



# Denbighshire CC Rights of Way Improvement Plan 2007-17 Assessment Report

Prepared for Denbighshire County Council  
by Public Rights of Way Services Ltd

2007



# Denbighshire Rights of Way Improvement Plan Assessment

## About this document

Under the provisions of section 60 of the Countryside and Rights of Way Act, every Highway Authority in Wales is required to prepare and publish a Rights of Way Improvement Plan (ROWIP) for their area, setting out in a statement of action how they propose to manage and improve their local network of public rights of way over the next ten years. In preparing the Plan, the authority must also carry out an assessment of matters specified in the legislation. These include the extent to which rights of way in the area meet the current and likely future needs of the public, the opportunities the network provides for exercise, open air recreation and enjoyment of the authority's area and the accessibility of the network to those who are blind or partially sighted or who have mobility problems.

This document sets out the results of the strategic assessment carried out by Denbighshire County Council. The conclusions, which it draws, form the framework on which the Council's Rights of Way Improvement Plan will be based.

## Your views are welcome

Before going on to prepare the draft Rights of Way Improvement Plan we would welcome the views of all those who know about rights of way in Denbighshire. In particular we would appreciate comments on:

- Whether the assessments made ring true; do they accurately describe the current situation in your view,
- Are the conclusions that we have drawn the right ones, and
- Are there any other major factors affecting people's use and enjoyment of the rights of way network, either now or in the future, that we have not taken into account?

There will be a further, much more extended, opportunity to comment on the draft Improvement Plan when it is published.

If you wish to comment at this stage, please send your comments to:

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Comments should be made by **{date}**.

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## 1 Introduction

### 1.1 The importance of Public Rights of Way

Public rights of way have their origins in the highway network. With very few exceptions, most rights of way grew from a tradition of public use and were a part of the network of paths and tracks that people used to journey from place to place before the modern era of surfaced roads and motor vehicles.

With the coming of modern methods of transport, particularly the surfacing of much of the road network in the 1930s and 1940s and the growth in the use of private cars in the 1950s, 60s and 70s, many rights of way became, for a time, little used if not completely redundant.

As the traditional function of many rights of way declined, however, new uses arose to take its place. The path network has long been valued as a means of enjoying the great natural beauty and tranquillity of the Welsh countryside; a function which continues to grow in importance as roads become even busier. As the economy of areas like Denbighshire has changed, rights of way have also taken on an increasingly important economic role. By supporting rural tourism, well maintained and easy to use rights of way can – as the closure of the path network during the foot and mouth crisis of 2001 demonstrated - often bring tangible economic benefits to the areas through which they pass, including what would otherwise be many remote and little visited areas of countryside.

More generally, rights of way are also now seen as an important part of today's healthier, more environmentally conscious lifestyle. By affording the opportunity to walk, ride or cycle away from traffic they are used and greatly valued by all age groups and strata of society, being a vital part of many people's mental, physical and spiritual well-being. And with the threat of global warming and growing awareness of the need to limit the use of cars, rights of way are once again becoming important for their original purpose as a means of undertaking short local journeys.

These changes in the role and importance of public rights of way are reflected in the new statutory requirement on highway authorities to compile a Rights of Way Improvement Plan. In Denbighshire, the Improvement Plan gives us the opportunity to co-ordinate and refine our proposals for the on-going development and improvement of the rights of way network which are already reflected in the Council's *Vision for Denbighshire 2025*, and in our strategies for the environment, tourism, health, transport and the sustainable development.

## 1.2 The County's rights of way network.

Denbighshire has a recorded network of some 1,296 kms (809 miles) of public rights of way of which the great majority – 1,088 kms or 84% - are footpaths. Bridleways account for 14% of the recorded network (182 kms) and byways open to all traffic (BOATs) some 2% (26 kms). In addition, there are a further 91 kms of unsurfaced public roads. There are currently no restricted byways as a result of special review undertaken by Clwyd County Council in 1978 under the provisions of the Countryside Act 1981.<sup>1</sup> However further public rights of way are known to exist in the County which are, as yet, unrecorded (see chapter 7) Where these previously carried vehicular rights they will now have become restricted byways under the provisions of the Natural Environment and Rural Communities Act 2006.

In relation to the whole of Wales (Table 1), the County has 3.9 % of the total path network, broadly in proportion to its share of the overall land area (4.0%) and total population (3.2%). Similarly, the breakdown of the network between types of rights of way is (with the exception of restricted byways) broadly in proportion to the national breakdown.

**Table 1. Make up of Denbighshire's Public Rights of Way Network**

		<b>Footpaths</b>	<b>Bridleways</b>	<b>Restricted Byways</b>	<b>BOATs</b>	<b>Total</b>
<b>Denbighshire</b>	Kms	1,088	182	0	26	1,296
	%	84	14	0	2	100
<b>Wales</b>	Kms	26,320	4,985	1,495	431	33,211
	%	79	15	4	1	100

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<sup>1</sup> In the special review ways which had been recorded on the Definitive Map and Statement as roads used as public paths (RUPPs) were examined and reclassified according to the rights which were found to exist over them as either byways open to all traffic or bridleways.

## 2 Strategic context

The Rights of Way Improvement Plan is one of a series of plans and strategies drawn up to help the Council meet the needs of residents and visitors to the area and to carry out its statutory responsibilities as efficiently and effectively as possible. The ROWIP must therefore both draw on, and contribute towards, these other strategic documents. Integrating the ROWIP into this wider strategic framework in this way will also be essential if the plan's proposals are to be implemented.

It is also important that the ROWIP is "owned by" and the responsibility of the whole authority, not just the Rights of Way Unit. The *Vision for Denbighshire 2005* sets out the Council's ambition for the County up to 2025. It shows a determination to 'increase the number of visitors year round to enjoy the beautiful countryside and enjoy outdoor activity'. For residents, it envisages increasing opportunities to take regular exercise and physical activity for their improved health (p. 5) making Denbighshire an ideal place to live and visit. Implementing the Rights of Way Improvement Plan will be one of the key ways of realising this vision.

At a wider level there are a series of broad regional and national strategies which must be similarly reflected in the Rights of Way Improvement Plan, and to which the Improvement Plan should be seen as complementary. Again, the Improvement Plan will often be one of the main ways of ensuring that these wider policies can be implemented in Denbighshire. This is likely to be particularly important in securing any funding that may be available from external sources, such as those from the Countryside Council for Wales, National Assembly or European Union, towards meeting the Improvement Plan's objectives.

### 2.1 The key strategic themes

In preparing this assessment a comprehensive trawl has been made of other local, regional and national plans and strategies. Over thirty documents were examined to identify policies that are directly relevant to the ROWIP, as summarised in appendix A.

Six key themes emerged from this work.

- Working in partnership
- Environment
- Tourism and the economy
- Health
- Transport
- Sustainable development and planning

The following are the most directly relevant to the Rights of Way Improvement Plan.

## 2.2 Working in partnership

- *The national spatial strategy People, Places, Futures. The Wales Spatial Plan* (2004) emphasises the need for working in partnership with others to achieve policy objectives.
- Working at the local level with partners in other Council departments and with outside bodies will be critical in delivering the ROWIP on the ground.
- Within the County Council the *Access Strategy* sets out its commitment to providing Access for All. It provides a framework for the Council's programmes, policies, practices and procedures which should be reflected in departmental action plans.

## 2.3 The environment

- At the national level the *Environment strategy for Wales* recognises that the relationship between the individual and the environment is important and that access to the countryside and coast is a key outcome of the strategy and must be safeguarded.
- At the local level protecting the environment and its beauty for public enjoyment is an aim of the *Vision for Denbighshire. Caring for Our Countryside: A countryside strategy for Denbighshire (1998)* sets out the vision and policies for the future conservation, enhancement, enjoyment and understanding of the Denbighshire countryside. It states that 'Access to the countryside for recreation is an important feature in the lives of many of the people of Denbighshire and visitors to the county' (p.15) and goes on to say that 'the public rights of way network is the principal means of access to the countryside' (p.16).
- Other relevant documents include: *Clwydian Range Area of Outstanding Natural Beauty Management Plan (2004)*, *Heather and Hillforts in the Clwydian Range and Llantysilio Mountain (2004)* *North American/United Kingdom Exchange* and the *Coastal Management Plan Denbighshire*.

## 2.4 Tourism

- At national level *A Better Wales: The Natural Environment of Wales in 2010 (2001)* states that the tourism industry will be strengthened by greater access to the countryside through a statutory right of access to open countryside together with better management of public rights of way.
- *A Winning Wales* identifies investment in sustainable tourism and recreation as a key objective strongly linked to economic development. This objective can be linked directly to the use and development of the PROW network. The document also identifies the need to work with local authorities to increase the amount of walking and cycling for travel to work and recreation.
- *The Wales Spatial Plan* outlines the way that nationally supported actions will help to deliver local benefits. In terms of tourism the most important of these for the ROWIP is the development of a Welsh coastal tourism strategy to create a coherent network of routes, destinations and facilities.

- The view that access supports tourism in Wales at a fundamental level is central to a number of strategies commissioned by the Welsh Tourist Board, the most relevant of which are: *A Walking Tourism Strategy for Wales – Best Foot Forward (2002-2010)*, *A Cycling Tourism Strategy for Wales – Moving up a Gear (2000-2007)*, *A Riding Tourism Strategy for Wales – Saddling up for Success (2000-2007)*.
- *The Tourism Strategy North Wales*, to be implemented by the Tourism Partnership North Wales, identifies the development of a network of walking, cycling and riding routes across the region with local authorities taking the lead as a target in its Action Plan.
- At the local level the *Vision for Denbighshire 2025* aims to attract more visitors to enjoy outdoor activity (p. 5). Similarly, *Marketing Excellence; A Tourism Strategy for Denbighshire, 2003-5*, *Marketing and Interpretation Strategy for the Vales of Clwyd, Stage 1 Report* and *An Environmental Strategy and Action Plan for the Hiraethog Area 2002-2006*, all identify access as a key resource for fulfilling Denbighshire's tourism potential.

## 2.5 Health

- *Climbing Higher: WAG Strategy for Sport and Physical Activity* focuses on improving the health of the nation over the next 20 years and aims to increase the percentage of the people in Wales using the Welsh natural environment for outdoor activities from 36% to 60%. A key objective is to encourage the integration of walking and cycling into everyday life, both as a means of transport and as active recreation with the target of 95% of people in Wales having a footpath or cycle path within a ten-minute walk.
- At the local level, the *Vision for Denbighshire 2025* predicts more residents will be aware of the need for regular exercise and there will need to be more opportunities for them to participate in physical activity (p.5). The relevant key targets in the *Denbighshire Community Strategy* are to maintain and improve routes for walking, cycling, riding and improving access to promote participation in healthy outdoor activities (p.11, 4.16).

## 2.6 Transport

- The *Wales Transport Strategy* will set the context for the Assembly transport policies and new Regional Transport Plans. In addition to transport it will focus on delivery of wider policy objectives including those related to economic development, health, environment and tourism. The main objectives for the strategy will be drawn from the *Wales Spatial Plan* and *A Better Wales*. Theme 2 of the Strategy has particular relevance to the ROWIP: To achieve greater use of the more sustainable and healthy forms of travel.
- The *Walking and Cycling Strategy for Wales* highlights the links between transport choices and health, the environment and the economy. Walking, cycling and horse riding are discussed in terms of utility and as leisure choices. Many targets are closely related to the rights of way network and could be used to support bids for funding. The *Road Safety Strategy for Wales (2003)* links to the *Walking and Cycling Strategy*. It contextualises the perceived risks associated with walking and cycling and finds that 'the health benefits of regular walking and cycling far outweigh the

“dangers” associated with their use’ (p.53). It suggests that quiet lanes can be a way of improving the safety of walkers, cyclists and horse riders and also sees the ROWIP as an opportunity to help to deliver a network of bridleways and circular routes for horse riders (p.61). Other studies such as *Smarter Choices: Wales (2007)* promote more sustainable transport choices and include walking and cycling.

- The Local Transport Plan (LTP) for Denbighshire will be replaced by the *Regional Transport Plan for North Wales* (expected to be in place by March 2008). TAITH is a consortium of local authorities working to develop a joint Regional Transport Plan (RTP) for the areas of Conwy, Denbighshire, Flintshire, Gwynedd, the Isle of Anglesey and Wrexham. Denbighshire’s LTP currently emphasises the role that walking and cycling can play in people’s daily lives and the need to consider that when decision making. This emphasis will be reflected in the forthcoming RTP.

## 2.7 Sustainable development and planning

- The ROWIP will need to be framed within the concept of sustainability. *A Sustainable Wales* sets out how the National Assembly plans to meet its statutory obligation to promote sustainable development and underlines how the concept of sustainability needs to be reflected in all future policy.
- The *People, Places, Futures. The Wales Spatial Plan (2004)* puts forward a national policy framework for development based on sustainable development but in doing so recognises the need to take a local approach to the issues. The ROWIP has a central role to play in the outcome to increase levels of walking and cycling through promotion and provision of facilities (p.30).
- Until the *Denbighshire Unitary Development Plan 1996-2011* is replaced by the *Denbighshire Local Development Plan 2021* (deposit scheduled for November 2008, adoption timetabled for 2010), the *Unitary Development Plan* will continue to be relevant in the preparation of the ROWIP.



## **3 The legal framework**

### **3.1 County Council's duties and functions towards rights of way**

Public rights of way are now viewed primarily as a recreational resource but the origins of most paths lie in their utilitarian function as part of the local highway network. As 'highways' all public rights of way are strongly protected in law. For example, anyone using a public right of way does so, as the name implies, as of right – rights which must be respected by the owner and occupier of the land and which the County Council is required to record, assert, protect and enforce on behalf of the public.

While much of the Rights of Way Improvement Plan will be about managing and improving the path network to better meet the recreational and social needs of today's 21<sup>st</sup> Century society, it is also important not to lose sight of the authority's underlying statutory functions and duties. A key aim of the Improvement Plan, therefore, must be to ensure that every right of way in Denbighshire is available for use at a basic level for anyone to walk, ride or cycle according to its status - as the law requires that it should be. It follows that the Plan must strike a balance between these two major elements.

As well as its statutory duties towards all rights of way, the authority also has an important range of discretionary powers. These allow it, for example to manage the network by creating, diverting or extinguishing paths, to provide additional facilities and to publicise and promote the network. Community Councils too, although having no duties towards rights of way, have an important range of discretionary powers that they can exercise on behalf of their local electors. A community can, if it wishes, take responsibility for the paths in its area and work alongside the County Council helping to both protect and improve the path network.

Members of the public also have a number of important powers. For example, if the authority fails to meet its statutory duties to protect or maintain the path network, anyone can apply to the court for an order forcing the authority to take action. A similar facility exists for rectifying errors discovered with the Definitive Map.

The County's key duties and powers relating to public rights of way, and those available to Community Councils and to members of the public are summarised below.



### 3.2 Principal duties as Highway and Surveying Authority

The County Council must:

- Assert and protect the public's rights to use and enjoy all of the County's highways, and prevent as far as possible their stopping up or obstruction *HA 1980 s 130*
- Maintain all publicly-maintainable highways so that the surface is suitable for the expected use *HA 1980 ss 41, 42 and 36*
- Keep a list of publicly-maintainable highways available for public inspection
- Maintain a register of maps, statements and declarations relating to rights of way and orders to be available for inspection free of charge *HA 1980 s 31A*
- Signpost and waymark rights of way where they leave a metalled carriageway, and elsewhere where necessary to help people follow the route *Countryside Act 1968 s 27*
- Ensure that where desirable in the public interest, proceedings are brought for against anyone who, without authority, disturbs the surface of a highway *HA s 131A*
- Enforce the restoration of footpaths and bridleways lawfully ploughed or disturbed, and the occupier's duty to ensure that crops do not inconvenience the users of any footpath, bridleway or unmetalled carriageway *HA ss 134 and 137A*
- Prosecute anyone responsible for erecting a misleading notice on or near a footpath, bridleway or restricted byway that is shown on the definitive map. *NPAC Act 1949 s 57*
- Contribute not less than a quarter of any expenses shown to their satisfaction to have been reasonably incurred by a landowner maintaining stiles and gates on Public Rights of Way *HA 1980 s146(4)*
- Have regard to the needs of people with mobility problems and to any guidance issued by Welsh Assembly Government before authorising the erection of stiles and gates on footpaths or bridleways *HA 1980 s147ZA*
- Pay compensation to the landowner following the creation of a new right of way by order, equal to the amount of any depreciation in, or damage to, the value of the landowner's interest *HA 1980 s28*
- Have regard to the needs of Agriculture, Forestry or Conservation in creating new rights of way by order or agreement *HA 1980 s 29*

- Prepare a Rights of Way Improvement Plan *CROW Act 2000 s 60*

### 3.3 Duties relating to the definitive map and statement

The authority is referred to as the 'surveying authority' in relation to the Definitive Map and Statement. It must:

- Prepare, and then keep under continuous review, a Definitive map and Statement of the Public Rights of Way in its area. *WCA 1981 s.53*
- Make orders to modify the map and statement as and when necessary (eg. on legal changes to the rights of way network, the discovery of evidence that the map or statement is wrong, etc.)
- Keep copies of the map and statement, and any subsequent amendments, available for public inspection *WCA 1981 s 57*
- Draw the public's attention to the right to apply for modification orders and keep a register of any such applications made *WCA 1981 ss 57 & 53B*

### 3.4 Duties towards the local access forum (LAF):

The County Council must:

- Establish a local access forum to act as a statutory adviser to the authority and to any other bodies having duties under part 1 of the CROW Act, including on access to land and linear access *CROW Act 2000 s 94*
- Have regard to any relevant advice given to it by the forum when carrying out its functions *CROW Act 2000 s 94*
- Employ a secretary to administer the business of the forum and to publish an annual report on the forum's work *CROW Act 2000 s 95*
- Meet the reasonable expenses of members appointed to the forum *CROW Act 2000 s 95*

### 3.5 Discretionary powers

The authority's main discretionary powers include powers to:

- Create footpaths, bridleways or restricted byways by agreement *HA 1980 s 25*
- Make orders to create, extinguish or divert footpaths, bridleways and restricted byways subject to the criteria laid down *HA 1980, ss 26, 118, 119*
- Improve the surface, widen or level a right of way, provide *HA 1980 ss 27, 62,*

- |  |                                |
|--|--------------------------------|
| barriers etc to safeguard users, construct bridges and undertake drainage works  | 66, 72, 76, 91, 99 & 100       |
| • Secure the removal of unauthorised marks, notices or signs   | HA 1980 s 132                  |
| • Take action if a highway has been unlawfully ploughed or disturbed   | HA s 131A                      |
| • Require the removal of structures or other obstructions on rights of way, maintenance to be carried out on gates and stiles and the cutting back of overhanging vegetation both as an obstruction and, in the case of byways, to prevent damage being caused by exclusion of sun or wind | HA 1980 ss 136, 143, 146 & 154 |
| • Authorise the erection of new stiles and gates in certain circumstances  | HA 1980 s 147                  |
| • Make a contribution greater than a quarter of the cost a landowner incurs maintaining stiles or gates in circumstances they consider reasonable  | HA 1980 s 146(4)               |
| • Carry out works where the duty to keep a path clear of overhanging crops has not been complied with and recover its costs  | HA 1980 Sch 12                 |
| • Consolidate the definitive map and statement and the orders that have modified it  | WCA 1981 ss 57 & 57A           |
| • Make permanent or temporary traffic regulation orders  | RTA 1984 ss 1 & 14             |
| • Authorise use of footpaths and bridleways for motor vehicle trials   | RTA 1988 s 33                  |

The County Council also has a power under section 1, Local Government Act 2000, to do anything which (having regard to the Community Strategy) it considers likely to promote or improve the economic, social or environmental well being of the area. In relation to rights of way, it is this power which enables the authority to promote and publicise the path network.

### 3.6 Powers available to Community Councils

A Community Council may incur expenditure up to a given amount in any financial year on items that are of direct benefit to their area or inhabitants of the area in relation to which no other powers of expenditure exist<sup>2</sup> The maximum sum set for the financial year 2007-08 is £5.84 per local government elector.

It also has specific powers which can assist the Highway Authority, or require it to take action, on rights of way in the Community's area. Among the most important are powers to:

- |  |               |
|--|---------------|
| • Make representations to the Highway Authority that a highway has been unlawfully stopped up or obstructed. Unless the authority is satisfied the representations are | HA 1980 s 130 |
|--|---------------|

incorrect, it is obliged to take action.

- Provide and maintain seats and shelters and erect lighting on any footpaths or bridleways *Parish Councils Act 1957 ss 1 & 3*
- Undertake the maintenance of any footpath or bridleway *HA 1980 ss 43 & 50*
- Signpost and waymark rights of way on behalf, and with consent of the Highway Authority *CA 1968 s 27*
- Create new footpaths and bridleways by agreement with the landowner over land in its own or an adjoining community *HA 1980 s 30*
- Hold for public inspection a copy of the Definitive Map for the area *WCA 1981 s 57*
- Be consulted by the surveying authority on every application for a Definitive Map Modification Order and before a DMMO is made *WCA 1981 Sch 14 & 15*
- Prosecute anyone who wilfully obstructs the free passage along any highway *HA 1980 s 137*
- Prosecute where a right of way has been unlawfully ploughed, or ploughed lawfully but not restored, or in respect of an occupier's failure to keep a path clear of growing crops *HA 1980 ss 131A, 134 & 137A*

### 3.7 Obligations on the Occupier or Landowner

Occupiers are under a duty keep public rights of way clear of any obstructions. They must allow any member of the public to use a public right of way, according to its status, at any time. On tenanted land, the responsibility falls on the occupier, not the landowner. 'Obstruction' has been interpreted by the courts to include anything which could inconvenience or endanger the public in any way, or discourage use.

