

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Recreation, Heritage, Countryside and Rural Affairs
Date:	19 March 2021
Title:	Rights of Way and Countryside Paths (Covid)
Report From:	Director of Culture, Communities and Business Services

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Purpose of this report

1. To provide an update on the use and condition of public rights of way and paths across the countryside estate over the past year, during the Covid 19 pandemic.
2. Outline a proposal for funding remedial works to identified priority rights of way and paths to improve their condition and enable their continued use.

Recommendations

3. That the Executive Member for Recreation, Heritage, Countryside and Rural Affairs:
 - i) Notes the impact of increased use and weather conditions on the rights of way network and paths at country parks and countryside sites across Hampshire.
 - ii) Approves the establishment of a £500,000 Path Recovery programme to carry out remedial works to improve the condition of the worst affected rights of way and countryside paths in 2021/22 to be funded from the CCBS accumulated Cost of Change reserve.

Executive Summary

4. Hampshire has an extensive public rights of way network across the whole county that provides opportunities for the public to explore the countryside, offering benefits for both mental and physical health and wellbeing.

5. The rights of way network along with paths across the whole countryside estate are highly valued by the people that use them and there is evidence that this appreciation has grown due to the Covid 19 pandemic.
6. Visits to the countryside have significantly increased and people who previously have not visited the countryside are now regularly taking their daily exercise at our parks, sites and on the rights of way network. Research has indicated that even when restrictions are lifted, they are likely to continue to visit the countryside.
7. This winter has been one of the wettest on record and the impact of this, in combination with increased footfall and use by cyclists, has been a deterioration in the surface of many paths across the county.
8. A Path Recovery programme is proposed to address some of the worst affected rights of way and paths across the countryside estate over the next 6 months and approval is sought for £500,000 of CCBS Departmental underspends to be allocated for 2021/22.

Contextual information

9. The public rights of way network in Hampshire is 4,613km or 2,866 miles long and comprised of footpaths (3,312km, 2,058 miles), bridleways (761km, 473miles), restricted byways (253km, 157miles) and byways open to all traffic (287km, 178miles).
10. Although most of the rights of way network cross privately owned land the County Council has a statutory duty to maintain rights of way, including the surface of the path, in a fit state for public use.
11. All five of the County Council Country Parks and all the 80 other countryside sites, comprising National Nature Reserves, Local Nature Reserves and other conservation sites and green spaces, have permissive routes as well as public rights of way that enable visitors to actively explore the countryside. The Basingstoke Canal towpath is also an extremely popular and well used route for walkers and cyclists.
12. Since the beginning of the Covid 19 pandemic in March 2020 there has been an increase in the use of rights of way. This has been difficult to quantify however the number of reports to the Countryside Access Management System by members of the public (typically around 300 per month) has increased in some months by as much as 60%. During the summer months the increase in anti-social behaviour and conflicts on the rights of way network were evident and the Countryside Service introduced campaigns to encourage responsible behaviour and provided support to landowners wherever possible. The focus was to keep the network open and accessible for all legitimate users.

13. Research conducted in the summer 2020 also provided evidence of increased use and that this use is likely to continue. The survey indicated a significant rise in appreciation of the countryside and the importance of being outside for mental and physical health and wellbeing.
- Nearly all the 2,500 respondents acknowledge the key role of accessing public outdoor space and some 99% agree that it has a positive role on their mental health and wellbeing.
 - More than four in five respondents (81%) believe this has become even more important since the advent of Covid19. Facing a prolonged period of lockdown has reinforced and enhanced people's appreciation and attitude to the outdoors.
 - More than 70% confirm that their attitude to the outdoors has grown, with most of these confirming a major positive shift.
 - The demand for visiting local greenspaces and using local paths is not likely to wain with 98% of the respondents indicating that they will continue to visit these sites even as other facilities such as country parks open. This coupled with 85% indicating that they will be planning a staycation this year and potentially greater promotion of walking and cycling (from organisations such as Visit England) shows that the demand is likely to stay high.
14. Visits to the Country Parks has risen by between 120% – 160% over the past 6 months when compared to last year despite reduced catering facilities and no events or activities for much of that period. It is difficult to quantify the visits to other countryside sites however the site rangers have evidence of a significant upward shift in use over the past year.
15. The Basingstoke Canal towpath has seen a significant rise in pedestrian and cycle use – counts carried out during lockdown indicated that all use was at least 110% of previous levels and cycle use in places was up to 300% of previous levels. An average of 16,000 pedestrians a month were using the towpath near the Canal Centre.
16. According to the Met Office 2020 was in the top ten wettest years of all time, with the wettest day on record on 3 October and several extreme weather events affecting the South East over the past 6 months.
17. These conditions along with the increased footfall have had a significant impact on the surface of the paths across the majority of Hampshire. The worst conditions are in river valleys, on clay soils and paths close to conurbations that are heavily used. Paths in the Country Parks and across the rest of the countryside estate have also suffered with the same issues.
18. People often try to avoid the wettest parts of the paths which leads to a spreading of the width of the route. Depending on the location of the path this can have a detrimental impact on crops or sensitive habitats.

