, its normal use and the route's normal state of repair.
  - e. The impact of the issue looking at the wider network.

14. Due to the diverse nature of rights of way and the wide range of local circumstances it is unrealistic to set out prescriptive lists of issues or work areas and their associated priority. However, using the factors above will help develop and maintain a more consistent approach within the CAT and will ensure that maximum benefits are realised from the budgets available.
15. The proposed issue and caseload priority classification system has been developed in consultation with stakeholders and user groups. This system replaces the current approach which has been in use since 1997 and has suffered an increasing degree of subjectivity in its application. The revised approach will be applied to all new issues, retrospectively to existing issues and will be made available to the public via the Countryside Access website and the PRoW online issue reporting system. (See *Annex 1: Proposed issue and caseload priority classification system*).

### *Aligning other caseload demands with the PCA*

16. As stated above, the PCA will encompass the full breadth of the CAT caseload. The team commits significant resources to proactive public rights of way maintenance such as bridge repair and replacement, vegetation clearance, surfacing, drainage and signing. In addition to programmed maintenance, the CAT also undertakes a wide range of other duties including developer-funded projects, planning applications, strategy consultations, access promotion, third-party funding schemes, and liaising with and supporting community and volunteer groups. All of this work is part of the CAT officers' potential workload but all of these involve choices being made about relative priorities.
17. A balance has to be struck that enables the tackling of the highest priority issues as well as making time for lower priority work, especially that delivered by communities and volunteers where this doesn't limit highest priority action. This means that across the county a greater focus will normally be paid to the two highest priority categories 1 and 2a-c and may mean that there is less of a focus on area based management areas. Priority derived caseloads will be kept under review.
18. Lower Priority (3 and 4a-c) workload issues will have their own processes to maximise outputs and make the most of available finance, staff, volunteer or community resources. This may result in them being worked on with greater urgency. Examples of when this might occur include:
  - a. When the issue is part of the same path or close by a higher priority issue receiving attention.
  - b. When the issue is part of work being funded and delivered by the landowner, volunteer group, parish council or community group.
  - c. When the issue can benefit from external funding such as TOE2 or s106/CIL.
  - d. When action is linked to seasonal or cyclical issues – e.g. installing bridges outside of flood periods and arable cultivations, or cutting vegetation outside of bird nesting period.
  - e. When a likely rapid deterioration could be prevented by swift action.
  - f. When a sudden change of circumstances makes it possible to resolve a long standing problem, e.g. minor misalignment.

### *Risk Management*

19. Implementation of the PCA will involve certain elements of the caseload being assigned a lower priority than they are at present. The statutory duty as highlighted in 3. above will not be affected, but there is a risk that the organisation may experience an increased rate of public applications to force OCC to maintain the surface (Section 56 of Highways Act 1980) or to remove obstructions (Section 130 of the Highways Act) of paths if, as a result of being assigned a lower priority, the time taken to resolve is perceived as being unacceptable.
20. It is intended that this risk can be managed through effective communication with user groups and communities, and was a key driver to ensuring that full consultation was carried out with these groups prior to implementation in order to build a sense of ownership and buy-in. No change is expected to the current process of such issues being brought to the attention of the CAT by reporters, before they get to the point of serving notice on OCC as Highway Authority under Sections 130 or 56, thereby enabling the team to explain the priority system and offer realistic timescales for resolution. It is not that PCA will lead to poor maintenance or blocked paths, or that such issues will not be addressed, purely that all issues will be assessed and programmed according to comparative priority.

### *Communications*

21. Consultation has been a key factor of the PCA. At every key point in its development from consultation on the original RoWMP, opinion and comment have been sought from internal colleagues, external partners, user groups and individuals.
22. The draft approach as outlined above is a result of these consultations. Endorsement of the PCA has been sought from and granted by a range of user groups primarily via user forums including:
  - a. Oxfordshire Rights of Way Monitoring Group, a long-standing rights of way liaison group with a complementary but non-statutory role in access.
  - b. Oxfordshire Countryside Access Forum, a statutory body under sections 94 and 95 of the Countryside and Rights of Way Act 2000, whose members represent a wide variety of interests including walkers, cyclists, horse riders, farmers, land managers, rural businesses, education, local communities and nature conservation.

### **Financial and Staff Implications**

23. It is intended that the PCA will bring both objectivity *and* efficiency to the CAT caseload and its interactions with the organisation and its external partners. It is not intended to be a vehicle to identify financial savings, but the resultant efficiency will allow the team to make better use of its allocated budget.

24. When budget allocation is reduced in 2018/19 as forecast, the firm and tested implementation of the PCA will enable the CAT to better achieve savings with the minimum negative impact on users and beneficiaries of the PRow network.

### **Equalities Implications**

25. Implementation of the PCA will not disadvantage any particular groups. The impact on staff and customers of individual projects will be evaluated as part of the normal decision-making process.

### **RECOMMENDATION**

26. **The Cabinet Member for Environment is RECOMMENDED to support the objectives and principles of the Priority Caseload Approach and approve its implementation.**

CHRIS McCARTHY

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## Annex 1

## Proposed issue and priority classification table:

<b>Issue and Caseload Priority Classification</b>		
<b>Priority Category</b>	<b>Classification and guideline circumstance</b>	<b>Guideline timescales for action*</b>
<b>1</b>	<p><b>Public Safety Incident</b> - where an accident has occurred resulting in serious injury.</p> <p><b>Public Safety Issue</b> - with high likelihood of imminent accident resulting in serious injury.</p>	<b>48 Hours to 10 days</b> (according to nature of risk / issue type).
<b>2a</b>	<b>Lesser Safety Issue</b> - with possibility of accident resulting in less severe injury.	<b>10 days to 1 month</b> (according to nature of risk / issue type).
<b>2b</b>	<b>Priority Repeat Process</b> - Higher priority maintenance task such as key route vegetation clearance that comes up each year or more regularly.	<b>10 days to 1 month</b> (according to nature of risk / issue type).
<b>2c</b>	<b>Non-hazardous but significant or time-limited issue</b> - likely to completely obstruct access very soon or a major planning issue.	<b>10 days to 1 month</b> (according to nature of risk / issue type).
<b>3</b>	<b>Lesser hazard/lesser significance issue</b> - affects a PRoW but does not completely obstruct it or may not be time-limited.	<b>2 to 4 months</b> (according to nature of risk / issue type).
<b>4a</b>	<b>Area or bulk processing</b> - lower hazard or lower priority issue such as signing or furniture	Packaged with higher priority works where geography and resources allow.
<b>4b</b>	<b>Repeat Process</b> - Lower priority maintenance task such as less frequent vegetation clearance that comes up regularly.	Processed as part of cyclical programme or when priority resources allow.
<b>4c</b>	<b>Opportunity</b> - standalone improvement project or request.	Approached on a case-by-case basis depending on public demand and staff resources.
<b>5</b>	<b>No Action intended/Record may be updated</b> - minor issues.	Open timescale.

\* *N.b Illustrative timescales only, pending further testing and review*