Among other specific obligations and duties, the occupier must:

- Cut back vegetation encroaching from the sides or overhanging a right of way when required to do so by the Highway Authority, where this inconveniences the public or prevents the line of the path from being apparent on the ground *HA 1980 s 154*
- Comply with the legislation concerning the cultivation of land crossed by rights of way. This includes not disturbing any field-edge paths or cross-field byways; ensuring disturbed paths are restored within the time-limits specified and that the line of the path is made apparent on the ground; and keeping all paths clear of crops (other than hay and silage) which would inconvenience users. *HA 1980, ss 131, 131A, 134, 137, 137A*
- Maintain stiles and gates in a safe condition, and to the standard of repair required to prevent unreasonable interference with the rights of the persons using the footpath *HA 180 s 146*

or bridleway. (A minimum contribution of 25% of the costs of any works may be claimed from the Highway Authority.)

- Ensure that bulls over the age of 10 months are not kept in a field crossed by a right of way unless the bull is not a recognised dairy breed and is accompanied by cows or heifers *WCA 1981 s59,*
- Not put up on or near a right of way shown on the definitive map a notice containing a false or misleading statement likely to deter the public from using the way *NPACA 1949 s 57*

### 3.8 Powers available to members of the public

It is the Highway Authority that is expected to take action on behalf of the public to ensure all public rights of way are properly recorded, adequately maintained and kept free of obstruction. But if the authority fails in any one of these duties, path users have the power to force it (or the landowner) to take action, either by way of appeal to the Secretary of State or through action in the courts. In certain circumstances a member of the public may also take direct action, including taking action in lieu of the authority and recovering his costs.

A member of the public can:

- Apply to the surveying authority for a Definitive Map Modification Order to be made, including the submission of documentary or user evidence *WCA 1981 s 55 & Sch 14*
- If the authority has not determined the application within 12 months, ask the Secretary of State to direct it to do so
- If the authority decides not to make an order, appeal to the Secretary of State asking that the authority be directed to do so
- On encountering an obstruction on a public right of way, remove sufficient of the obstruction to allow them to pass or deviate around the obstruction *HA 1980*
- If the Highway Authority fails to deal with the obstruction of any right of way (other than by a building or structure for human habitation), apply to the magistrates' court for an order compelling the authority to carry out its duty *HA 1980, s 130A*
- If a publicly maintainable highway is out of repair, take action in the courts to compel a Highway Authority to act, or to authorise the complainant to carry out the repair and recover his costs *HA 1980 s 56*
- Bring proceedings in a magistrates' court against anyone who wilfully obstructs the highway, or fails to comply with *HA 1980, ss 137 &*

their duties regarding ploughing and cropping on rights of way. 137ZA

## **4 Organisation, staffing and budgets**

The Council's statutory responsibilities for public rights of way are allocated to the Environment Directorate and are dealt with by a small Rights of Way Unit of five officers. In dealing with Definitive Map and Public Path issues, the Unit draws on the assistance of Legal Services but there is, currently, no dedicated legal assistance.

The Rights of Way Unit also works closely with the Countryside Service. It is the Countryside Service, rather than the Rights of Way Unit, that takes the lead in promoting rights of way and who also maintain all promoted routes.

### **4.1 Rights of Way Unit**

The five members of the Rights of Way Unit are the Council's Rights of Way Officer (Adrian Walls), two Access Officers and two Rights of Way Inspectors. All are full time posts with the exception of one of the Footpath Inspectors who works 80% full time. The Unit is part of the Network Group of the Transport and Infrastructure Department of the Environment Directorate, giving it access to the full range of technical support that may be required.

As part of a much larger Department that holds the authority's budget for the maintenance of highways, the Unit benefits from access to revenue funding and can also pool resources with complementary works in other sections in order to benefit rights of way. This means that although rights of way work is a relatively small and uncontroversial part of the Directorate's overall budget, the Unit also has access to the opportunities to secure extra funding during the year if budget becomes available.

The possibility transferring rights of way work out of the directorate and merging it with that of the Countryside Service has been considered, as set out below.

### *Origins and review of the organisational structure for rights of way*

The current organisational structure for rights of way dates from the establishment of the unitary authority in 1996. It was recognised at that time that the working arrangements adopted by the former Clwyd, which split responsibility for rights of way between the Council's Development Control Unit and the Highways Area Surveyors Offices of the Highways and Transportation Department, had not worked as well as it could have because of the dual line of management. It was therefore decided that Denbighshire should combine the function relating to the preparation of a Definitive Map and the protection, maintenance and management of the path network in a single unit under one officer within the Highways Department. This mirrored the arrangements put in place in the 1950's by the then Denbighshire County Council when the duty to prepare a Definitive Map and Statement first arose.

In 1998, following changes in grant funding from the Countryside Council for Wales, consideration was given by the Heads of the two Departments to merging the authority's rights of way functions with those of the Countryside Service. The conclusion was drawn however that, on balance, the present arrangements were preferable; that whilst it was important to continue to work closely together, the two functions were quite diverse and there were benefits from keeping the operations separated.

## **4.2 Countryside Service**

The Countryside Service is part of the Lifelong Learning Department of the Education Directorate and covers a wide range of countryside and ecology issues. Access lies within the responsibility of two Principle Countryside Officers; the AONB Officer, Howard Sutcliffe, and Visitor Services Officer, Huw Rees. The Countryside Service has a full-time staff of 26 together with three seasonal wardens. Both lead officers maintain a close working relationship with the Rights of Way Unit.

The primary role of the Countryside Service is to manage 26 countryside sites together with the provision of a warden service throughout the Clwydian Range AONB, including that part within Flintshire. However the Service is also responsible for that part of Offa's Dyke National Trail that runs through the county and for the on-going maintenance of a number of other promoted recreational paths that the Service has developed. In addition, the AONB Officer takes the lead on, and has prepared management plans for, all the open access areas within Denbighshire and for coastal access.

Unlike the Rights of Way Unit, the Countryside Service has only very limited statutory responsibilities, primarily those relating to the AONB.

## **4.3 Division of responsibilities between Rights of Way and the Countryside Service**

It is the Rights of Way Unit that is responsible for discharging all of the authority's statutory functions towards the path network. This includes the preparation and on-going review of a Definitive Map and Statement for the County, the maintenance, signposting and waymarking of paths to the extent necessary to ensure that all



rights of way are open and available for use at a basic level, and action where necessary to secure the removal of any obstructions. The Unit also authorises the erection of new gates and stiles and issue licenses for a variety of purposes (eg permitting the use of rights of way for motor events or trials). Similarly the Unit is responsible for carrying out any discretionary functions such those relating to the making of Public Path Orders, and is the primary point of contact on rights of way matters for Community Councils, voluntary bodies and members of the public.

The AONB Officer's Team does not become involved in action to assert and protect the public's rights of passage, nor do they undertake major path clearance or reconstruction work. They are however, responsible for the day-to-day management and maintenance of Offa's Dyke National Trail, together with the three recreational paths within the County (the North Wales path, Hiraethog and the Dee Valley Way) as well as developing access to 'Open Country' and a small number of 'honey pot' routes in popular tourist areas (see chapter 9). The emphasis on all of these routes is to manage them to a higher standard than would otherwise be possible, particularly to enhance visitors' enjoyment of the area.

It is the team led by the Visitor Services Officer that normally takes the lead in developing the concept of any walking or riding routes which are to be promoted, with the route then being passed to the AONB Officer's Team for implementation. For example, in partnership with the Countryside Council of Wales (CCW) a series of walks linked to the Offa's Dyke Path were developed which were then published by the CCW in a leaflet. Similarly, it was the Visitor Services Team that took the lead in developing and promoting mountain biking opportunities in the Clwydian Hills and the Mynydd Hiraethog area including the two websites, [www.ridetheclwyds.com](http://www.ridetheclwyds.com) and [www.ridehiraethog.com](http://www.ridehiraethog.com). Realisation of these projects was then carried out by the AONB Officer's Team, with grant-aid (secured by the Visitor Services Officer) being used to fund a temporary post to identify the routes, carry out any works that were necessary to implement these and oversee the preparation of the two websites.

#### **4.4 The Local Access Forum**

Part V of the CROW Act 2000 requires every Highway Authority to establish a Local Access Forum (LAF) to act as a statutory adviser to the authority and to any other bodies having duties under parts 1 and 2 of the Act. The Forum's role includes advising on both access to land and linear access, on all forms of open air recreation and on the needs of all sections of society. The Forum is, *inter alia*, one of the bodies that the authority is required to consult on the Rights of Way Improvement Plan. The Denbighshire Forum meets under the Chairmanship of John Hughes OBE and has 17 members.

The Rights of Way Unit's view is that, while the Denbighshire Forum works well, the uniqueness of the situation in relation to this area of the authority's work has meant that it has sometimes been difficult to establish the right relationship between the authority and the LAF.

### *Providing a Secretariat to the Local Access Forum*

The County Council is obliged under the provisions of the CROW Act 2000 to provide a secretary to administer the business of the Local Access Forum and to publish an annual report on the forum's work.

When Denbighshire's LAF was first established the Secretary was a Solicitor of the Council's Clerk. This arrangement worked well, enabling the ROW Officer to attend as an observer and advisor and to represent the Highway Authority. However, when the Solicitor moved to another area of work, budgetary pressure on the Authority meant that most of the work arising from the Countryside and Rights of Way Act was dependant on the financial allocation in the SSA from the Welsh Assembly. Given that the allocation was, by then, fully committed to delivering other aspects of the legislation and that insufficient money was available to continue to fund a dedicated Secretary, the Rights of Way Officer himself had to take on the role.

This arrangement continues, but is unsatisfactory for a number of reasons. In addition to the difficulty the ROW Officer has in allocating sufficient time to the Forum it has also given rise to the situation in which there is often a contradiction of interests. For example, when the LAF wishes to recommend an approach which conflicts with the Council's policy or where it wishes to write formally to the Authority to comment on the delivery of its rights of way functions, the Officer is required to both write to, and reply to, himself.

## **4.5 Budgets**

The County provides revenue and capital budgets for rights of way as part of the Council's highway's maintenance budget. In 2007/08 these sums were £107,710 and £50,000 respectively. This is a 50% increase on the previous financial year's budget, reflecting a reappraisal of the amount spent by the authority on highway maintenance in general following pressure from elected members and the Local Access Forum. Any costs relating to the making of Public Path Orders that can later be reclaimed from applicants are also funded through the rights of way revenue budget. A breakdown of the current year's revenue budget and distribution between footpaths, bridleways and byways is shown in Table 2.

The bulk of the revenue spending, around 60%, is allocated to footpaths. However, in relative terms, far more is spent per kilometre on byways (£296 per km) and bridleways (£103 per km) than on footpaths (£58 per km).

**Table 2. Breakdown of Revenue Budget for 2007/08**

<b>Maintenance Budget - 2007/08</b>	
<b>Footpaths</b>	
Stiles, structures and bridges	£ 13,600
General maintenance (including CAMS)	£ 41,000
Definitive map orders relative to maintenance issues	£ 4,000
Footpath diversions (rolling float)	£ 1,000
Projects	£ 3,500
	£ 63,100
<b>Bridleways</b>	
Structures and bridges	£ 4,300
General maintenance (including CAMS)	£ 10,500
Definitive map orders relative to maintenance issues	£ 1,000
Projects	£ 3,000
	£ 18,800
<b>Byways</b>	
Structures and bridges	£ 3,000
General maintenance (including CAMS)	£ 2,500
Definitive map orders relative to maintenance issues	£ 500
Projects	£ 1,700
	£ 7,700
<b>General</b>	
Definitive map (inquiry costs, etc)	£ 2,000
LAF	£ 1,000
ROWIP	£ 15,110
	£ 18,110
<b>Total maintenance budget</b>	<b>£107,710</b>

The Countryside Service does not have its own dedicated budget but is primarily dependent on grant aid, particularly that from Countryside Council for Wales. It also derives income from partnership working on a repayment basis. In relation to its work on rights of way, the only assured income is that derived from CCW relating to the maintenance of the Offa's Dyke National Trail and which currently amounts to around £10,000 per annum.

#### 4.6 **Estimated cost of dealing with the maintenance backlog**

A comprehensive survey of the whole rights of way network in Denbighshire was carried out in 2002 as set out in chapter 8. It found that, while much of the network was in reasonable condition, the network as whole was in need of a substantial overhaul. For example, many stiles, gates and other items of path furniture were either missing (with the right of way being obstructed) or were dilapidated while

others were approaching the end of their lives and would also soon need to be replaced. Further analysis carried out in 2007 has shown that resolving this backlog of needed repair would require a one-off expenditure of around £590,000. Thereafter, to keep the network in good condition would require an on-going expenditure of approximately £100,000 - £150,000 per annum based on the estimated lifespan of the furniture concerned, together with additional expenditure to deal with any drainage or path surface issues and to clear natural vegetation. (See section 8.7)

It is clear, therefore, that although the current budget may be sufficient to maintain the infrastructure of the path network at its current standard without further significant deterioration, it does not allow the Council to make inroads into tackling the backlog of work which was found to exist, nor does it recognise that that network as a whole is in need of substantial overhaul.

#### **4.7 Costs of definitive map and public path orders**

Some costs relating to many Public Path Orders can be reclaimed from applicants and these are covered by and recharged to, the rights of way revenue budget. Those relating to the Definitive Map Modification Orders and other, non-recoverable legal costs are charged to a separate operational budget, as are any non-staff costs relating to work undertaken by the County's Legal Services.

The Public Path Orders dealt with by the Rights of Way Unit include those that are required to be made under section 257 of the Town and Country Planning Act, to divert or extinguish a right of way to enable development for which planning permission has been granted to be carried out. Such orders are frequently controversial and can be extremely time consuming, diverting staff resources away from work on the Definitive Map or other priority tasks. In addition, although costs are charged to the applicant, the amount recovered may be insufficient to compensate fully for the time taken in making and processing an order to determination. Because of the uncertainty in predicting, in advance, the number of such cases and potential workload they will generate, it is difficult to present a case for employing an additional member of staff. It would, however, be useful to examine this issue in more detail to explore alternative approaches. This might include, for example, whether the work could be put out to contract with the costs being recharged to the applicant, or the viability of a group of authorities working together to create a dedicated team to handle all such orders across the partnership.

## **5 Other players**

As well as the Highway Authority itself, many other bodies and individuals have a direct interest in the rights of way network. The County already works closely with a many of these as described in this section, and would welcome comments particularly on the ways in which these existing partnerships might be developed and new ones created to help implement the Rights of Way Improvement Plan over the next 10 years.

## 5.1 Community and Town Councils

There are 38 Community and Town Councils in Denbighshire. The Rights of Way Unit has a dialogue with around one fifth of these who take an interest in the paths in their community. A further two-fifths are less concerned about the overall condition of the local network but have occasional contact with the authority, often over a specific path problem. The remainder have little or no contact with the Rights of Way Unit.

It is recognised that there is considerable potential for Community Councils to play a more significant role in helping the County Council to ensure that all rights of way are open for use at a basic level, particularly given the important statutory powers available to them as set out in section 3.6. This might include encouraging volunteers to regularly walk or ride all of the rights of way in the community, endeavouring to resolve minor problems at a local level by approaching the landowner or occupiers concerned, and reporting significant problems that cannot be resolved in this way to the Highway Authority. If the proposals for a path hierarchy as discussed in chapter 8 are taken forward, Community Councils will have an important role in helping to decide which paths are locally significant and in ensuring that the grading given to cross boundary paths is coordinated with that of the neighbouring communities.

The proposed consolidation of the Definitive Map and re-publication in digital format as referred to in section 7.2 will enable the authority to supply each community on a regular basis with an up-to-date map of all the recorded paths in its area drawn on the latest OS base map. This might be used as an opportunity to launch an initiative which would recognise the contribution being made by those communities that already take an active interest in the paths in their area and to encourage the other communities to become involved.

### *Developing a partnership with Local Communities*

In the next stage of the Rights of Way Improvement Plan the County Council will look at how it might develop a scheme in which the County can work more closely with Community Councils to improve the paths in their local area. This might, for example, take the form of a rolling programme in which up to five communities a year are invited to select the most important paths in their area and use these to develop an attractive local walk or ride which could then be publicised in leaflets, on a village information board or on the Internet.

The aim would be for every community to have at least one circular walk or ride taking in the most attractive and interesting features of the neighbourhood. These would be along clearly signposted and waymarked paths so they could be easily used by visitors without the need for a map, and with kissing gates replacing stiles so as to be open to as many people as possible. The ideal circuit would offer a choice of routes of between one and three miles.

By joining together with neighbouring communities wider networks of easy to use paths could be developed. Or, if linked into a long distance path or regional route, these local paths could help by bringing direct economic benefits to the village. This could also be one of the main ways in which a range of routes can quickly be made available throughout the County that can be used by those who are disabled or whose mobility is restricted.

This range of potential benefits mean that proposal might well qualify for EU funding, especially if it could be undertaken together with one or more neighbouring authorities.

## **5.2 Relationships with voluntary bodies**

The Rights of Way Officer has an open door policy for local representatives of the Rights of Way User groups that are statutory consultees for the making of orders. These include the British Horse Society (BHS) and Ramblers' Association (RA). He also endeavours to maintain contact with representatives of cyclists and vehicle users' groups as well as locally based groups. The Rights of Way Officer recognises that because of the significantly smaller network available to horse riders, cyclists, carriage and vehicle users and lack of alternative routes, the difficulties that can arise for these users may have a proportionately greater impact than they might do for walkers. For this reasons he treats all groups on an even standing with size not being a reason for any priority.



### *Local community initiative: Prestatyn Walkers are Welcome Town*

Prestatyn Town Council has been working for the past four years to promote walking for health and as a way of contributing to the delivery of some of its tourism development and economic regeneration objectives. The total cost of developing the 'Walking for Health' initiative was around £17,000 with the Town Council contributing approximately £5,000 and the remainder being provided by the Countryside Council for Wales and the Welsh Assembly. The initiative has concentrated on promotion of walking for health but some minor work on the ground has also been undertaken. The Council has set up a website to support this work which can be found at [www.healthyprestatyn.org.uk](http://www.healthyprestatyn.org.uk) and which is a companion to the 'Walk More' booklet.

The website has information and maps of 18 enjoyable, local walks of between  $\frac{3}{4}$  and 3 miles which are designed to fit in with people's everyday life. A team of approximately 30 volunteers lead between 5-10 walks per week. The volunteer group is currently applying for charitable status under the banner of 'You'll never walk alone' and are bidding for funding to develop more routes under the 'Let's walk for Cymru' initiative.

Since 2005 Prestatyn has also held an annual three day walking festival which attracts both visitors and local people. In 2007 Prestatyn was the first town in Wales to be awarded 'Walkers are Welcome' status.

#### **5.2.1 Ramblers' Association**

A regular quarterly meeting is held between the Rights of Way Unit and representatives of the Denbighshire Ramblers' Footpaths Committee. Each meeting normally focuses on discussing the cases the RA consider to be their ten topmost priorities, together with five more general issues also nominated by the RA. The meeting is an opportunity for the authority to bring the RA up to date on the progress it has made, to discuss how the outstanding cases are being dealt with, and to maintain an ongoing dialogue with the Association.

#### **5.2.2 British Horse Society**

The Rights of Way Officer has a regular, on-going dialogue with the BHS County and Deputy County Bridleway Officers. He endeavours to deal as quickly as possible with any matters which they bring to his attention and also to ensure that they are kept informed on any other matters relating to horse riding within the County.

Within the County there are also a number of small, local groups of riders who are independent of the BHS. The Rights of Way Officer is willing to deal with individual riders within these groups who often have specific issues and are not representative of the wider riding community. They are not, for example, statutory consultees on issues such as Public Path Orders and would not be consulted in the same way as the local BHS Officers.

### *Initiative in Llanferres and Llanarmon-yn-Ial by Val Walker Jones*

Val Walker Jones is the Ramblers' Association's Footpaths Secretary for North Wales and also the Association's footpath worker in her own local communities of Llanferres and Llanarmon-yn-Ial. A daughter of a farmer, she decided that rather than simply reporting the many footpath problems that existed in the area to the Highway Authority, she would herself take the initiative by approaching the farmers and seeking their co-operation in allowing her to deal with them using voluntary labour. After surveying the area, she then set about approaching each individual owner or occupier, finding that she could identify most from farmer-to-farmer contact.

The basis of her approach, which concentrated initially on opening the most important paths, was to explain that although she wanted to see the paths open and restored to use, she recognised that farmers too had problems - that the farm was their working environment - and to offer to work together to help overcome them. Although initially receiving a mixed response, most of the farmers she approached were co-operative and only rarely has she had to refer a problem to the Highway Authority.

After walking the paths with each farmer and agreeing the work with him, Val then arranged for it to be carried out by experienced volunteers. Where substantial clearance was needed, the RA was able to organise parties of up to 20 volunteers. But she found most of the work could be carried out by small teams of just 2 or 3 people. This included installing stile kits supplied and delivered by the authority, putting up signposting and waymarking paths so the line was easy to follow.