Path Recovery Programme

19. The Countryside Service has been gathering evidence of the impact of increased use, as a result of the pandemic, coupled with the wet weather experienced over the winter 2020/2021. The pictures in Appendix 1 illustrate the issues on some of the worst affected rights of way and paths.
20. There are in the region of 76 paths that are known to be affected either through reports received via CAMs (Countryside Access Management System) or complaints to Country Park and Sites management officers or through physical inspections.
21. A programme of improving the worst affected paths is proposed in order to keep these paths open for use and to reduce further damage.
22. The aim of the programme is to carry out remedial works to as many paths as possible that have been affected by increased use across the county due to Covid 19 within the budget allocation of £500,000.
23. It is proposed that the targeting of paths for remedial works is based on the following criteria and level of damage assessment: -
 - a. Paths located close to communities
 - b. Circular routes linked to car parks and communities
 - c. Promoted routes
 - d. Paths damaged through sensitive habitat areas

The degree of damage and inconvenience will be allocated against the following criteria:

- i. Path un-usable in large sections (effectively closed)
- ii. Path spread damaging surrounds in sensitive habitat areas
- iii. Path un-usable in one specific location
- iv. Path spread damaging surrounding areas
- v. Pinch points with significant localised damage (infrastructure damaged restricting passage)
- vi. Other

The degree of community concern level of reported problems

- 1) High – Multiple frequently
- 2) Medium - Multiple occasionally
- 3) Low – few reports
- 4) Not reported

Record in the service as concern raised by MP/Cllr/Parish Council - YES / NO

24. Once the Path Recovery programme is approved the ambition would be to carry out works to the priority routes between March and October to bring them back into use and build some resilience for next winter.
25. Details of the Path Recovery Programme will be communicated via the Parish Pages and we will be looking to work closely with Parish Councils to identify and co-ordinate works on paths that are important to the Parishes.

Finance

26. The operational budget for the management of rights of way is £252,000 per annum, equivalent to approximately £88 per mile or £55 per km. This budget covers vegetation removal, signage, health, and safety related repairs on the network.
27. Capital funding of £330,000 has been allocated to bridge and byway repairs for 2021/22.
28. Additional funding is required in order to meet our responsibilities in repairing the paths most significantly damaged through increased use and wet weather.
29. Funding will be allocated across the parks, sites, Basingstoke Canal, and the rights of way network. Data has been collated and once approved the prioritisation criteria will be applied to provide a programme of works to be undertaken. This will be monitored via a new SharePoint site developed for this purpose. Appendix 2 illustrates the system developed for this programme.
30. The Path Recovery Programme budget of £500,000 will be allocated from CCBS accumulated Cost of Change reserve.

Future Direction

31. Following approval the Countryside Service will prioritise the spend across the Countryside estate and rights of way network based on the criteria outlined in this report ensuring that there is a spread of investment across the county.
32. The Service will liaise with Parish Councils and others with the aim of delivering the programme in the first half of 2021/22.

CORPORATE OR LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy, and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents	
<p>The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)</p>	
<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation).
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation) and those who do not share it.
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard to:

- The need to remove or minimize disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic.
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it.
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

Equalities Impact Assessment:

The Equalities Impact Assessment has identified that in general this scheme will have a neutral impact. The assessment has identified that the works programme will see a positive impact on accessibility and those with limited mobility, increasing the availability of routes following wet weather and will improving the resilience of routes to future damage.

Appendix 1 – Photos illustrating the impact of increased use



Dogmersfield FP3



Basingstoke Canal Towpath



Royal Victoria Country Park



Stroud Pond

Appendix 2 – Programme prioritisation and monitoring system