Over the years, the project has succeeded in ensuring that nearly all of the paths Llanferres and over three-quarters of those in Llanarmon-yn-Ial are open, clearly waymarked and easy to use, resulting in much greater use of the path network by both residents and visitors to the area. A mark of her success is that, when a problem arises, Val now finds that many of the farmers concerned will ring her direct, asking her help or advice rather than approaching the authority.

### **5.2.3 Cyclists, Carriage Drivers and Vehicle Users**

Problems arise because of the plethora of different groups representing both cyclists and vehicle users, the fact that each group is often focussed on a specific type of use or aspect of the activity, and the differences in emphasis and disagreements that can arise between them.

In the case of cycling these include the Cyclists' Touring Club (CTC), International Mountain Biking Association (IMBA-UK) and Rough Stuff Fellowship (RSF). Recently the development of private carriage driving routes at Coed Llandegla has raised the profile of the pastime and an active community is being formed, supported by the British Driving Society. National groups representing 4x4 vehicle users and motor cyclists include the All Wheel Drive Club (AWDC), Auto Cycle Union (ACU), Green Lane Association (GLASS), Land Rover Owners' Club, Countryside Recreational Access Group (CRAG), Motoring Organisations' Land Access and Recreation Association (LARA) and the Trail Riders' Fellowship (TRF).



However, although the Welsh Trail Riders Association is a statutory consultee on access orders it does not maintain an active interest in the area. There are also many regional and local groups whose members may use the Denbighshire area.

While it is not possible to maintain a regular dialogue with all of these groups, the Rights of Way Officer nevertheless endeavours to give these groups the opportunity to engage with the authority, and encourages them to work with the authority and other path users towards maintaining and improving the rights of way network.

### **5.3 The farming community**

The farming community throughout Denbighshire is represented by the Farmer's Union of Wales (FUW) and the National Farmers' Union (NFU). There are also a number of members of the Country Landowners and Business Association in the County. All three organisations recognise the importance of public rights of way but are concerned that recreational access to the countryside should be well managed and should take place without detriment to the primary land uses of farming and forestry.

The FUW's policy statement on recreation and access, for example, states that while the countryside represents a place for the enjoyment of leisure pursuits, it is also a place of work for farmers and those involved in ancillary activities, and that it is becoming increasingly difficult to reconcile the increased demand for access with the competing and sometimes conflicting demands of business and recreational use. The Union advocates that the current network of footpaths be rationalised with resources deployed in favour of those routes which serve a contemporary purpose. Encouragement should also be given for highway authorities and landowners to work together to improve waymarking and signposting with positive working partnerships between landowners and users at local levels. The NFU and CLBA take similar policy approaches.

The authority recognises that if the ROWIP is going to deliver its objectives, then it can only be done by working in close partnership with land owning interests. All three organisations therefore will be important consultees in drawing up draft ROWIP policies.

### **5.4 Partnership working with neighbouring authorities**

Partnership working with individual neighbouring authorities or larger groups of authorities is already well established for some aspects of the County's functions and there is scope to extend this to other aspects of rights of way work, especially where rights of way are used 'seamlessly' across authority boundaries. For example, the Countryside Service's remit already extends to the whole of the Clwydian Range AONB including that part within Flintshire, and to the maintenance of the whole of the Clwydian section of Offa's Dyke National Trail. The Service also works in partnership with Conwy's Countryside Service in the Hiraethog area, including in setting up and managing the Hiraethog and Alwen Trails. There is scope to extend this joint working, particularly in developing additional access opportunities to meet the needs horse rides and cyclists as discussed in chapter 10, and in developing any new initiatives to encourage Community Councils to take a

more active role managing the rights of way in their area as referred to in section 5.1.

At the regional level, Denbighshire is part of a consortium of six authorities that are working together to develop a joint Regional Transport Plan (RTP) (see section 2.7) and is also part of the Tourism Partnership for North Wales. In relation to rights of way, as well as the development and promotion of the network as a regional resource, there is scope for considering whether some specialist areas of work such as that generated by Public Path and Definitive Map Modification Orders might be more efficiently handled by a dedicated unit set up by a consortium of authorities (see section 4.7). Similarly, the legitimate needs of vehicle users, and the problems caused by the illegal use of rights of way and open land by vehicles such as those referred to in sections 10.8.4 would both benefit from discussion at a regional level with authorities agreeing to work to a co-ordinated, joint policy.

## **6 The public's view: Use and perception of rights of way**

### **6.1 Key findings from the 2006 survey**

The comprehensive survey in 2002 of the whole path network and the regular, yearly, sample surveys to determine the Council's Best Value Performance Indicator (BVPI) have given a good understanding of the physical condition of the rights of way network and the features such as gates, stiles and signposts that it contains. However, although there were some broad national figures available, it was realised at the start of the Improvement Plan process that much less was known about how members of the public used and perceived the path network, particularly the network in Denbighshire.

To help overcome this deficiency, a survey was carried out using a short questionnaire distributed with the County's free newspaper, *County Voice*, and a longer questionnaire distributed to path users and other interest groups by various methods including through the Internet and by members of the LAF. Although limited in its scope, the survey has produced a valuable insight into both the scale and nature of the public's use of rights of way and their views on issues such as the performance of the local authority, the degree of public support for spending on rights of way and the priorities that should be adopted in the Improvement Plan.

The key findings from the survey are set out below while the main data tables and charts have been included at Appendix B. A copy of the Consultant's full survey report results can be obtained from the Rights of Way Unit at the address given on page iii.

A recognised weakness of the survey is that it tells only half the story. Although the Denbighshire countryside is an important holiday and day-trip destination and spending by visitors is known to make an important contribution to the local economy, including by many who visit the area to walk or ride on rights of way, the survey failed to pick-up on such users. This arose because of the way the survey was carried out and its timing, but means that, almost exclusively, the findings relate to the use of the path network by those living in the County itself or who live nearby and were aware of it. Further work is needed using different survey techniques rectify this and to obtain a more complete picture.

### **6.2 Survey responses**

- The survey attracted 432 responses, of which 284 completed the shorter questionnaire published in *County Voice* and 148 the longer version published on the Internet and circulated by the Local Access Forum. Nine percent of responses were in Welsh and 91% were in English.

### **6.3 Where and how are rights of way used**

- The survey has confirmed the considerable recreational importance of rights of way in Denbighshire. Over 70% of respondents said they used rights of way at least once a week for walking or running.

- Rights of way are also important for cycling or riding a horse but to a smaller number of people. Around 12% of respondents use them at least once a week to cycle and around 9% for horse riding.
- Paths and tracks on the fringe of towns or villages are the most popular with almost 70% of respondents saying they use these regularly or very regularly. But use of paths in the remote countryside is also very high with a corresponding figure of more than 61%.
- The most common activities are going for a walk or ride of over two miles (77% of respondents) or a shorter walk or ride (55% of respondents).
- Changes in lifestyle are reflected in the finding that 38.4% of respondents also use rights of way for jogging or walking to keep fit. This is more than those using the network for its more traditional use of 'walking the dog' (34.9%).
- Around a quarter of respondents use rights of way to go to their local shops or amenities, but only a small minority (6%) do so for a regular journey to work or school.

#### **6.4 Confidence and information**

- The survey suggests that people in Denbighshire are much better prepared and have much higher levels of confidence when using rights of way than those reported in earlier national studies. Around three quarters of respondents, for example, said they normally take an OS map with them and use it to find their way and half said they liked exploring new paths.
- But there is still a sizeable minority of people who do often worry about getting lost or trespassing (35%) or who would prefer to follow a route from a path leaflet (40%).
- Almost half of all respondents said they sometimes find it difficult to get over stiles, even although 97% had no physical impairment or only a slight one.
- Respondents were enthusiastic about the future provision of information on-line, particularly about suggested walks or rides, the Definitive Map and proposed changes to rights of way. Around a quarter said they would use this information a lot and 40% would use it occasionally.
- Awareness of the information already available on-line is disappointingly low however, as is the use being made of it.

#### **6.5 Characteristics of recreational trip making**

- Most countryside trips were close to home (40% within 5 miles), were made by car (57%) or by walking from home (22%), and were short (75% lasted half a day or less) - findings which are all broadly consistent with earlier national surveys of recreational trip making.
- Around 40% of trips were to an upland or mountain area; 30% to a farming area and 10% to a forest or woodland.

- An unusual feature of the survey is the number of respondents who reported visiting the countryside as part of a large party, the average group size being almost 8 people. (This is likely to be a reflection of distribution of the questionnaire amongst organised groups.)
- Parties with teenagers or children form only a small part of the survey and appear to be under-represented.

## 6.6 Economic importance of the path network

- The data relating to the amount spent when visiting the countryside to use rights of way should be treated with caution and as no more than indicative, although it is in line with earlier economic studies.
- The data suggests that, while many people spent nothing, the average spending is around £3.37 per person on items such as on food and refreshments. Given the number of visitors, this means that spending by ROW users could be of considerable economic benefit to the rural community.
- It would be worthwhile carrying out more research to investigate these aspects further, as well as to collect data from visitors to Denbighshire who are almost entirely absent from the current survey.

## 6.7 Priorities for the Rights of Way Improvement Plan

- When asked what should be the Improvement Plan's priorities, the survey shows a clear consensus of support for three main areas of work – putting up more signs to make paths easier to find, making paths easier to use for the elderly or disabled, and ensuring all paths are clear of overgrowth or obstructions.
- There is also strong support for completing the legal record and changing the line of paths in order to overcome conflict, although these are generally not seen as the top priority the Council as Surveying Authority does see this as being particularly important.
- There is comparatively little support for providing more long distance paths, providing extra footpaths or bridleways, printing more circular walks leaflets or improving paths in urban areas. However, it is clear that many horse riders believe that a priority should be to provide more bridleways. Their views are reflected in the 12% of responses who chose this as their top priority.

## 6.8 Support for spending on rights of way

- The survey found near universal support for the statement “spending money on footpaths and bridleways is good value compared to spending by the Council on other leisure activities” – 54% agreed and 35% agreed strongly.
- Similarly, 57% agreed and 26% agreed strongly that “Holiday makers in Rhyl and Prestatyn should be encouraged to enjoy Denbighshire's beautiful countryside”
- There is also support for the view that “the council does a good job in looking after the rights of way in Denbighshire”, but against the 55% who agreed and 4% who agreed strongly were those who disagreed (29%) or disagreed strongly (7%).

- Opinion is also firmly against the suggestion that “improvements to rights of way should be in the most attractive areas such as the Berwyns”. Almost a half of all respondents (49.8%) disagreed, a further 14.8% doing so strongly. The County Council views this as an important finding.

## **7 Dealing with the Definitive Map and changes to rights of way**

### **7.1 Importance of this work and the challenges it presents**

The Definitive Map and Statement, and the work which goes into ensuring it is as accurate as possible, is the bedrock of all work on rights of way. The Map and Statement provides conclusive evidence in law of the existence of the public rights of way shown on it. It is therefore the basis on which the authority is able to meet its duty to protect assert and maintain the rights of way in its area and thus ensure that the public can continue to use and enjoy the path network. Because the line and status of the rights of way shown on Ordnance Survey maps are also derived from the Definitive Map, it is also the basis on which the public can find out about the path network.

The County has a duty to keep the Definitive Map and Statement for its area under continuous review and to make orders to modify the Map whenever it discovers evidence, or has information brought to its attention, which shows that the Map and Statement is wrong. There is, however, no specific timescale within which such action must normally be taken. Moreover because most public rights of way are over private land, and the existence of a right of way affects how that land can be used and may also impact on its value, the work in keeping the Map and Statement up-to-date is often contentious, highly technical and painfully slow.

Proving, or disapproving, the existence of a right of way or determining the nature of the public's rights can take hours of research trawling through records in the County or National archives or in interviewing those who can testify to using the path. Similarly the Definitive Map and Statement can only be amended by following the detailed procedures prescribed in the legislation. Even the simplest change requires that a Definitive Map Modification Order (DMMO) be made, served on the owners and occupiers of the land and brought to the public's attention through notices put up on the site and in the local newspaper. If the changes are opposed, then the order must be submitted to the Welsh Assembly Government (WAG) for determination, a process which will commonly lead to the evidence on which the order is based being subject to scrutiny, in public, at a local Public Inquiry. If the order is subsequently rejected, then all of that work may prove to be abortive.

Changes in society and the values attached to the ownership of land mean that a high proportion of DMMOs are now routinely opposed by the owner or occupier of the land or path users. It is also increasingly common for objectors to be legally represented at any inquiry, adding to the workload and pressure on the authority's officers. Despite its considerable importance and complexity, however, Definitive Map work is often understated and received little public attention or a claim compared with more obvious, high-profile work.

### **7.2 Priorities for the definitive map**

The main Definitive Map for the County comprises part of the Definitive Map for the former county of Clwyd and derives from a special review undertaken by the Clwyd County Council in 1979. Because of the need to complete this special review, the provisions in the Wildlife and Countryside Act 1981 do not apply in Clwyd until the

Map finally became effective in 1988. The position, therefore, is that the County has a Definitive Map that is almost 30 years old, and which is drawn on an Ordnance Survey based map dating from the 1960s. A very small area in the south of the county around Llandrillo, previously in the Community of Llandderfel contains two bridleways that currently appear on a separate Definitive Map, being part of the map prepared by the former county of Gwynedd.

A priority of the Rights of Way Unit's current business plan is to use the authority's amended powers under the Countryside and Rights of Way Act 2000 to consolidate these two maps and transfer the information on to an up-to-date base map. In doing so it is proposed to use the digitised map (see below), printed onto an up-to-date base map, as the formal Definitive Map so that when a member of the public inspects the Map they can relate the path shown on it to the contemporary background and landscape. It will also enable the Map to be made available online and distributed on CD-Rom, although Ordnance Survey copyright restrictions may mean that only those with a right to hold a copy of the Definitive Map will be able to receive a CD in lieu of paper copies.

A further advantage of moving to a digital map base is that it ensures at the outset that the printed Definitive Map exactly matches the previous map other than for legitimate legal changes. It will then be possible to record further changes on the digitised map as and when they occur, and to publish further consolidated versions of the Definitive Map at frequent intervals. It will also be a significant benefit in improving the speed of service dealing with Local Land Charge Searches within the authority.

### 7.3 Outstanding problems

Digitisation of all Definitive Maps in Wales was completed during the 1990s by contractors appointed by the Countryside Council for Wales. Clwyd was one of the pilot authorities for the project and was better able to manage the data capture and check the quality of the work than many other Welsh authorities. However, the process of digitising brought to light a large number of existing errors or anomalies as well as creating other anomalies in the process. Each one of these will need to be investigated and in some cases a Definitive Map Modification Order (DMMO) or Public Path Orders may need to be made.

The problems which arose from the digitisation process are often minor 'housekeeping' errors which can be resolved simply by checking the original paper record and then correcting the digitised map to match it. For example, the way in which dashed and pecked lines were treated meant that many paths have been shown on the digitised records as stopping just short of the junction with another path, or stopping short of a farmyard and recommencing on the other side rather than continuing through it. These breaks coincide with the gaps in the dashed or pecked lines shown on the original paper maps and can be dealt with simply by correcting the digitised records. Some 576 such errors have been identified.

A further 239 more significant errors have been identified arising from the digitisation process or, more commonly, which were present on the original paper maps but have been highlighted by the process. These cover a wide range of problems including where there is a discrepancy between the line followed on the



ground and that as shown on the map or referred to in the statement, where the numbering of paths between the map and statement are inconsistent, and misalignments or changes in status where a path crosses a community boundary or the boundary of OS sheets. They also include paths that have been disrupted by major road schemes for which no side roads orders were made or which are obstructed by long-established permanent features and those which are shown on an alignment that would be physically impossible to follow in practice. Each of these will need to be investigated and many will require a DMMO to be made in order to the problem to be resolved.

In total, therefore, there are known to be more than 800 identified problems which will need to be resolved if the Definitive Map and Statement is to be as accurate as possible and brought fully up-to-date. Around two thirds of these errors which, it appears are capable of being dealt with without the need for a DMMO to be made. This, in itself, would be a significant step forward in getting the Map up to date. The remaining third, however, are more complicated. All need to be investigated and most are likely to require a Definitive Map Modification Order to be made before they can be resolved. Clearly, dealing with an issue of this scale and complexity is beyond the capacity of the current Rights of Way Unit.

#### *“Lost ways”: Under-recorded and unrecorded ROWs in Denbighshire*

Under section 53 of the Countryside and Rights of Way Act 2000 (if it is enacted) any footpaths or bridleways that were in existence before 1949 which are not recorded on the Definitive Map at 1<sup>st</sup> January 2026 will be extinguished at that date. Any unrecorded higher rights over a way that is shown on the Definitive Map as a footpath, bridleway or restricted byway will be similarly extinguished. This will mean that it will no longer be possible to claim any such rights on the basis of pre-1949 evidence. Ministers have discretion however regarding any rights which may exist over ways for which a valid claim has been made before the cut off date and it is widely expected that these will exempt from extinguishment.

There is no comprehensive programme of research in Wales to identify these ‘lost ways’ but members of the Denbighshire LAF established a work project to examine the issue. The group led by Chris Marshall and Edwina Lawson-Hart, have been working on a voluntary basis since 2006 to look for documentary evidence in the County Archive of the extent of lost ways around Llanferres, Llanarmon-yn-Ial and Llandegla. After researching the evidence provided by enclosure awards and other documents, Chris has used mapping software to transpose this information on to modern maps. Rather than trying to identify all possible lost ways he has taken a pragmatic approach and concentrated on ‘useful routes’ - those that would link to routes currently available for use – but the work is still time-consuming and also requires analytical skills. The Local Access Forum has said that it would welcome research to establish a more definitive picture across the whole County but is mindful of the difficulties and the financial consequences.

The Rights of Way Unit's preliminary assessment based on their knowledge of the area is that the distribution of lost ways in Denbighshire can be expected to vary greatly. There are likely to be relatively few in the centre of the County in the Vale of Clwyd but that there are other areas where there are a significant number could exist. An indicative guess is that a full examination of the historic data could be expected to reveal at least four or five ways in each community, or some 150 – 200 ways in the whole of Denbighshire. Many of these will be minor footpaths that are of little or no strategic value. But there may be other old highways that could potentially make a significant contribution to improving the network for horse riders and cyclists.

Given the considerable difficulty of creating new horse riding routes, it is important that an assessment is made of the unrecorded ways which may exist in those areas which are identified in the Improvement Plan as requiring greater riding provision. This should be carried out as early as possible, both to set in train the formal process of recording any rights which are identified and to allow these routes to be taken into account in developing the network for riders and thus avoid potentially abortive work in trying to establish alternative provision.

#### **7.4 Changes to the path network**

The Rights of Way Unit is also responsible for processing changes to the network through Public Path Orders made to create, extinguish and divert rights of way. These include orders made either in response to a request to the authority or on its own initiative under section 116, 118, and 119 of the Highways Act 1980, and those made under section 257, Town And Country Planning Act 1990, to divert or extinguish a path where this is necessary to enable development that has received planning permission be carried out. Occasionally action may also be required and other powers. For example, changes to a byway which as a vehicular highway has to be dealt with by an application to the magistrates' court under section 116 of the Highways Act 1980.

For the most part the work involved in changing rights of way is analogous to that relating to the Definitive Map and Statement in that it is necessary to exactly follow the prescribed procedures, is technically complex and can also be a very time-consuming. Unlike a Definitive Map Modification Order, however, the decision whether or not to make a Public Path Order is (at the present time) is entirely discretionary.

Other than cases dealt with under section 116 which follow a different procedure, the formal process starts when the authority makes a Public Path Order. The Order is then served on the owner and occupier of land and publicised in the locality. If objections are made which cannot be resolved and the authority wishes to proceed, the Order must be referred to Welsh Assembly Government for determination and will require either a public inquiry to be held or an exchange of correspondence. Public Path Orders can only be made for one of the specific reasons laid down in legislation and both before an Order is made and again before it can be confirmed each Order is subject to stringent legal and procedural checks. Under the

Highways Act 1980, for example, the only basis on which a right of way can be extinguished is that the path is not needed for public use, something which can be a very difficult to prove.

As noted already in section 4.7, Public Path Orders made under section 257 of the Town and Country Planning Act 1990 to enable development to take place are considered particularly disruptive of staff time. An alternative approach is needed to prevent these orders from diverting time away from other priority tasks.

### 7.5 Scale of current DMMO and Public Path Order casework

At the end of July 2007, the Rights of Way Unit had some 49 Definitive Map and 30 Public Path Order cases before it, the former including both cases that had been brought to the authority's attention in applications made under Schedule 14, Wildlife and Countryside Act 1981, and those which had arisen as a result of informal approaches or the authority's own investigations. However, relatively few of these cases were being actively pursued or in the process of being resolved. The majority were recorded as 'awaiting attention' (see Table 3. Type of cases).

**Table 3. Type of cases**

	W&C Act 1981 s. 53 DMMO	Highways Act 1980			T&CP Act 1981 Divert or extinguish	Total
		s.26 Creation	s.119 Diversion	s.120 Extinguish		
Number	49	0	21	3	6	79
%	62.0	0.0	26.6	3.8	7.6	100.0

The number of Definitive Map and Public Path Order cases that can be dealt with at any one time will clearly vary depending on the complexity of each case and the length of time it takes to investigate and resolve. However the current position, in which approximately 20 - 30 cases are active (Table 4) is regarded as broadly typical by the Rights of Way Unit. They also regard the current position as being relatively stable with no significant overall increase or decrease in the workload over the past five years.

**Table 4. Current stage of Definitive Map and Public Path Order cases**

	Pre-order inquires/ gathering evidence	In progress	Post confirmation	Awaiting attention or investigation needed
<b>DMMO cases</b>				
Number	10	6	1	32
%	20.4	12.2	2.0	65.3
<b>PPO cases</b>				
Number	3	7	4	16
%	10.0	23.3	13.3	53.3

Table 5 shows the length of time applications have been outstanding but should be treated as being no more than broadly indicative. The data is not currently recorded in a form which supports this type of analysis, nor will all cases have their origins in a formal application - some will have arisen from informal requests or from the authority's own investigations. Similarly, the fact that a case has been outstanding for a number of years is not necessarily indicative of delay on the part of the authority. It might, for example, have been deferred pending the submission of further evidence by the applicant or be awaiting a response to a request to clarify the applicant's intentions.

Nevertheless, the data is encouraging in that it shows that Denbighshire does not have the very large backlog of outstanding DMMO applications going back over many years that had been reported by some other authorities. To a large extent this may be due to the fact that Clwyd County Council carried out a special review of the Definitive Map between 1978 and 1981 under the provisions of the Countryside Act 1968. Nor is there the wide disparity reported by others between the time taken to deal with the Public Path Order applications and those under schedule 14, Wildlife and Countryside Act.

**Table 5. Time applications outstanding (indicative data)**

	<b>Application made:</b>				<b>No formal application</b>
	<b>After 2005</b>	<b>2001 - 2005</b>	<b>1995 - 2000</b>	<b>1990 - 1994</b>	
<b>DMMO cases</b>					
Number	4	16	9	4	16
%	8.2	32.7	18.4	8.2	32.7
<b>PPO cases</b>					
Number	5	7	3	3	12
%	16.7	23.3	10.0	10.0	40.0

### *Potential impact of a right to apply for Public Path Orders and right of appeal*

New powers inserted by the Countryside and Rights of Way Act 2000 into the Highways Act 1980 but not yet brought into force will, when enacted, give some owners and occupiers<sup>1</sup> the right formally to apply to the authority for a Public Path Diversion or Extinguishment Order. If the authority declines to do so, fails to determine an application within four months, or makes an Order but subsequently decides not to proceed, the applicant will have a right of appeal to Welsh Assembly Government. On receiving an appeal, the legislation provides that WAG can itself draft and advertise a Public Path Order using the Secretary of States' reserve powers, thereby triggering a local enquiry or exchange of correspondence if the draft Order attracts objections or representations.

These provisions, which could be introduced during the currency of the ROWIP, have the potential to significantly affect the authority's workload relating to Public Path Orders although the exact nature and scale of any such change is impossible to predict. It will depend, *inter alia*, on the amount of latent demand in Denbighshire to change the network (the measures were a response to claims that land managers, in general, face significant difficulties in persuading authorities to use their discretionary powers), the amount which WAG charges the applicant for making an Order and the willingness of applicants to meet those charges in practice.

The authority also appears to have a choice in how it will choose to react to these provisions. On the one hand it would be open to the authority to decide as a matter of policy that, given the new avenue now available to applicants, it can require applicants to meet all recoverable costs, or decline to make any Highway Act Diversion or Extinguishment Orders, or will do so only in exceptional circumstances when there appears to be no resistance from the public. This could free up considerable staff time that might then be devoted to the Definitive Map or other work. On the other, if the provisions give rise to a large number of applications and appeals, then much more time may be needed to assess the draft Orders being published by WAG and in formally opposing those which the authority believes are not in the public's interests.

<sup>1</sup> The provisions, in sections 118ZA and 119ZA of the Highways Act 1980, will enable the owners, lessees and occupiers of land used for agriculture, forestry or the breeding or keeping of horses to apply for a Public Path Diversion or Extinguishment Order to be made under subsection 118 or 119, and school proprietors to apply in respect of a Special Extinguishment or Diversion Order under section 118B or 119B.



## **8 Looking after the path network in practice**

### **8.1 Performance history: A record of continuing improvements**

In the years immediately prior to 2000, the Council made a considerable effort towards meeting the targets set by the Countryside Council for Wales - initially that all public rights of way should be open and available for use by the year 2000, but subsequently modified as the deadline approached to require 'a network' to be open and available for use.

Unlike a number of other local authorities in Wales, Denbighshire was consistent in maintaining its focus on the whole of the rights of way network following local government reorganisation in 1996 and as a result succeeded in ensuring that a core of around a half of the network, including all of the most important strategic routes, was open by year 2000. In doing so it was assisted by the Countryside Council for Wales in funding, for three years, an officer whose job was to inspect all of these routes and to ensure that action was taken to resolve any problems that he encountered.

Since 2000 the Council has largely succeeded in continuing to ensure that this strategic network remains open and available for use. Whilst it is clear from the 2002 Condition Survey that a significant backlog of work remains to be dealt with before the whole path network can be made available, therefore, it is also the case that the most important paths throughout the County can be used without significant problems being encountered. This overall improvement has also been reflected in a significant fall in the number of complaints being made to the authority.

### **8.2 CROW Act review**

The Council's approach to the routine management and maintenance of the rights to way network was reviewed and further strengthened in 2002 in the light of the amendment, by the Countryside and Rights of Way Act 2000, of the provisions which allow members of the public to take action to compel the authority to deal with a right of way this is obstructed or out of repair<sup>3</sup>. This led to the appointment (supported by CROW Act funding) of a second Access Officer within the Rights of Way Unit, together with other changes to working practices to ensure that problems are dealt with quickly as possible and that the authority remains fully accountable.

The new Officer is responsible for overseeing all maintenance and enforcement issues, including the annual strimming programme as set out below supervising the two Footpath Inspectors who previously worked more autonomously. While this has led to some loss of independence for the Inspectors, it has also ensured that better monitoring can take place and that the authority is able to deal with problems that are reported to it more efficiently.

The results from the regular BVPI sample surveys show that Denbighshire's performance in looking after its path network is consistently above average when compared to that of other Highway Authorities in Wales. Nevertheless there is recognition that the way in which maintenance and enforcement issues are dealt over most of the network remains largely reactive, nor is it possible to carry out

anything more than a minimal sample survey of the network each year. A long-term aim is to move to a situation in which 90% of all rights of way are inspected at least once every three years as set out below, and that the network as a whole can be proactively managed. This would include carrying out as much work as possible on a preventative basis, before the path concerned becomes obstructed or difficult to use.

### *Countryside Access Management System (CAMS) and the 2002 Network Condition Survey*

Denbighshire was one of the first authorities in the UK to adopt CAMS – the Countryside Access Management System – which is a computer software package developed by exeGesIS SDM Ltd and used to help manage, maintain and promote the rights of way network and other public access areas and paths. It was acquired in 1996 after an existing Clwyd system was lost on re-organisation and was an essential in the comprehensive survey of the condition of the whole path network was carried out in 2002.

The 2002 survey was undertaken using professional surveyors and was also used to build up a detailed inventory of the location and condition of all path furniture throughout the County. It found that the path network contains almost 10,000 items of furniture, ranging from large bridleway bridges to individual stiles and waymarking posts. While the condition of these varied, a large number were found to be defective, dilapidated or nearing the end of their useful lives.

In addition to holding a detailed inventory of the location and condition of all path furniture, the CAMS system includes other geographical and topographical information and is able to calculate, for example, the total length of the recorded path network, the density and availability of routes to different type of path users and the gradient of individual rights of way. This latter information could be useful in identifying paths that might be especially suitable for users who are disabled or who have restricted mobility.

In 2007 CAMS was upgraded to allow routes which are actively managed and promoted to be readily identified, and also networked to give members of the Countryside Service, based at the countryside offices in Loggerheads, on-line access to the database. This upgrade means that system could be easily extended to record and help manage a hierarchy of the whole path network including non-definitive recreational routes.

### **8.3 Annual strimming programme**

Following legislative changes which limits the use of herbicides in the vicinity of Public Rights of Way, a regime was introduced with the ultimate aim of strimming every path on the network where undergrowth is not restricted by grazing from livestock. However priority is given first to paths in urban areas which serve community facilities such as schools and which are usually strimmed three times a year, and then the well-used paths in other locations or those where the growth of vegetation has previously given rise to complaints.

The work is currently carried out under contract with a single, competitive contract being let for the whole County at a cost of approximately £12,000 per annum.

#### **8.4 Other maintenance and enforcement issues**

In the absence of a regular programme of inspections, most other maintenance or enforcement issues are normally brought to the authority's attention by members of the public, although a proportion are found by the Footpath Inspectors or other officers in the course of their work. Once an issue comes to light it is first recorded and then passed by the Maintenance Officer to the appropriate Paths Inspector who will attempt to identify and contact the landowner. The knowledge, experience and personal contacts within the farming community built up by the two Paths Inspectors means that most problems can be resolved quickly on a one-to-one basis in this way, normally within two to three weeks. Where this approach is not successful, however, the matter will be referred back to the Maintenance Officer and will then be taken up more formally through correspondence.

Where appropriate, the Footpaths Inspector will arrange for a replacement stile or bridle gate to be supplied from the stock held in the Council's depot. Alternatively, where the work required is the Council's responsibility and is small-scale he will arrange for this to be undertaken by the DSO. Larger items of work will be referred back to the Access Officer to be put out to competitive tender, although their timing may be subject budgetary constraints.

#### **8.5 Denbighshire's ongoing Performance Indicators**

In common with other highway authorities in England and Wales, the County Council has for the last ten years carried out an annual sample survey of path network to assess its usability. The survey assesses two indicators; the overall ease of use of rights of way by length, which is a NAW Performance Indicator (PI 6.10), and the percentage of public rights of way that are signposted where the way leaves a metalled highway. This was originally one of the performance indicators for rights of way determined by the Audit Commission and has since been adopted by the County as a Local Indicator (LI/HT/HM2). The methodology adopted to determine for both indicators is that recommended by the County Surveyor's Society and comprises a random 5% sample of paths as recorded on the Definitive Map, of which half are surveyed in May/June and the remainder in November. For the 2006/07 survey, this comprised 53 paths with a combined length of 64.81 km.

The Council prides itself on having maintained a consistent and high standard of data collection for the whole of the ten years for which data has been collected. Unlike many other authorities, Denbighshire's survey is carried out each year by a single trained officer. The Maintenance Officer undertook the survey from 1996 to 2004. Since then a second officer has been trained to continue the survey to the same format, which maintains a consistent standard.

##### **8.5.1 Ease of use of rights of way**

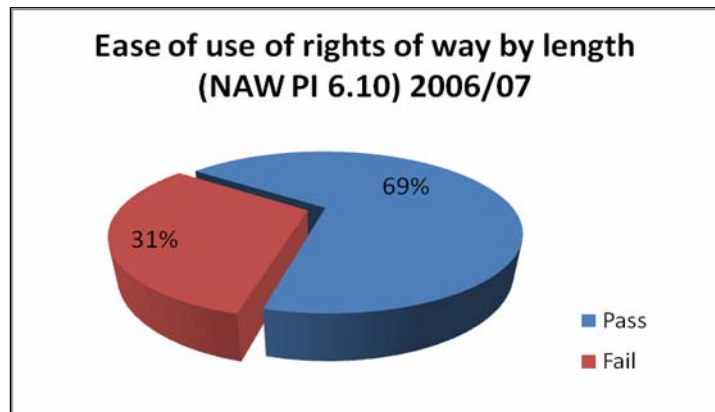
Of the 53 paths surveyed in 2006/07, 33 met the criteria for usability, a pass rate of 69% measured by length. This is an increase of 5% over the previous year's figures.



When viewed nationally, over the past ten years Denbighshire's performance has consistently been within or above the upper quartile for all authorities in Wales.

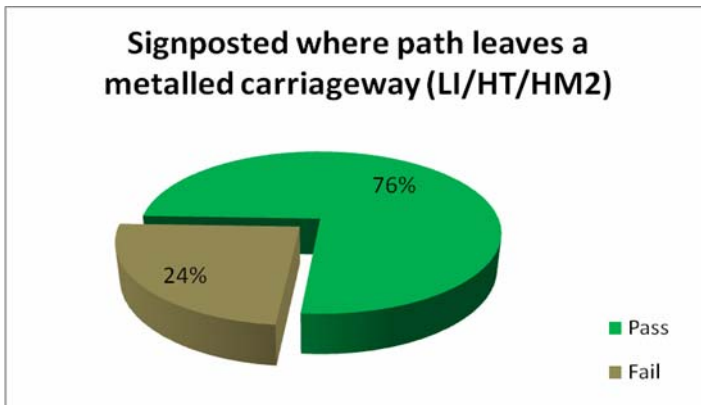
Similarly, since 2001 the County's rate of improvement has also been consistently above that of the all-Wales average, as is the projection of performance to 2017 as shown in the graph on page 41 This projection may be misleading, however, in

that it fails to take into account the authority's inability to be able to make inroads into the backlog of maintenance commented on in section 8.6.



### 8.5.2 Signposting where paths leave a metalled carriageway

The 53 paths in the 2006/07 survey included a total of 83 locations where the path met a metalled highway and where a signpost must be provided to meet the requirements of the Countryside Act 1968. At 63 of these locations (76%) a sign was present and classified as adequate, whilst at 20 (24%) there was either no sign or it was inadequate. This is the highest ever pass rate achieved for this indicator and represents a significant improvement in performance over 2005/06, for which the pass rate was 57%. The mean pass rate over ten years since 1997/98 is 64.9%.

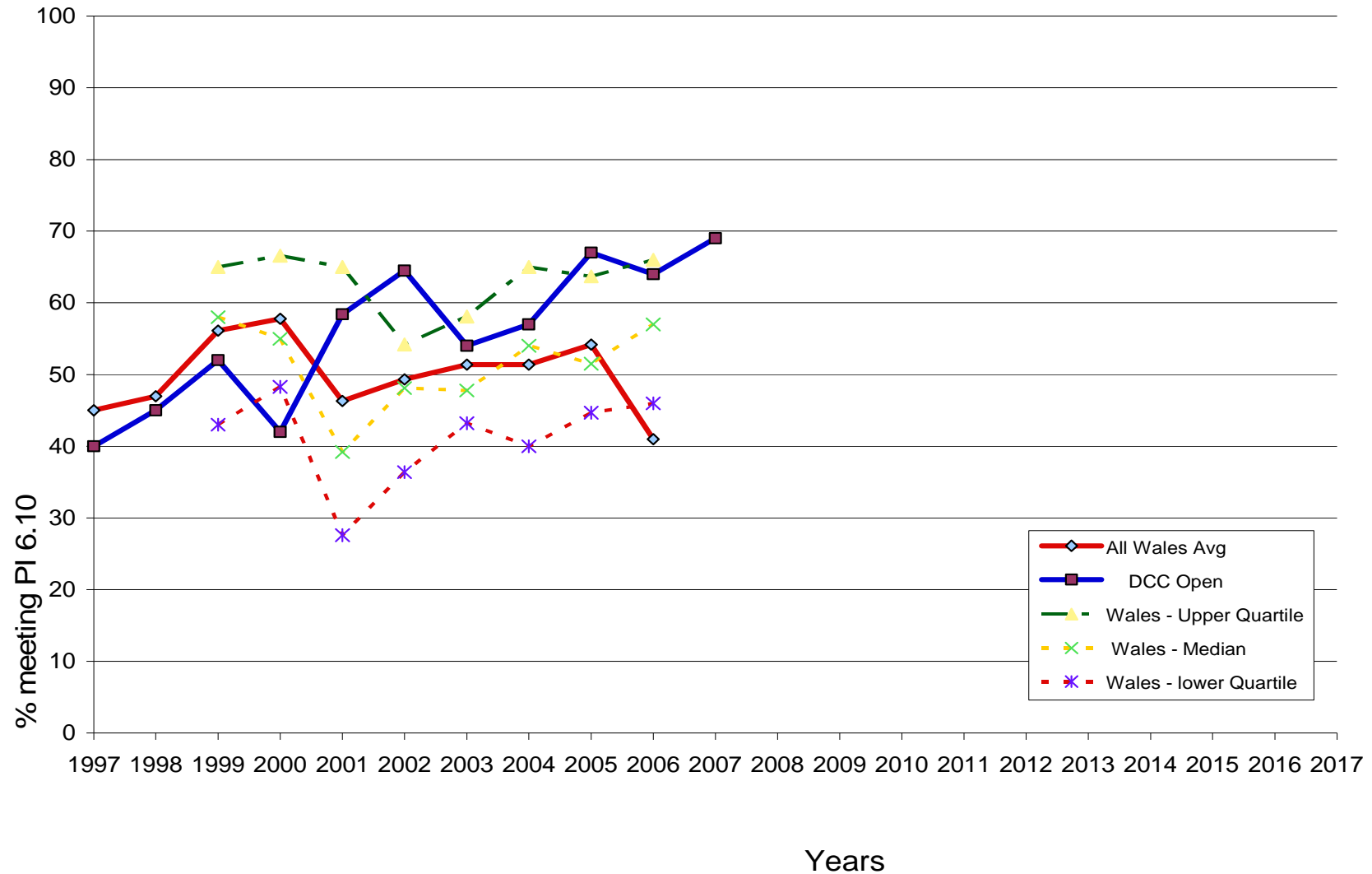


or it was inadequate. This is the highest ever pass rate achieved for this indicator and represents a significant improvement in performance over 2005/06, for which the pass rate was 57%. The mean pass rate over ten years since 1997/98 is 64.9%.

Analysis of a digital model

showing the authority's path network in relation to the adopted highway network indicates that there are a total of 2,296 locations across the County at which the right of way is required to be signposted if the provisions of the 1968 Act are to be met. A projection of the survey figures therefore suggests that between 550 to more than 800 additional signposts would be required to fully comply with the Council's duty.

**Figure 1. Ease of use of rights of way (NAW PI 6.10) 1997- 2007 and projected condition of network 2007 - 2017**



## **8.6 More effective Paths Inspections**

The current strimming and maintenance regime described in sections 8.3 and 8.4 is sufficient to prevent a significant further overall deterioration in the condition of the path network but does not allow the Council to make inroads into the backlog of maintenance issues that were shown by the 2002 survey to exist. These include both the poor condition of much of the path furniture (stile, gates, signposts, waymarking, etc) and drainage and surfacing issues.

The appointment of an additional Footpath Inspector would allow a change from the current “fire fighting” approach in which problems are identified and dealt with only after they have arisen, to a proactive one in which all the currently promoted paths could be routinely inspected at least once a year and those paths that are agreed with the Community Council's as being important to their areas at least once every two years. If linked to the adoption of a path hierarchy (see below) this could be extended to include the inspection of all category 3 paths at least once every three years and category 4 paths once every four years. This would not only lead to an improvement of path condition but will stop the continuing decline of those that are not being inspected.

## **8.7 Cost of bringing the network up to standard**

While the 2002 survey of the whole of the path network recorded almost 10,000 individual items of path furniture, it also found that a high proportion of these were defective or were nearing the end of their useful lives.

In 2007 additional work was carried out by the CAMS system suppliers' (exeGes|S SDL Ltd) to further analyse this data and calculate the likely total costs of dealing with the backlog of maintenance based on typical unit costs for the furniture concerned. The results show that repairing or replacing all of the items that were found to be in need of attention would require a one-off expenditure of around £590,000.<sup>4</sup> Thereafter, to keep the network in good condition would require an on-going expenditure of between £100,000 and £150,000 per annum, based on the estimated lifespan of the furniture concerned. These figures however do not take into account the cost of clearing vegetation or of dealing with drainage or other surfacing issues as and when they arise. Nor does it recognise the funds that will be needed to raise the standard of many paths to being better accessible to those with impaired mobility.

## *Developing a network hierarchy*

In the same way that surfaced highways vary widely in their function and importance from major trunk roads to minor lanes, public rights of way also serve a range of different uses and vary considerably in their importance. But while it has long been recognised that these differences should be reflected in the way in which surfaced roads are managed and maintained, no such differentiation currently exists in relation to public rights of way. This means that it can sometimes be difficult to determine priorities and that there is a danger that money may be wasted or not used to the greatest effect. Nor is it easy to develop a co-ordinated strategy for the whole path network.

The issue of prioritising the improvement and maintenance of rights of way was considered by the Local Access Forum in 2004 following an assessment which showed that, with the current level of resources, it would take until at least 2017 before the whole path network could be open and available for use at a basic minimum level. The Forum proposed that all rights of way in Denbighshire should be managed on the basis of a hierarchy that divided the network into categories based on the importance of each individual path within the local community and wider County network. Using this model and with additional resources it was hoped that the whole of the primary network could be opened within five years.

Although this specific proposal was rejected by the authority because of the cost implications, the idea of using a hierarchy to help manage the network to the best effect and to ensure the most efficient use of limited resources is one which deserves further consideration. It also chimes in with several of the other themes which have emerged from this assessment, including the need for greater involvement of Community Councils with the paths in their area and the need for a scheduled system of path inspections.

A four-tier hierarchy and approximate proportions the network might comprise:

Group 1	<b>Promoted paths:</b> Paths that are part of a nationally or locally promoted route or are otherwise of exceptionally high scenic or recreational value.	25%
Group 2	<b>Local networks:</b> Paths agreed with the Community Council as important local paths	30%
Group 3	<b>Other local paths:</b>	35%
Group 4	<b>Remainder paths:</b> Paths which are a dead end, directly duplicate other paths or do not form part of a useful network	>10%

The CAMS software has a built-in ability to classify paths according to such a hierarchy.

The adoption of a hierarchy would not, of course, affect the legal status any path. Nor would it take away the obligation on landowners to ensure that paths are unobstructed, or affect the Council's duty to assert, protect and record all the public rights of way in its area.

## 9 Publicity and promotion

The development and promotion of routes for recreational walking and cycling is undertaken by the Countryside Service rather than the Rights of Way Unit, with the Service putting together funding packages from a wide variety of external sources to be able to carry out specific initiatives. All promoted routes are inspected at least once a year, and the Countryside Service will also normally undertake all routine maintenance on these paths as and when it is necessary to do so. However major works will still be referred to the Rights of Way Unit and their timing may be dependent on the availability of funds within the rights of way budget.

Currently there are over 100 miles of promoted rights of way in the County or some 12% of the entire path network. These are targeted at a wide range of different audiences, from long day and multi-day walks and mountain bike cycle routes through challenging areas aimed at the most experienced and enthusiastic users, to paths at honey pot sites and 'short walks for busy people' aimed at those with little or no experience of recreational walking.

### 9.1 Offa's Dyke Path National Trail

The Countryside Service's main priority (beyond looking after the rights of way and other paths in the 23 properties owned by the County Council that are open to the public) is the maintenance and on-going development of the Offa's Dyke Path National Trail. The Service is responsible for approximately 71 kms of the 285 km route (including several short sections in Flintshire) which it maintains at an annual cost of approximately £10,000. Three-quarters of these routine maintenance costs are reimbursed by the Countryside Council for Wales, which also fully reimburses any development costs.

### 9.2 Regional routes

Three other walking routes have been developed and are promoted by the County Council on a regional basis, the aim being to provide attractive routes through high quality scenery and with the potential to generate economic benefit for some of Denbighshire's most remote rural communities. The routes, all of which join the Offa's Dyke National Trail and which were based on existing rights of way, vary in standard but tend towards being moderate to difficult and are therefore most suitable for experienced walkers.

The paths are the North Wales Path, Hiraethog Way and the Dee Valley/North Berwyns Way. In each case a separate one-off funding package was first developed from a variety of external sources to enable the route to be developed and implemented. After carrying out a detailed survey to determine the most suitable line for the route, this has involved upgrading stiles, gates and other path furniture as necessary, the provision of signposting and waymarking to a uniformly high standard and using a distinctive route logo. Guidebooks have also been produced and the routes publicised, primarily through the use of the Internet.

To ensure that every promoted route continues to offer a uniformly high standard of walking each one is inspected annually and is maintained by the Countryside

Service. This includes carrying out work such as the repair or replacement of stile and gates that would normally be the landowner's responsibility.

### *Offa's Dyke National Trail and Denbighshire's Regional Routes*

**Offas' Dyke Path.** Running 285 km/177 miles from Chepstow on the Severn Estuary in the south to Prestatyn in the north, Offa's Dyke Path was opened in 1971 and was Wales' first National Trail. Approximately 70 km/44 miles are in Denbighshire, almost all of this being within the Clwydian Hills AONB.

**North Wales Path.** 95 km/60 miles route running close to the North Wales coast from Prestatyn in the east to Bangor in the west of which 16 km/10 miles are in Denbighshire. The route was developed by the former Clwyd County Council with grant-aid funding from the Countryside Council for Wales.

**Hieraethog Way** (Mynydd Hirathog & Denbigh Moors footpath network). This is a 63 km/40 miles route starting at the village of Pentrefoelas in Conwy, crossing over the moorland of Mynydd Hiraethog and ending at Llanrhaeadr, together with six shorter circular walks. It was developed in the early 1990's by Denbighshire's Countryside Service in partnership with Conwy CC, with funding from CCW. The linking routes include the **Brenig Trail** a 16 km/10 mile walking and cycling route around Llyn Brenig.

**Dee Valley Way and North Berwyn Way.** Two 24km/15 mile linear paths between Corwen and Llangollen, one along the Valley of the River Dee and other south the river climbing through the wild Berwyn Mountains. Both paths have been developed by the Countryside Service in the last 3-4 years with funding from Cadwyn Clwyd, Leader and the aggregates levy. The paths join at either end and can be linked to form a two-day circular walk.

A fourth regional route, Moor to Shore, is envisaged running from north to south down the western side of the county. The route, which will be developed using existing public rights of way, will be an attractive two or three day walk in its own right, and will also connect with the western ends of the three other regional routes. Along with the Offas' Dyke Path, this will form a figure of eight across the County, providing a wide choice of multi-day walking routes, all of which are on well maintained and clearly waymarked paths through the County's most distinctive and attractive landscapes. The Moor to Shore proposal is included in the Local Development Plan for tourism but will be dependent on external funding from a body such as CCW or WAG before it can be implemented.

### **9.3 Local 'honey pot' routes**

The Countryside Service's third priority is the development and maintenance of a number of 'honey pot' routes. These are short, often circular routes developed with local business and action groups providing access to popular local beauty spots and linking Countryside Service properties together. In common with the Regional Routes described above, they have been developed using specific funding packages, in this case often involving local business action groups, and are regularly inspected and maintained to a high standard by the Countryside Service.



### *Local honey pot routes*

Local honey pot routes developed and maintained by the Countryside Service include:

- **Llangollen History Trail.** A 10km /6 mile circular route taking in the Llangollen Canal and Horseshoe Falls
- **Corwen Circular Walks.** Three circular walks of 2½, 4 and 6 kms (1½, 5 and 6 miles)
- **Enjoy Prestatyn's Countryside.** A series of short walks around Prestatyn with links to public transport
- **Working walks in Ruthin, Prestatyn, Corwen and Llangollen.** Short 1 - 2 mile circular routes promoted as 'short walks for busy people'
- **Loggerheads Discovery Trail and Loggerheads Industrial Trail;** two 2.5 km/1 mile walks highlighting the wildlife and industrial history of Loggerheads Country Park.

## 9.4 Cycling routes

Routes for off road cyclists are promoted through two websites, Ride the Clwyds ([www.ridetheclwyds.com](http://www.ridetheclwyds.com)) and Ride the Hiraethog ([www.ridethehiraethog.com](http://www.ridethehiraethog.com)). Both are virtual promotions in that routes are not waymarked or signposted but rely on detailed route guides, maps and advice which can be downloaded.

Ride the Clwyds was set up in 2002 with a one-off grant being used to employ a Project Officer for a year, with the aim of developing a cycle friendly resource linked to accommodation providers and other facilities which would encourage cyclists to visit and stay in the area. Initially focussed on a limited number of routes over Moel Famau, it now covers the whole of the Clwyds with 13 routes in three categories, easy, moderate and hard. These use bridleway, byways and unclassified roads and total of more than 400 kms. The site also links to the private mountain biking facilities at Coed Llandegla.

The site was immediately popular, particularly with keen mountain bikers, receiving an average of 6,000 – 7,000 hits a week in its first year. This has now levelled off, but there is pressure to continue adding more routes as riders have “used up” the existing ones. There is also pressure to include more family friendly routes (the area in general favours harder, more technical cycling) and enquiries have been received from equestrians about whether the routes could accommodate horses. In practice, the network could only be expanded if it was extended it into the Berwyns or Dee Valley.

Ride the Hiraethog was developed in the same way, initially with funding from Forestry Commission to encourage cycling in the Clocaenog Forest. While the Hiraethog does not have a comparable network of potential cycling opportunities to that which existed in the Clwyds, six routes have been developed totalling almost 200 kms and are currently promoted on the website, together with links to the Alwen Trail. These use a combination of rights of way and permissive tracks on Forestry Commission and Welsh Water land. However, while some riders have migrated to

the Hiraethog from the Clwyds, the area remains generally less popular, being more remote from centres of population, scenically less attractive and with fewer facilities.

Both sites include links to specialist accommodation providers (e.g. with bike washes and secure bike storage), cycles shops and cafés, pubs and village shops. The economic effects have not been formally assessed but businesses in both areas say that the sites have had a positive impact and are keen to be listed.

Despite the scale of the extra cycling use, maintenance of the routes on the ground has not been a significant problem due to the nature of the routes themselves and the underlying geology. However, the two websites require on-going maintenance, particularly to ensure that business information remains kept up to date. The sites would also benefit from further development to include, for example, a users' gallery to encourage feedback. It is hoped that provision for this might be made in the Denbighshire Rural Development Plan for tourism. Other opportunities are available through the RTP with Council plans looking to extend dedicated cycle routes in the Dee and Clwyd Valleys which will support both sustainable transport and recreational use.

### **9.5 Managing the expectations created by externally promoted routes**

The County Council is concerned about the confusion which can arise from proliferation of self-promoted routes, a number of which have been established without the cooperation (and sometimes without consulting) of the County Council and may be poorly or inconsistently waymarked on the ground.

There have been problems associated with the Clwydian Way, which is a 196km/122 mile route mainly in the form of a circle through the Clwydian Range and Vale of Clwyd and linking the towns of Ruthin, Llangollen, Corwen, Denbigh, St Asaph and Rhuddlan and with a spur to Prestatyn. It also has an alternative 48km/30 mile moorland section linking Mynydd Hiraethog, Llansannan and Denbigh and creating several shorter circuits.

The route, which was developed by the Ramblers' Association as a millennium project and opened in 2001, was originally unsigned, the expectation being that those using it would want to purchase the RA published guide book. However, although not comprehensive, route identifying marks were put up by RA volunteers in 2003 and 2004 with some financial support from the County Council using European Union funding. The Way is now shown on the latest OS explorer maps with the same 'National Trail' symbol as that is used for the Offa's Dyke path.

As a result of this higher profile, the authority is now receiving a substantial number of complaints from path users about the difficulty in following the route without a guide and poor standards of waymarking, despite markings along the way. The development and promotion of the route is the responsibility of the RA and not the County Council. It was never intended that the route would be waymarked to a sufficiently high standard that allow it to be followed without the use of the guidebook or an OS map.



## 9.6 Lesson draw

The County Council is wary of having too many promoted and waymarked ways and is concerned to avoid the situation in which expectations that are created amongst path users can no longer be delivered in practice once any initial start-up funding has been exhausted, and when the initial enthusiasm and commitment by volunteers and local communities may have waned. It is also concerned about the problems of maintaining routes to a sufficiently a high standard once the path furniture or facilities that may have been provided at the outset need replacing.

Its concerns are two-fold. The first is that the inability to meet users' expectations, such as being able to follow a route from waymarks alone, will damage the tourism potential of the walking product and discourage users from visiting the area. The second is that complaints from users and the pressure to maintain all promoted routes to a high standard will divert resources and detracts from the Council's main priority, which should be to ensure that the entire path network is open and available for use at a basic level.

## 9.7 Assessing the take-up and value of promoted routes

The way in which many of the Council's routes are now promoted, including publishing details on the Internet in a form which can easily be downloaded, means that information is readily available to a very wide audience. But also means that it is difficult to monitor the take up or assess whether the promotion is meeting the needs of the target audience. Many of the routes are clearly very popular and, in the case of the two cycling websites, facility providers in the area report an increase in business and are keen to be listed. The Council also receives some direct feedback from a limited number of users. No structured assessments have been carried out, however, beyond counting the number of users on some of the paths. It is therefore not possible to say what type of users are being attracted to use the promoted routes, to what extent they found the promotion useful, and what benefits (personal, social or economic) have been generated as a result.

While there are technical problems in gathering this information, the data could potentially be very valuable. It would, for example, enable the Countryside Service to refine the promotional material it produces to ensure the optimum use is made of the limited resources available. In addition, greater feedback from path users could be helpful in developing the further funding packages which are needed to help maintain the existing routes and develop new ones, as well as making the case in general for greater investment in the rights of way network.

## 10 Network assessment

An important part of the Improvement Plan process is to consider the adequacy of the path network to meet the needs of all type of path users, and the many different ways they may wish to use it, both now and in the future. In order to be able to do this, an assessment of the network has been carried out. The findings are reported in this chapter.

### 10.1 Basis of the assessment

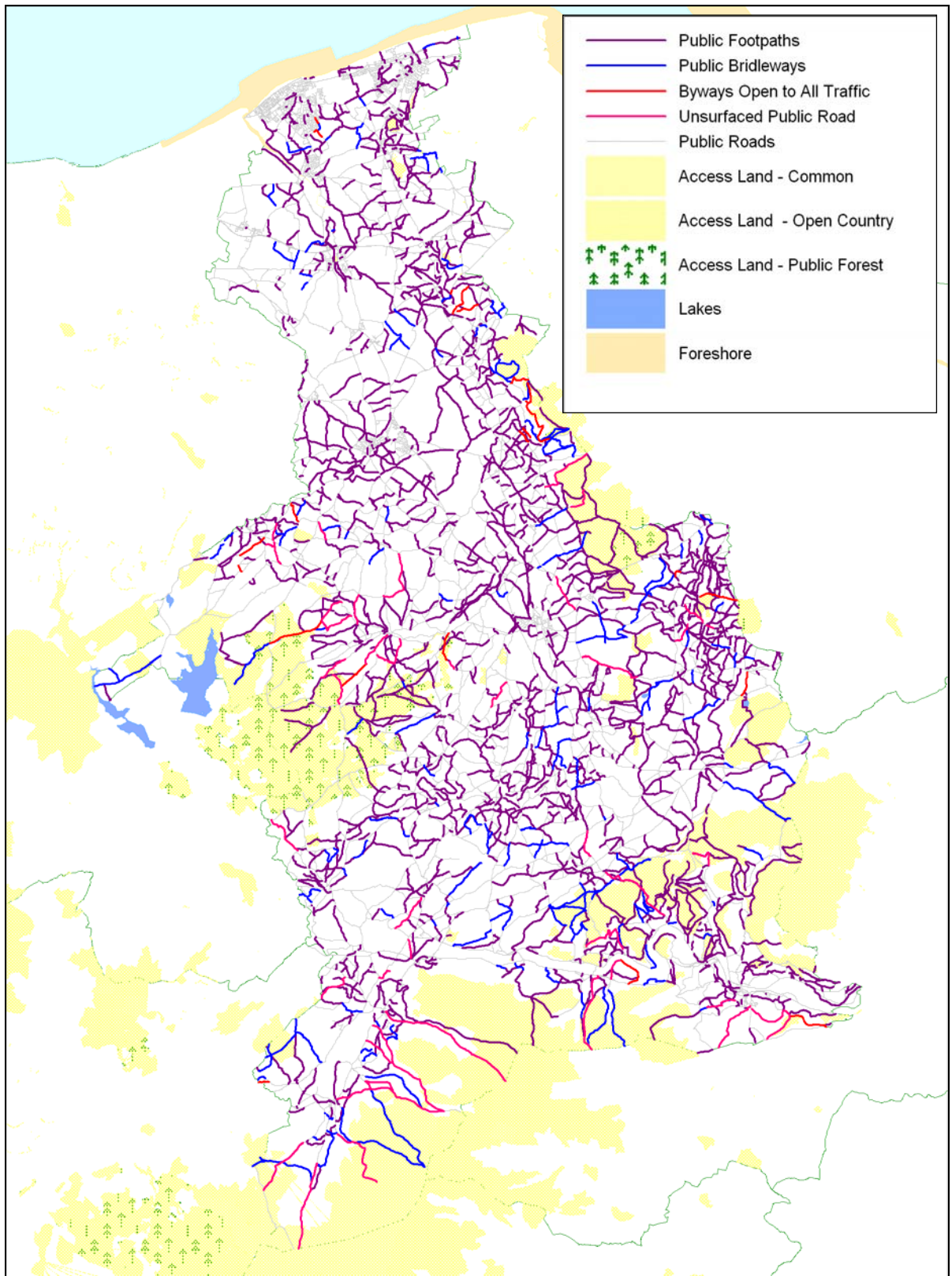
To carry out the assessment, Data that is held in the CAMS package was used to produce the eleven maps reproduced below. The first of these is a composite map showing all access opportunities whether on public rights of way, unclassified county roads or access land. The remaining maps show the relative distribution of footpaths, bridleways byways and unclassified county roads and, therefore, the availability of rights of way and other lightly trafficked highways to different types of path user. The eleven maps show:

Map 1	All Access Opportunities: Public Rights of Way, Unclassified Roads, Access Land and Coastal Access
Map 2	Distribution of Public Rights of Way
Maps 3, 4, 5	Footpaths and Footpath Density by Community Council Areas and 1 km Grid Square
Maps 6, 7, 8	Bridleways and Bridleway Density by Community Council Areas and 1 km Grid Square
Map 9	Bridleways, Byways and Unsurfaced Unclassified County Roads
Maps 10, 11	Byway Density by Community Council Areas and 1 km Grid Square

The maps in turn formed the basis of the assessment discussed in sections 10.3 – 10.8 in which the County was divided into five distinct areas (shown on Map 12), and then reviewed by a number of officers and path users with a detailed knowledge and experience of the path network.

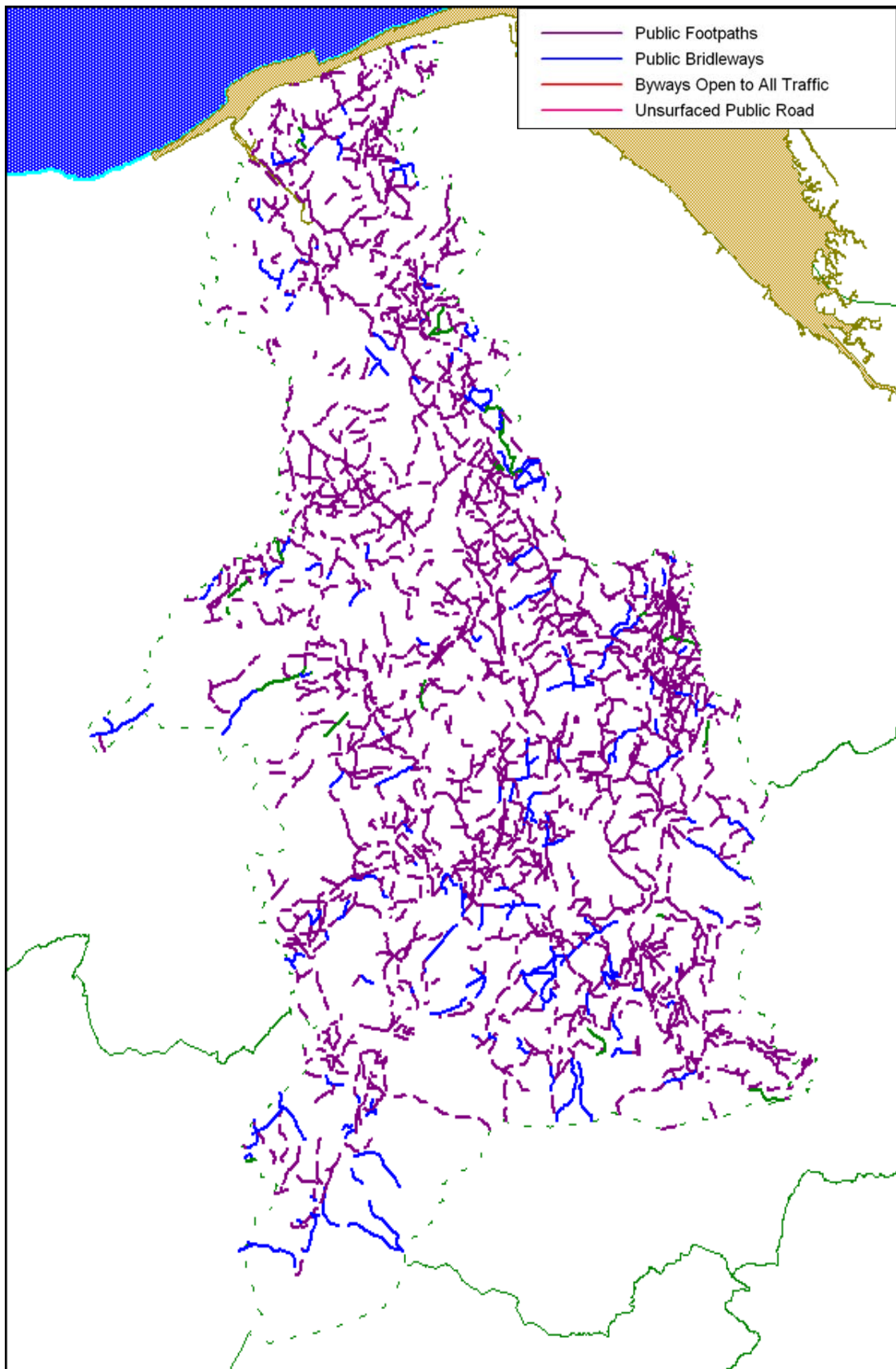
Section 10.3 below therefore first gives an overall assessment of the adequacy of the rights of way network from the point of view of each class of path user. Sections 10.4 to 10.8 then look at each of the five areas in turn and similarly assess each one from the point of view of the main types of path user.

**Map 1. All Access Opportunities: Public Rights of Way, Unclassified Roads, Access Land and Coastal Access.**



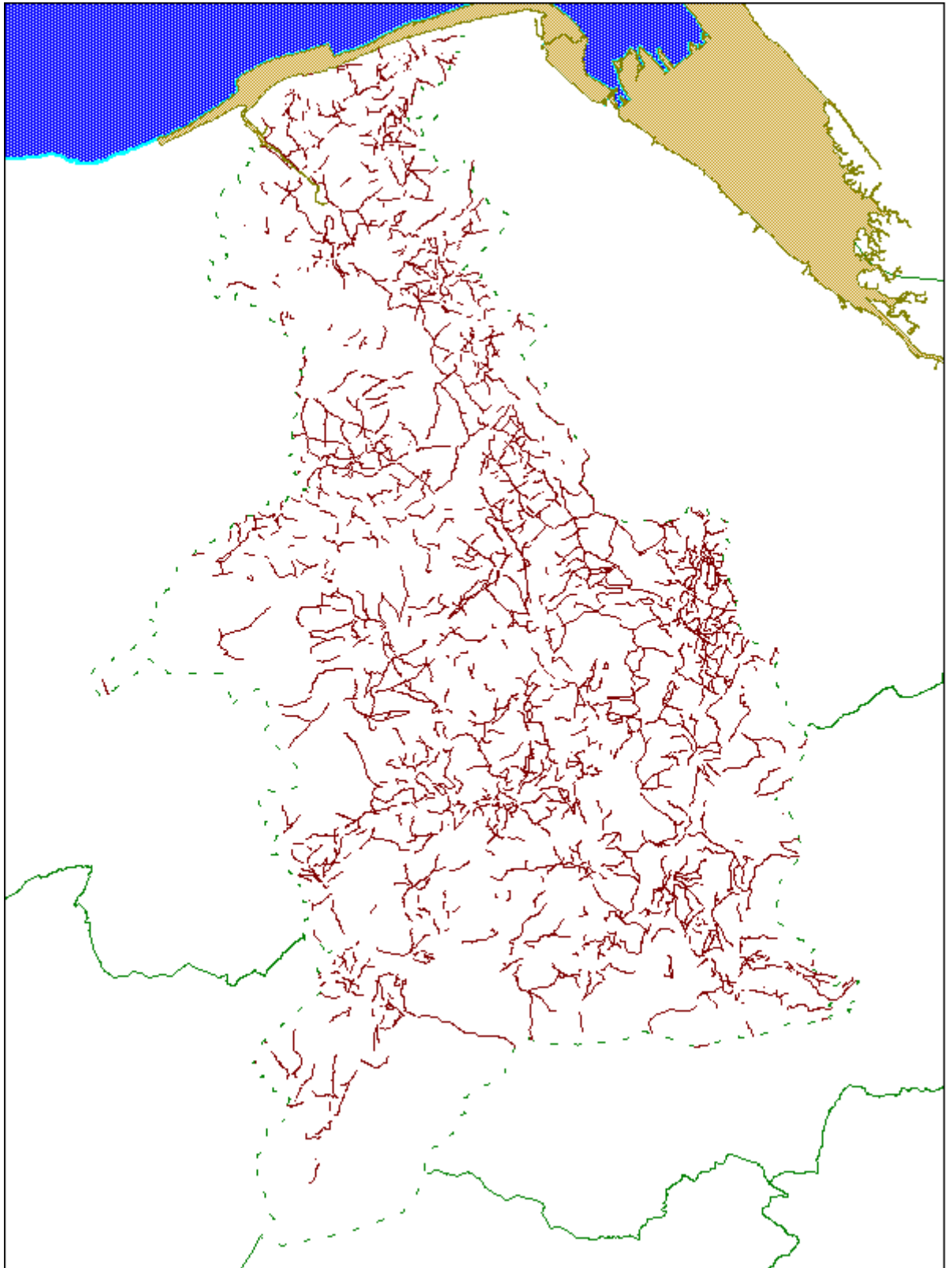
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**Map 2. Distribution of Public Rights of Way**



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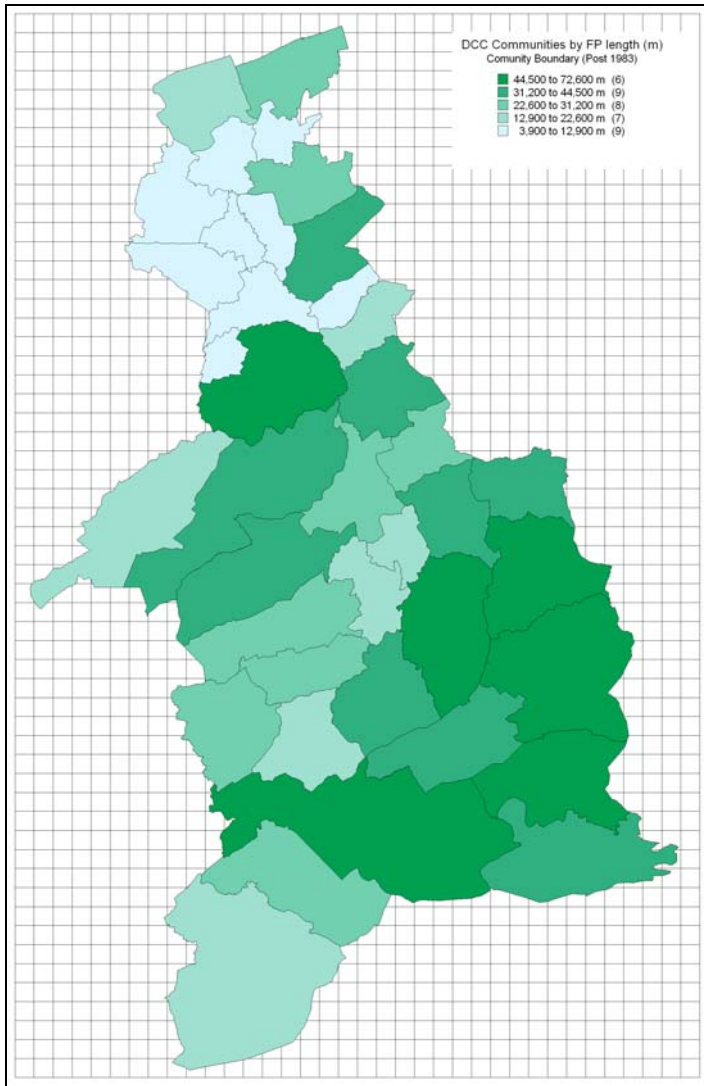
**Map 3: Public Footpaths**



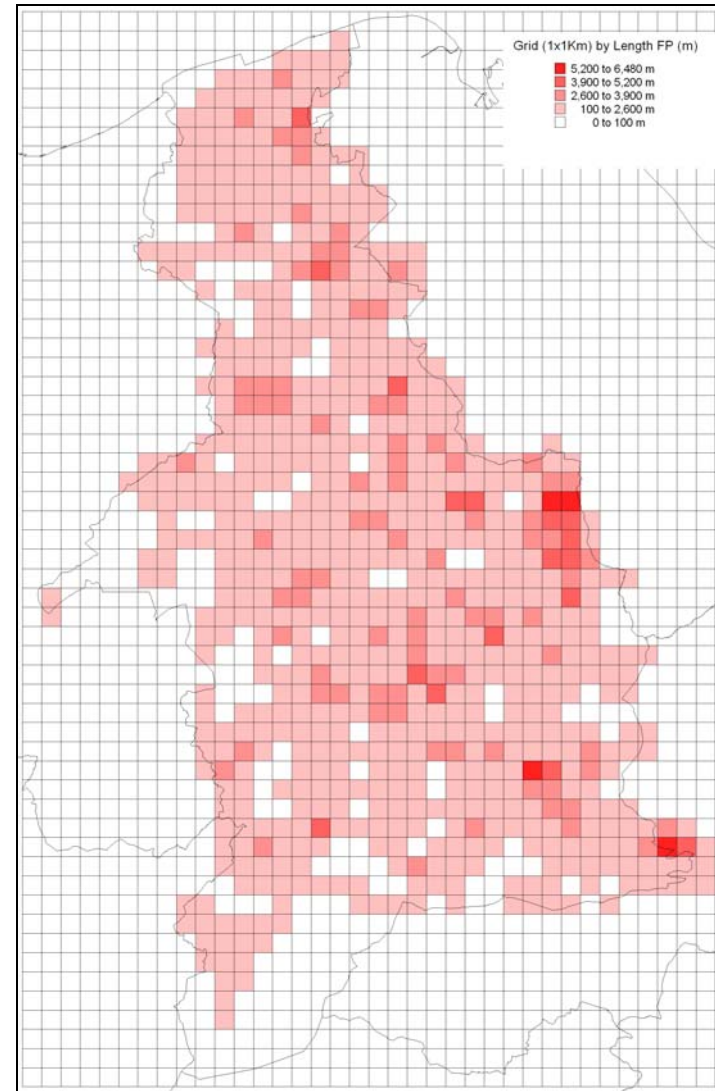
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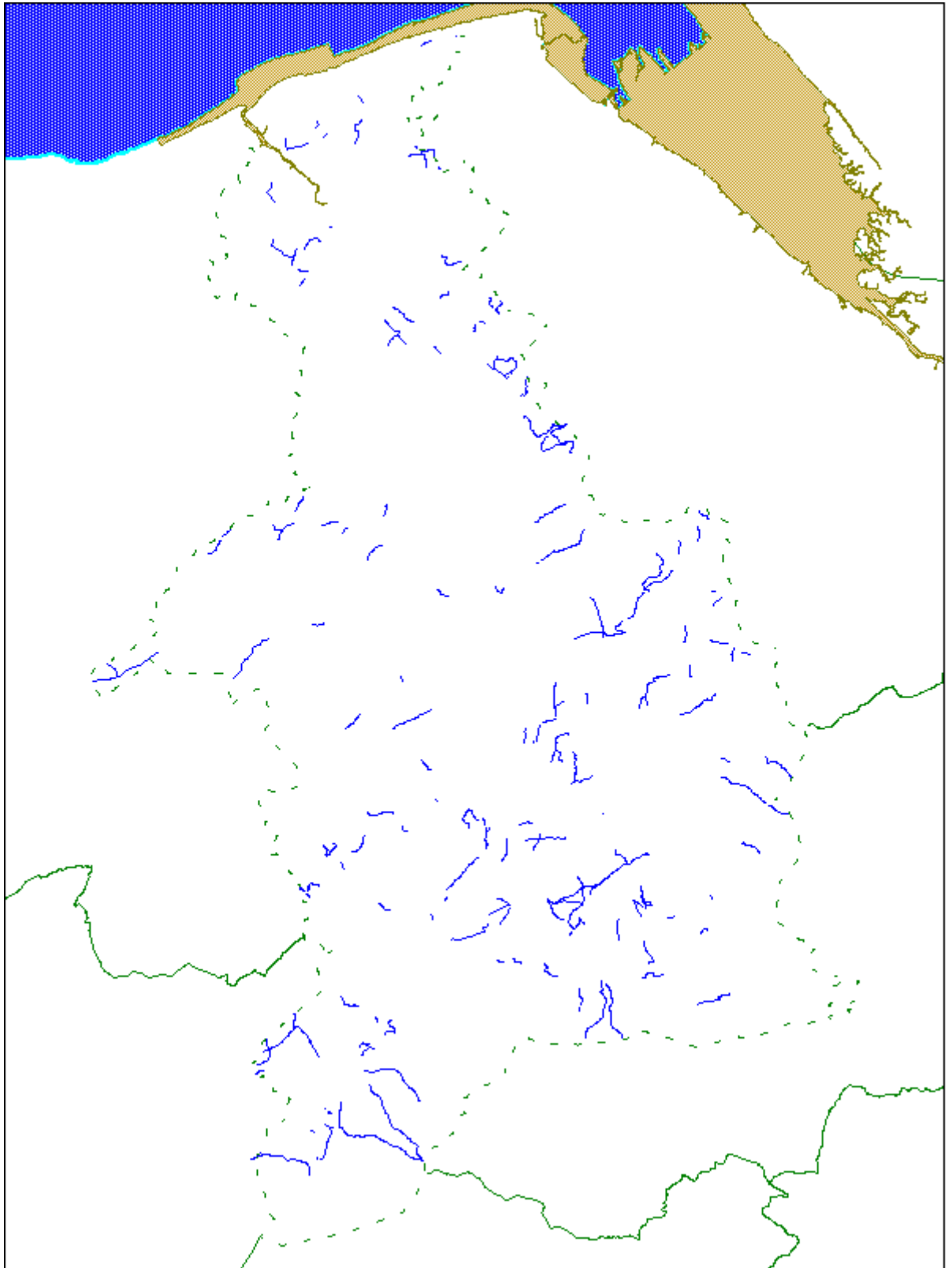
**Map 4. Footpath Density by Community Council Area**



**Map 5. Footpath: Density by 1km Grid**

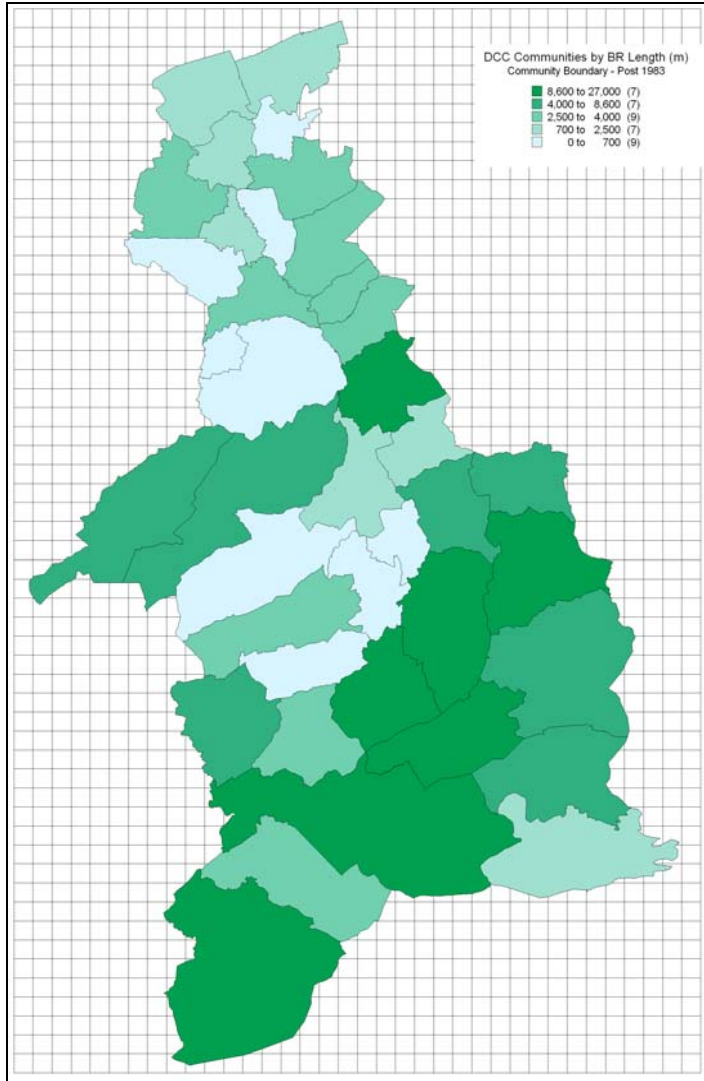


**Map 6: Bridleways**

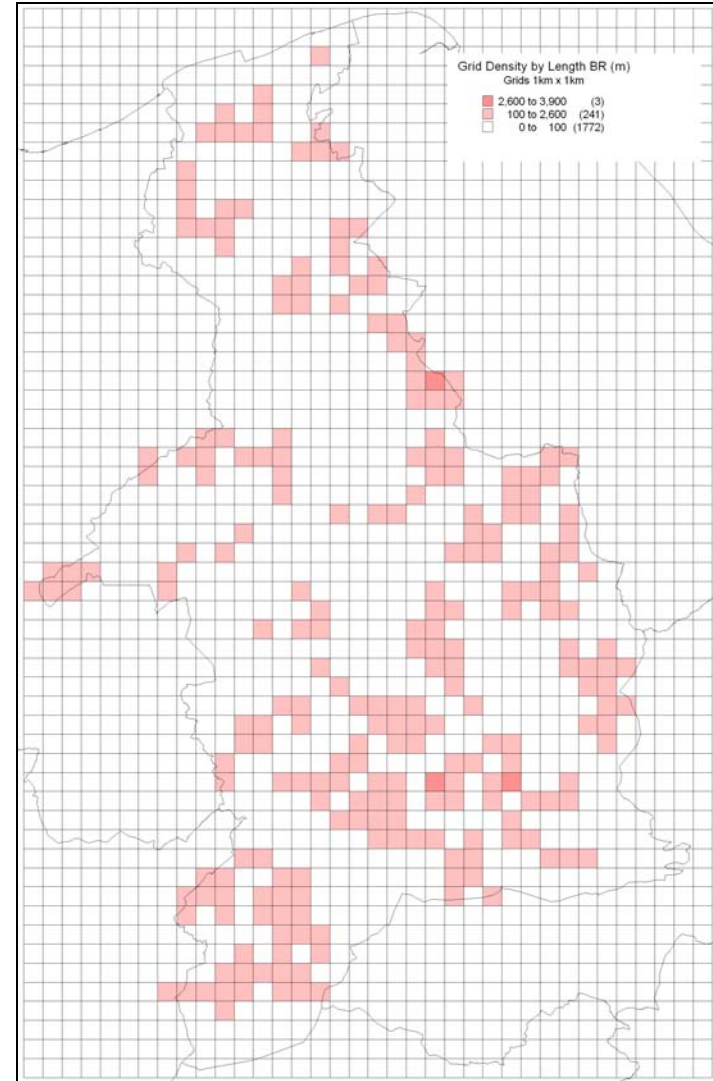


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**Map 7. Bridleway Density by Community Council Area**

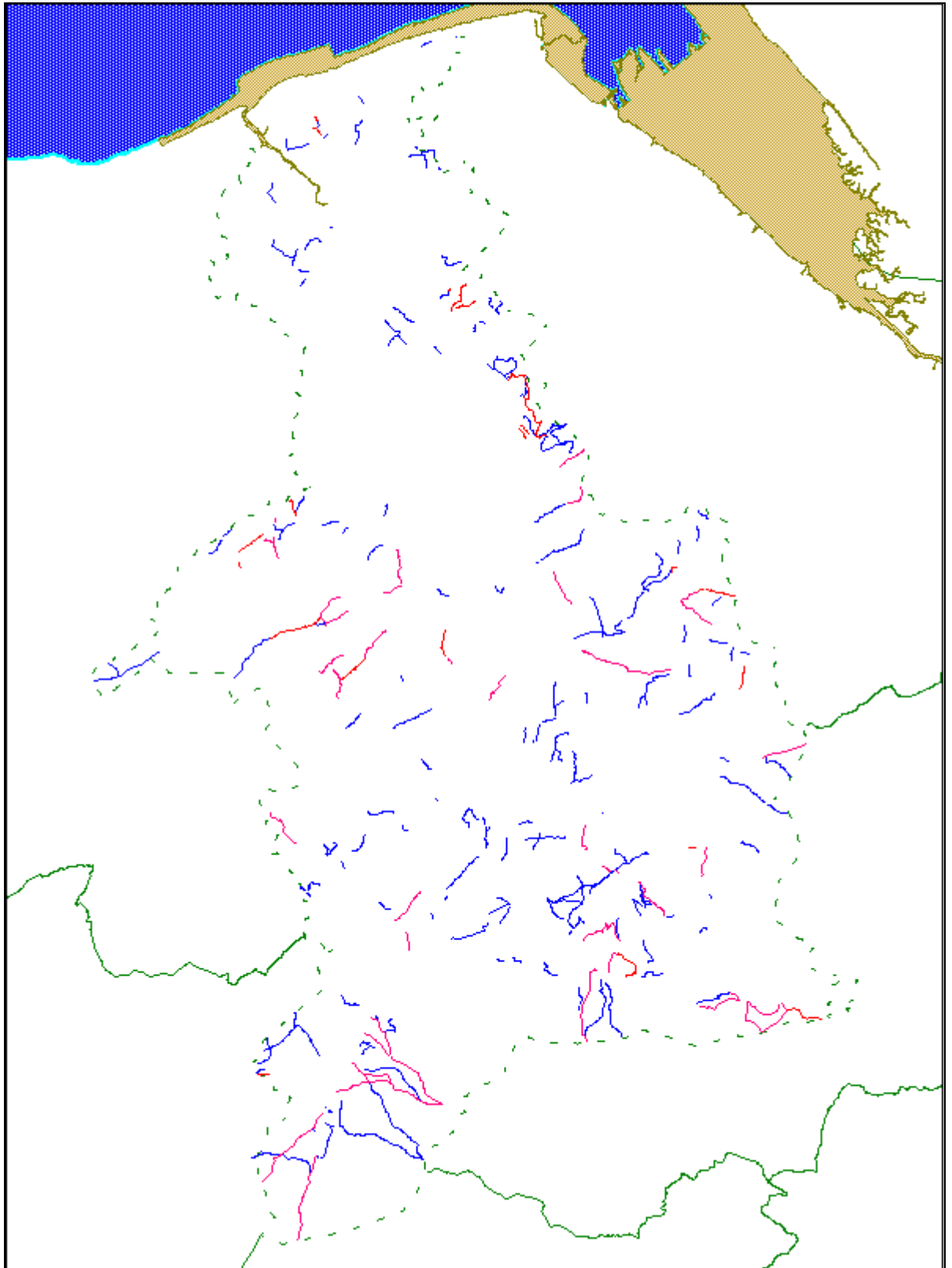


**Map 8. Bridleway Density by 1km grid**



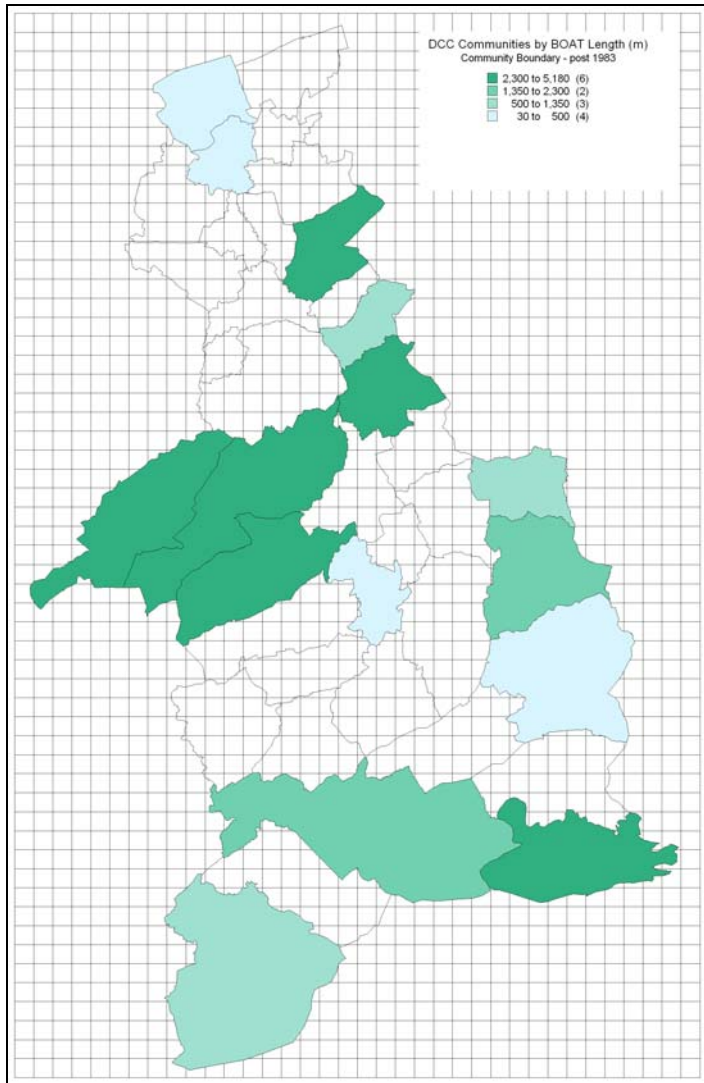


**Map 9: Bridleways, Byways and Unsurfaced Unclassified County Roads**

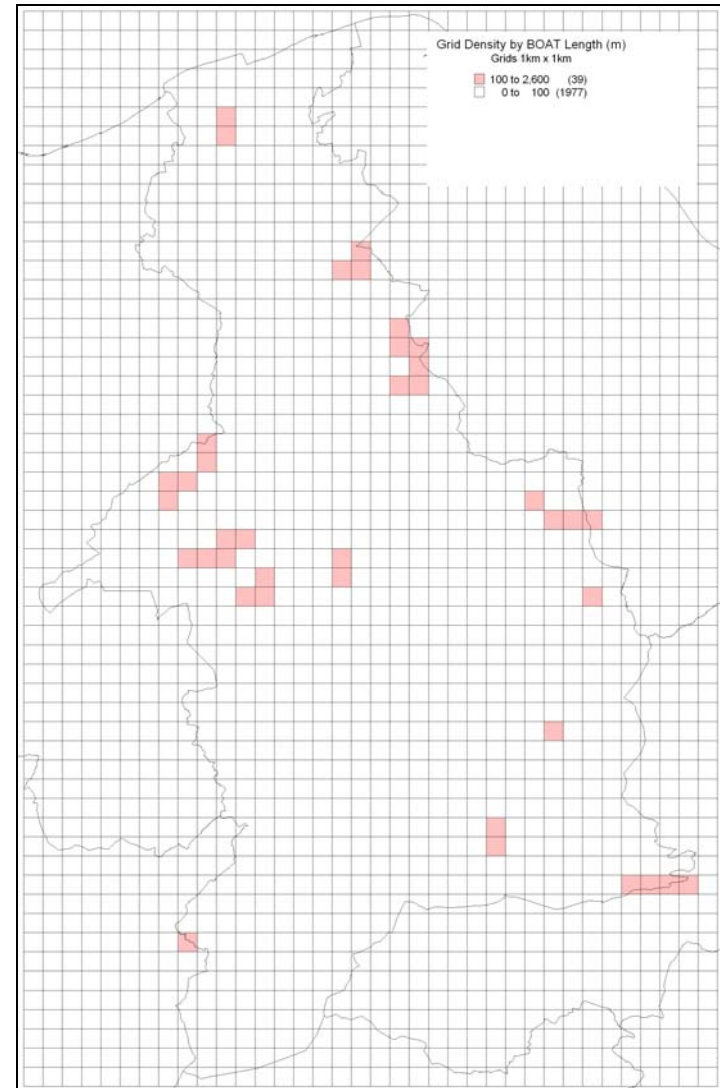


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**Map 10. Byways Density by Community Council area**



**Map 11. Byways Density by 1km grid**

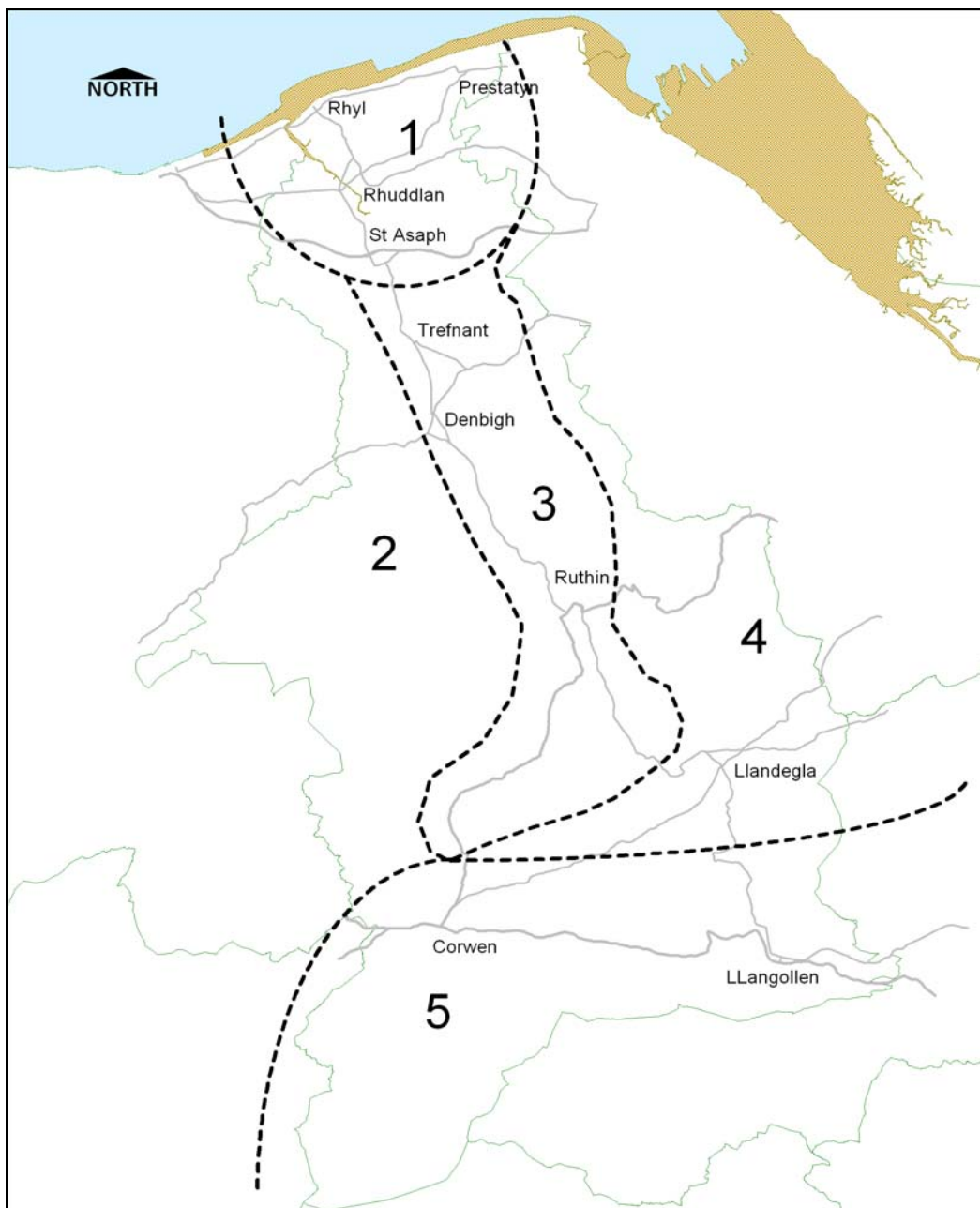


## 10.2 Division of the County into landscape and recreation areas

Viewed overall, the County can be divided geographically and topographically into five distinct landscape areas (Map 12). The nature and density of rights of way within each of these areas and, to a large extent, demand for and use of the path network, also reflect these different characteristics. The five areas are:

1. Coastal zone (area to the north of the A55)
2. Denbigh Moors / Mynydd Hiraethog
3. Vale of Clwyd
4. Clwydian Hills and Alyn Valley
5. Dee Valley and the Berwyns

**Map 12. Landscape and recreation areas**



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An assessment of each of the areas has been carried out drawing on the knowledge and experience of the members of both the County's Rights of Way Unit and the Countryside Service. A small number of rights of way users with detailed knowledge of the path network throughout Denbighshire were invited to participate in these discussions. The assessment aimed to identify:

- The key characteristics of the rights of way network in each area.
- Nature of the use and demand for rights of way in the area and the suitability of the network for a range of activities for walking, cycling and horse riding
- Potential for the development of the network

In assessing the extent to which rights of way form a continuous network, account has also been taken of unclassified county roads and other minor highways (of which there are a considerable number in the County) where these are known to be very lightly trafficked. This includes a number in the Clwyds, the Berwyns and Mynydd Hiraethog. In general, however, the traffic volumes throughout much of the County and particularly in the Vale of Clwyd and the Coastal Zone are such as to preclude their safe use by walkers, cyclist or equestrians as an adjunct to rights of way, even for short distances.

The overall picture is that while a dense network of footpaths exists over much of the County and is potentially available to walkers, the number of bridleway and byways is far fewer. It follows that the number of opportunities available to cyclists and horse-riders is also far fewer (even taking into account the use of suitable minor highways) and these users are heavily dependent on sharing roads with motor vehicles at least for part of their recreational trip. The problem is compounded by the greater distances usually covered by riders and cyclists compared to that covered by walkers over a similar timescale.

### **10.3 Overall assessment of the County**

Viewed overall, while the County has a generally good network of public rights of way their distribution is uneven, with areas of considerable density and others where there are few or no paths. The latter includes the Berwyn mountains, (although these feature a number of long paths), the Denbigh Moors, Nantglyn and Brenig, the southern part of Clocaenog Forest above Melin-y-Wig, the area between Bettws Gwerfil-Goch and Corwen. There are also relatively few paths in the area between the River Clwyd and the County's north-west boundary. This takes in the area south of Rhyl, to Boddwellwyn and Henllan. Conversely, there is a very dense network of rights of way, especially footpaths, on the lower slopes of the Clwydian Range leading into the Vale of Clwyd. However, the network in the Vale itself is less dense.

#### **10.3.1 Density of footpaths**

Since footpaths make up 84 percent of the network, the above pattern is repeated in the distribution of footpaths, with a particularly dense network in the Alyn Valley on the slopes of the Clwydian Range. The effect of the disparity in density is best seen on maps 4 and 5 showing footpath density by Community Council areas and 1 km grid square by communities, the greatest density being in the south east of the

county with the exception of Denbigh, while the north of the county where the greater population lives has the lowest density of footpaths.

### **10.3.2 Extent of the network available to riders and cyclists**

Maps 6, 7 and 8 show the extent of bridleways and map 9 the availability of routes to cyclists and horse riders when unclassified country roads (UCRs) are also taken into account. The relatively few bridleways that exist do not, in themselves, form a coherent network. However, the range of opportunities for walkers and cyclists becomes much wider when UCRs in the County are also taken into account, and in some areas networks of routes then emerge. This occurs, for example, particularly in the Berwyn, in Llantisilio area, the Alyn valley and south Clwydians, central Clwydian range around Llangynhafal and the east Clocaenog forest area. A number of these networks may also extend across the county boundary, for example into Flintshire towards Wrexham, and along the Ceriog Valley and Powys

Despite these opportunities, there remain extensive areas where there are few, if any, opportunities for riders and cyclists. There are, for example, extensive gaps throughout the Vale of Clwyd, to the west of Llandegla between the south Clwydian Range and Llantisilio Mountain. There are also deficiencies around Corwen, the Berwyn area, the Dee Valley and the Brenig.

### **10.3.3 Other access opportunities**

Map 1 shows the network of rights of way and unclassified country roads in relation areas of common land, access land and public forests.

While Denbighshire has a significant areas of open access land, (the sixth greatest area in Wales) the restrictions on access means that it primarily benefits only walkers. The predominant areas are central south Clwydian Range, Llandegla Moors, Llantisilio Mountain, the Berwyn, Clocaenog Forest and Denbigh Moors. There is also extensive coastal access, with foreshore being open in its entirety for public access.

There are also two large reservoirs, owned by Welsh Water and managed for recreation, at Brenig and Alwen. Similarly, Moel Famau Country Park lies within an area of open access and is proactively managed for recreation, as is the Forestry Commission's land in Clocaenog Forest and Moel Famau.

To a large extent, the open access land in the south of the county and on the Denbigh Moors compensates for the deficiencies in the rights of way network for walkers. There is also further provision, albeit limited, for horse riders and cyclists in the managed access provided on Forestry Commission land, to land owned by Welsh Water around Llyn Brenig and in the facilities provided privately by UPM Tillhill in Coed Llandegla.

## **10.4 Coastal Zone**

The coastal zone is defined as the area of land which stretches from the coast at Prestatyn down towards Dyserth and is bounded by the A55. Other than on the limestone escarpment of the Flintshire Plateau on the east of this area, the land

here is flat and open. In the coastal area, which comprises both towns and villages, the vision of rights of way is principally an urban one with the countryside being seen as somewhere that is outside of the community.

#### **10.4.1 Walking**

In Prestatyn walkers are well catered for with a number of walks into the surrounding countryside being promoted by the Town Council. Coastal walking is also enjoyed by many people. In general walkers are well-served in the area. The rights of way network in the area around Dyserth is good and the local community has produced a guide to local walks. Similarly in Meliden the countryside is attractive and accessible and the community is proud of their local countryside. The communities in this area are particularly engaged in working to improve the rights of way network. The creation of the Dyserth Circular Walk was driven by local pride and the economic benefits attached to having a network of footpaths available for both local and visitor use is also well recognised.

#### **10.4.2 Cycling**

Cycling is less well catered for than walking in the coastal zone and in most instances cyclists have a considerable cycle path network alongside roads but still must share roads with other traffic which is at a peak in the summer months when the appeal of cycling is increased. There is good commuter cycling but little recreational cycling in the coastal area.

The Prestatyn-Dyserth Way is a short cycle route of 3½ miles and links Prestatyn and Dyserth. However there are some concerns in terms of safety about the suitability of the route into Prestatyn and once in the town the route from the station to the beach is similarly problematic.

Some regeneration work has taken place at the Brickfield Ponds site near the coastal town of Rhyl which has provided opportunities for cycling and a cycling route has been developed to make links between Rhyl and Prestatyn in line with the sustainable transport agenda. This work has largely been funded by the Welsh Assembly's Local Transport Grant funding for Denbighshire with some support from Sustrans. There may also be some funding available from the European Community to support future work.

#### **10.4.3 Equestrian Access**

There is little provision for equestrian access in spite of the many horses kept on low grade agricultural land in the area. In some cases where there is access to the network for equestrians, busy roads and the danger from traffic effectively prevent horse-riders from using the bridleways.

At the coast equestrians have access along the foreshore to the high tide mark but users felt that more use of this access could be made if the landowners in the area were encouraged to enter into dialogue about equestrian access and were able to see that there are opportunities afforded by responsible access.

There is informal access to the beach near the Presthaven Holiday Camp but there are nature conservation issues related to the Little Tern colony located there which will need sensitive negotiation if access is to be improved but without undermining



the importance of the conservation of the dunes and flora and fauna that are dependent on them. At present there is no summer access for horse riders to the main beaches which are in use by holiday makers.

#### **10.4.4 Vehicular Access**

There are very few routes carrying vehicular rights in the area that remain unsurfaced, nor is there any evidence of demand from vehicle users. No improvements to the network for such users are likely to be possible, apart any provision that might be made by private landowners.

#### **10.4.5 Opportunities**

The implementation of the Coastal Access Strategy and the Open Access legislation has given rise to an approach to the rights of way network that is based on more collaborative working across the area. Such increased opportunities for working across the region should continue to be developed.

Although walkers are well catered for in this area of Denbighshire it is felt that the coastal area could offer circular walks that may tempt residents and visitors alike to venture further a-field into the wider countryside.

The top priority for equestrians is the lack of provision in the St Asaph area where it is felt that there will be increased demand for equestrian access from the residents of the 600-700 new houses planned for future construction there. The immediate coastal area is also seen as a priority for horse riding in particular the linear coastal route from Presthaven to the British Horse Society's new long distance 'Sea horse Ride' which starts nearby. It was suggested that consideration might be given to re-establishing riding on the Prestatyn-Dyserth walkway although this would also need to take into account the use made of the route by local residents for whom it is a popular and important route to access local facilities.

Much could be made of the linking of green space through the network of footpaths and bridleways. For example, work on the network can be usefully linked into the health agenda and can be seen as adding value to wider policy objectives.

### **10.5 Denbigh Moors/Mynydd Hiraethog**

The Hiraethog is an unspoilt landscape of rolling heather moorland, coniferous forest and quiet lakes. The plateau has panoramic views from the edge but few views from the forested interior. There is a visitor centre at Llyn Brenig, a reservoir mostly used for fishing and sailing. In the past the Forestry Commission has allowed successful large events in the area. But there has been less demand from individuals with users being discouraged from visiting the area by the perceived lack of interesting scenery, extreme weather in winter, remoteness from centres of population and limited visitor facilities.

#### **10.5.1 Walking**

There is a variety of access for walkers in the area either on waymarked trails or as open access to much of the surrounding moorland. The Llyn Brenig trails are available for walkers and cyclists and provide two quite different experiences. The shorter trail round Llyn Brenig (15km) circles the reservoir and the longer trail passing through Clocaenog Forest to Llyn Alwen reservoir (42km).

Footpaths to Nantglyn and over the county border into Conwy are not perceived to be in good condition and there is a perception that, away from the area surrounding the visitor centre, visitors to the area are not welcomed, or considered by land managers when moving livestock or machinery.

The Alwen trail (15.5km) round Llyn Alwen is a family trail with some accessibility for those with mobility difficulties and is also available to cyclists.

### **10.5.2 Cycling**

As mentioned previously the two Llyn Brenig trails are available to cyclists and provide different levels of challenge for riders. Cycling in the Clocaenog Forest is mostly on forest roads and is not too demanding and suitable for families with small children.

The trail round the Alwen Reservoir is shared with walkers and aimed at families. However, currently there is no cycle hire available for visitors.

### **10.5.3 Equestrian access**

Users saw the bridleway network in the area as being deficient although there is plenty of *de facto* riding on forest roads and in between plantation rides. The moorland, a lot of which is blanket peat bog, does not have good access for horses and the coniferous plantation forestry makes it less visually attractive to riders. A further problem for riders is the potential increasing scale of industrial wind turbine stations that are being developed, with horses being possibly agitated by the turbine blades. In the Brenig Forest this problem has been largely overcome by directing riders away from the turbines, but if the wind farms continue to be expanded this may give rise to the creation of large areas from which horse riders are effectively excluded.

British Horse Society members use the area but it is less popular with visitors and for horse tourism as it has few hosts, is more remote and has less interesting scenery than other areas. In terms of the riding experience the edge of the area is seen as the most interesting with spectacular views. The area functions mainly as a resource for local riders with permissive riding available in the forest.

### **10.5.4 Vehicular access**

The limitations that occur in the bridleway network in this area also extend the opportunity to access unsurfaced public roads. The area has a history of motor sport in the forests, which continues, although it relies on formal consent from the Forestry Commission. There may also be some limited opportunities for extending access by developing permissive routes through Forestry Commission land that would enable some additional off-road vehicular use to take place.

Many of the forests have unfenced boundaries alongside public roads and this has given rise to some unauthorised use by motorcyclists. However such use does not appear to be at a sufficient level as to give rise to controversy.

### **10.5.5 Opportunities**

The perception of the Denbigh Moors and the Hiraethog as remote areas with a somewhat inhospitable local climate has contributed to the lack of significant demand for access opportunities. Whilst it may be the case that improvements to



the Visitor Centre (owned by Welsh Water) might draw in more visitors, this demand is as yet unproven. At Llyn Brenig although fishing appears to be the predominant leisure activity, the mix of activities appears to be working and conflict is rare.

Sustained use of the area by families appears to be limited by factors such as the weather and the lack of a variety of less challenging cycling opportunities. However, there are a number of surfaced routes that could be developed that would appeal to a wide range of capabilities, often without the problems of severe gradients.

## **10.6 Vale of Clwyd**

The Vale of Clwyd, divided by the Afon Clwyd, is a flat wide river valley located in the centre of the county and bounded by the Clwydian Range to the east and the Hiraethrog to the west; to the north is the coastal zone (St Asaph and the A55 is taken as the dividing line between the Vale and the coastal area for the purposes of this assessment) and to the south, the Berwyns and the Dee Valley.

In the Vale of Clwyd, where the largest response to the questionnaire survey on the Rights of Way Improvement Plan was received, people enjoy using the rights of way network and enjoy using the countryside for recreation. Some communities have created local trails, for example, Tremeirchion where there is a Millennium trail.

Countryside staff identified capacity building within Community Councils as being the key to generating interest in improving the rights of way network within local communities. It is seen as being particularly valuable for communities to be able to draw on the example and experience of neighbouring communities when trying to stimulate interest within their own community.

### **10.6.1 Walking**

The Vale of Clwyd affords many opportunities for walkers with an extensive network of well-connected paths set in pleasant countryside.

### **10.6.2 Cycling**

At present cyclists have no option but to use the relatively few lanes in the central area of the Vale, all of which link popular villages and are therefore busy with traffic. Although there have been past proposals to create a cycle track through the Vale this was never taken further than a feasibility study and met with considerable opposition from landowners.

### **10.6.3 Equestrian access**

There are a number of horses in the Vale and to the eastern side of the Clwydian Range although as the riders are quite a disparate group it has so far been difficult to establish what their experience of and priorities for access might be.

### **10.6.4 Vehicular access**

The Vale has very few unsurfaced lanes most of which are recorded as bridleways. There are also a few, scattered vehicular rights of way on the margin with the upland edges but these are often disjointed and so remote as not to provide any useful network. While there is evidence of low levels of use by vehicular traffic, this is thought to be mostly of local origin and includes agricultural use. There is also little evidence that unlawful use of vehicles in the area presents a problem.

### **10.6.5 Opportunities**

Currently most access opportunities are across the Vale (east-west) and not along its length (north-south). Whilst provision for walkers is good there are gaps in provision for cyclists and equestrians. There are at present no dedicated cycleways although a proposal to develop a Lon Clwyd was abandoned at consultative stage that would have linked the Coast to Ruthin.

For equestrians the priority is to make links to the existing network available and safe to use wherever possible. There is a particular gap in provision for horse riders around Bodelwyddan where a possible new bridleway has been identified. If there is to be a useful new way of crossing the Vale, it will have to be near Pentre Llanhaedr which was also identified as being particularly useful. Some further opportunities were also identified in the Llanbedr area.

## **10.7 Clwydian Hills and Alyn Valley**

The Clwydian Range forms a 35km north-south chain of undulating hills stretching from the Vale of Clwyd in the west to the foothills of the Dee Estuary to the east; and from Prestatyn Hillside in the north towards the Nant y Garth pass in the south. The landscape is open heather moorland with small hedged fields and coppice woodland on the lower slopes. The Clwydian Hills and the twin Country Parks at Loggerheads and Moel Famau are popular day trip destinations from Merseyside and Cheshire. The Offa's Dyke National Trail follows almost the entire length of the ridge crest.

### **10.7.1 Walking**

Around Loggerheads Country Park the network is managed intensively creating a comfort zone around the Park. The paths are well managed and signposted and become more challenging as they move away from the Park. Walkers are able to use Loggerheads as a starting point to gain confidence before using the hills for more extended walks to other points of interest in the area such as Moel Famau. This area features the greatest density of paths in the whole of the county and is one of the most popular destinations in the region for walkers to visit.

### **10.7.2 Cycling**

Whilst there is provision for cyclists in the Clwydian Hills under the 'Ride the Clwydians' banner, the scheme is about giving cyclists information about the rights that exists supported by some suggested routes for those less able to rely on map reading skills. However the cycling promoted is generally challenging especially on the Denbighshire side of the ridge. There is, therefore, scope to develop routes for the less 'technical' riders, with routes on the Flintshire side being flagged up as a possibility for providing less demanding rides. Within the last two years, the private forestry company who are owners of Coed Llandegla forest, UPM Tillhill, have developed a network of dedicated unsurfaced all terrain trails for cyclists, together with cycle hire, a café, shop and other facilities. This is attracting a large number of cyclists from across the region to the site, but is also generating a wider demand for cycle routes in the area which cannot be met by the current rights of way network.

### **10.7.3 Equestrian access**

There is continuing demand from equestrians to use the network in the Clwydian Hills and events at Caerwys have previously attracted between 30-40 horses. The Clwydian Way is used by riders who would like to use the area to the south but the A494 trunk road which crosses the range linking Mold to Ruthin poses a significant barrier. The dangerous crossing at Clwyd Gate is a particular matter of concern; riders are forced onto the trunk road for some 200 metres at a point where the road narrows into a deep cutting with fast traffic speeds and poor visibility. Although almost impossible to resolve, doing so would immediately expand the network and bring significant benefits to equestrians in the area.

Horse riders in the Loggerheads region face a different problem where cul-de-sacs prevent more extensive use of the network. Although there is a lack of promotion of routes, users thought that there is the potential for making links between routes in the existing network which will make it more attractive to day riders and for horse tourism. There are permissive bridleways in the Country Park that are also open to cyclists. The Llandegla development referred to above also includes trails for horse riders and carriage drivers, but with no linking network outside the forest area.

### **10.7.4 Vehicular access**

The Clwydian Range contains a significant proportion of the unsurfaced vehicular routes which traditionally have been used by recreational vehicles as well as local agricultural traffic. The network is continuous across into the Flintshire area of the Clwydian Range. As there is no potential of any extension to this network, any loss would have a significant effect on legitimate vehicular use. There is very little evidence of any unlawful use, which is not an issue in the area

### **10.7.5 Opportunities**

There may be opportunities to increase access for users in the area if links could be made with the network across the county boundary to the routes in the Eastern Clwydians (Flintshire) where the network is also extensive. Resolution of traffic-related issues is also important for securing more widespread availability of the network particularly for equestrians and cyclists.

Equestrians felt that there may be potential for developing a high level route in the Moel Famau/ Moel Arthur area which would be suitable for novices.

A five year Countryside Strategy due for completion by the end of 2007 is currently being prepared by the Countryside Service and this will help to guide work in the area. A key part of the Strategy will be to consider the availability of funding for maintenance as part of planning new routes.

## **10.8 Dee Valley and the Berwyns**

This area is one of contrasts between the landscape of the lush Dee Valley and the wildness of the Berwyns. The area contains the most recent of the Council's promoted path network; the Dee Valley Way and the North Berwyn Way connect the towns of Corwen and Llangollen and can be walked separately or linked to make a circular walk. These walks will also be complemented by the extension of the Llangollen Steam Railway which will link both towns. There is also a regular bus service.

The popular Llangollen branch of the Shropshire Union Canal, a potential World Heritage Site, is owned by British Waterways and although there are cycling opportunities it is not suited for equestrians. The area of the Dee Valley around Llangollen and Corwen is well used by visitors for a variety of recreational purposes including adventure sports. Llangollen and the Horseshoe Pass are established visitor honey pots. There is access from the steep valley but is often quite severe to reach the upper slopes of the valley.

#### **10.8.1 Walking**

There are many opportunities for walking both in the Dee Valley and on the Berwyns. The Dee Valley Way and the North Berwyn Way provide 15km linear walks individually and can be linked together to form a circular route.

#### **10.8.2 Cycling**

There are opportunities in the Dee Valley for recreational cycling and on the Berwyns for mountain biking. The county already has created and promotes a number of cycling routes in the Dee Valley but the initiative has been hampered by a disjointed network and the significant gradients on the sides of the valley. There is currently no on-line cycling information available, such as that available for the Clwydian Hills and Hiraethog areas.

#### **10.8.3 Equestrian access**

Whilst there are not as many opportunities for equestrians in the Dee Valley, in the north of the area around Llantysilio there is significant potential for new horse riding opportunities although realising these may depend on the co-operation of landowners. There are also wide verges on the old drovers' roads which could be developed for use by equestrians, although each road would need to be assessed on its own merits.

For equestrians Glyndfrdwy is the gateway to the Llantysilio – Berwyns area although access is restricted by the problems in crossing the A5 trunk road. In the Corwen area (behind the A494) the network is not in good condition. There is an existing bridleway along part of the disused Corwen – Cynwyd Railway line which is very quiet and could contribute to a good secondary network on the Berwyns both for walking and horses.

#### **10.8.4 Vehicular access and the problems of unlawful vehicular use**

There is a good network of old roads lawfully open to vehicular users, many of which are known about nationally and play an important part of the itinerary of such users both locally and from across the country. Unfortunately, where areas of open land are accessible from unfenced roads, there is also a considerable and growing amount of unlawful vehicular use, especially by motorbikes, giving rise to significant controversy.

Regular reports are being received of off-road motorcycle riders gaining access onto open mountain where their presence causes some disturbance and also damages environmentally sensitive areas, conflicting with their management. These riders appear to include both local people and those coming into the area for this purpose, with the most affected areas being Llantysilio Mountain and the Horseshoe

Pass. There have also been problems on the Berwyn and Cynr-y-Brain/ Ruabon Mountain.

#### **10.8.5 Opportunities**

Although walking and cycling opportunities are already generally good in the area, there is an over-concentration on the well known honey pot sites. There is scope, therefore, for visitor interpretation and facilities to be used to encourage visitors to explore beyond these established sites.

For equestrians there are a number of cases where existing access has been lost, preventing the full use of the bridleway network. Restoring access through Plas Norway Quarry should be regarded as a priority as this will open an important gateway to the Llantysilio mountain area, where there is potential that lost ways and old quarry tracks might provide additional access. There are also conservation-related issues in the Llantysilio area which need to be resolved so that managed access can be restored. This area would provide good access for both horse riders and cyclists as there are both hard and grass tracks.

To the east of the area there is potential for a link between the Vale of Llangollen and the Ruabon area that would provide useful access and further increase the scope of the network in this part of Denbighshire.

In the Corwen area (behind the A494) the network is not in good condition but there could be a good secondary network on the Berwyns both for walking and horses if the network here were to be improved.

### *Effect of the changes in law restricting the use of public rights of way by vehicles*

All former Roads Used as Public Paths (RUPPs) in Denbighshire were reclassified as either bridleways or byways in the special review undertaken by the former Clwyd County Council in 1978. This means that Denbighshire was not directly affected by the provisions in the CROW Act 2000, under which all remaining RUPPs were automatically reclassified as restricted byways and from which mechanically propelled vehicles are prohibited. Nevertheless, an indirect effect of this prohibition has been to increase the interest in, and use of, those rights of way which still can lawfully be used by vehicles, including those recorded as byways open to all traffic in Denbighshire.

The County has also been affected by the provisions of part 6 of the Natural Environment and Rural Communities Act 2006 which significantly curtails the scope for recording further public rights of way for mechanically propelled vehicles on the Definitive Map and Statement. It does this by extinguishing (with some exceptions) any public rights of way for motor vehicles that are not already recorded on the Definitive Map as byways open to all traffic. It also puts a stop to the implied creation of new public rights of way for motor vehicles, other than those rights which came into being before 1930 when the use of footpaths and bridleways by such vehicles first became illegal.

As a result, interest by groups such as the TRF in claiming rights of way for addition to the Definitive Map has waned considerably. But the authority has experienced a greatly heightened interest in the Definitive Map and county road information by four-wheel drive users, who are visiting the authority to inspect the Definitive Map albeit that the information it contains is already published on Ordnance Survey maps. The visitors, who come from all parts of England and Wales, are searching for a 'hidden' 4x4 network in the County. There has also been a noticeable increase in the use of both 4x4 vehicles and motorcycles on rights of way throughout the County, together with an increase in complaints about the illegal use of motorcycles over areas of open mountain.

While the previous level of motorcycle and motor vehicle use was not sufficient to create a problem, this increase is creating a situation where the authority is likely to come under pressure from local residents and other path users to further restrict vehicular use through the use of Traffic Regulation Orders. However, any such restrictions would further diminish the already very limited number of rights of way which can lawfully be used by vehicles.



### *Resolving the problem of unlawful vehicular use*

Although involving two distinct groups, the public are generally unaware of this distinction between those who lawfully use byways open to all traffic with motor vehicles and those who are riding or driving unlawfully on other rights of way or over open land. As a result, complaints about the presence of this activity, in the area, are sometimes directed at the lawful vehicle users.

The recent changes in the law mean that there is now little opportunity to make further provision for vehicular access and this has also highlighted the importance of the small number of routes which can lawfully be used by motor vehicles. However the lawful users are concerned that, in attempting to deal with the unlawful use, their own activities will be curtailed.

Viewed overall, the network available for vehicular use is too fragmented to be promoted successfully and this raises the question as to how this issue can be resolved to the satisfaction of those wanting to use the network legally. Could the illegal users be educated and encouraged to respect other users' rights? What role could voluntary groups play? Would a code of conduct help? These are difficult questions to address and will take much time and effort to resolve.

### **10.9 Overall conclusions from the network assessment**

Over the whole County, walkers are generally well served by the current network as are cyclists when unclassified county roads are also taken into account. The condition of the network is also generally perceived to be good by users. But there is scope for increasing provision in some areas, particularly near to some of the County's larger areas of population. Extra provision would be welcomed by users, for example, in the Bodelwydden area and around the town of Denbigh.

For equestrians, the network is much more variable with some areas being better served than others, but even where the network is relatively good there are a number of missing links between key areas. For example, between Loggerheads Country Park and the Clwyd Gate where the A494 divides the extensive network of the northern Clwydians from the southern Clwydian and Alyn Valley network, users are concerned about the very limited number of safe crossing points on this very busy and fast road. Similarly at Llandegla improving connections between routes would result in an improved network which users felt would increase use. Consideration has been given to whether using country lanes should be developed for cycling and horse riding but Countryside Staff felt that under current legislation the dangers of uneducated drivers unaware of this policy outweighed the benefits and that other opportunities should be explored in the first instance to provide safe routes for cyclists and equestrians. There may some opportunities for funding within farming agri-environment packages such as the Tir Gofal scheme but this will need further exploration.

### **10.10 Future demand**

Within Denbighshire there is a wide variety of different users with a hierarchy of appetites for access to the countryside using the rights of way network. In addition

to resident users, the importance of the expectations of the County's visitors will need to be taken into consideration if the rights of way network is going to fulfil its potential in terms of tourism development and economic regeneration. Outdoor recreation using the rights of way network has a significant contribution to make to people's health and well-being and as people are encouraged to make walking and cycling part of their everyday activity user demand is likely to grow. This will raise the profile of maintenance issues such as overgrown stiles and hedges and upgrading village paths.

In line with general population trends in the UK, it is likely that as the average age of the population of Denbighshire and that of its visitors' increases, so too will the demands on the way in which the network is managed and used. As people's expectations are raised, ease of access and safety concerns may become issues that will need to be addressed. Raised expectations may also lead to demands to be increasingly creative about the way in which access opportunities are presented to the public and this in turn will have an impact on the number of people who may use the network in future.

## **11 The needs of people with disabilities or restricted mobility**

The Rights of Way Improvement Plan has a role to play in making an improvement to the quality of life of all users of the rights of way network, present and future. In order to make this contribution it must address the needs of people with disabilities and restricted mobility. This is a challenging task as this group of people is not homogenous but a broad group which encompasses all age groups and includes those with a wide range of physical, sensory, intellectual and psychological disabilities. Other groups of people stand to benefit from improved access including people with children in prams/buggies, elderly people and people with temporary impairments. It is clear that compliance with the Disability Discrimination Act 1995 provides an opportunity to improve Access for All.

### **11.1 Access: the legislative context**

The Disability Discrimination Act (DDA) 1995 requires service providers such as local authorities not to discriminate against disabled people when providing services – either through non-provision or a different level of provision. Compliance with the DDA is a statutory requirement. This provides a number of challenges for those dealing with access to the rights of way network.

Furthermore section 69 of the Countryside and Rights of Way Act 2000 amends section 147 of the Highways Act 1980 so that local authorities must now show regard for people with mobility problems when authorising works on public footpaths and bridleways. It introduces a new section, 147ZA, enabling local authorities to enter into agreements with landowners, lessees or occupiers to replace or improve structures on rights of way to be safer or more convenient to people with mobility problems.

Statutory Guidance by the Welsh Assembly Government on what needs to be considered when authorising stile and gates and to which local authorities must have regard was published in March 2007. Other key documents that are relevant to this legislative context include:

- *Planning and Access for Disabled People (2003) ODPM*
- *Disability Discrimination Act 2000. HMSO*
- *Countryside and Rights of Way Act 2000 – Guidance note (2000) HMSO*
- *British Standard BS5709: Gaps, stiles and gates*

### **11.2 Good Practice**

There are a number of documents containing guidance and advice on good practice about making improvements to the accessibility of the countryside for all users.

Key documents include:

- *Surface Requirements for Shared Use Guide extended CD edition (2005) Countryside Agency*
- *BT Countryside for All: Standards and Guidelines. (2005) Fieldfare Trust & BT*

- *By All Reasonable Means – inclusive access to the outdoors for disabled people (2005) Countryside Agency*
- *Paths Without Prejudice (2001) Countryside Agency*
- *Sense and Accessibility (2000) Countryside Agency*
- *Denbighshire County Council Access Strategy*

Information and guidance on improving access concentrates on potential approaches to take and factors to consider when considering the needs of people with disabilities and restricted mobility. Needs assessments and information gathering about barriers to access are key starting points for any improvement work. Guidelines for carrying out audits and surveys are contained in: *By All Reasonable Means (2005) Countryside Agency* and *BT Countryside for All: Standards and Guidelines (2005) Fieldfare Trust & BT*.

Making improvements to the physical conditions on the ground is important in creating acceptable access opportunities for users. Information on setting access standards and measuring acceptable path conditions is available in the publication *BT Countryside for All: Standards and Guidelines (2005) Fieldfare Trust & BT*. Guidance on the Least Restrictive Access approach which ensures that conditions (e.g. path widths, surface gradients and levels) within a specific location are as good as possible can also be found in both the *BT Countryside for All: Standards and Guidelines (2005) Fieldfare Trust & BT* and in *By All Reasonable Means (2005) Countryside Agency*.

In addition to the physical conditions of routes on the ground, further barriers to access can be addressed by providing information on routes that meets the needs of disabled users. In practice this will mean taking a variety of approaches to take account of the specific disabilities faced by users. Providing information that is accessible will mean considering the format, content and the ways that information is disseminated and perhaps most importantly how this information can be updated in a timely way. Guidance on access issues is available from the Council's Access Officer.

### **11.3 The Denbighshire context and proposed approach**

The County Council's *Access Strategy* sets out its commitment to providing Access for All. It provides a framework for the County's programmes, policies, practices and procedures to help ensure that in time no part of the Council's information, facilities and services creates a barrier to disabled people. The *Access Strategy* shows service users the Council's commitment to providing Access for All within the County.

It is with this policy context in mind that we have not, at this stage, sought to establish a dialogue with any of the local or national organisations representing people with mobility problems. The experience of other highway authorities in England and Wales in preparing their ROWIPs, shows that there are a large number of such groups, with many being focussed on the specific needs of their particular constituencies. Because there are currently so few opportunities for those with disabilities or restricted mobility to enjoy rights of way, many groups currently have no knowledge or experience of using the path network for countryside

recreation, nor do they have the knowledge or resources to respond to consultation requests from a large number of local authorities. It has therefore often proved to be impossible, in practice, to establish a satisfactory dialogue to which the authority can respond and which is truly representative of all those with mobility problems or other special needs in the authority's area. Additionally, as well as being used by local people, the Denbighshire countryside is important in a regional context being used by people from a wide area.

It is nevertheless very important that the Improvement Plan sets out a framework in which the rights of way network can be made accessible to those with restricted mobility or special needs and that, in doing so, it addresses the needs of both local people and visitors to the area. The approach we propose to adopt therefore is to find ways both of removing, whenever possible, the physical barriers which restrict access to rights of way or limit their use, and also make sure that information about limitations and conditions which path users can expect to encounter when using a specific right of way is made widely available. Underlying this approach is a recognition that the key to improving accessibility is to provide accurate information on the state of individual paths - the degree of difficulty they present and on the obstructions that are likely to be encountered when using them - so that people can make their own informed choices about whether or not a proposed route is within their capabilities.

This approach presents a number of difficulties given that the condition of a path may vary during the year as a result of the prevailing weather conditions, the growth of vegetation and other factors. But there are a number of paths which are maintained to a consistently high standard throughout the year and other which are intrinsically suitable for use by those with restricted mobility. It is proposed, therefore, that the Rights of Way Improvement Plan should set out a framework to develop, as an intrinsic part of any improvements, ways in which information might be gathered for routes and parts of routes to allow users to assess their suitability for a range of special needs users. It must also propose a mechanism for publishing that information and for keeping it up-to-date. The County Council's CAMS system already holds topographical data on the gradient of all rights of way and this will be a valuable starting point in identifying suitable paths for inclusion in a Rights of Way Accessibility Database.

#### **11.4 Involvement of local communities**

It is envisaged that Community Councils will have a key role to play in helping to identify individual paths and tracks that are suitable for use by those with restricted mobility or other special needs. They will know, for example, which routes in the community are already popularly used by those who are elderly or by those with young children, and will also be well placed to suggest which barriers might be modified or removed, or minor improvements carried out to significantly extend such access opportunities.

It follows that this should be a key element in any proposals which are developed to encourage Community Councils to take a more active role in overseeing and helping to manage their local rights of way network, as suggested in section 5.1. Almost invariably, such routes will be included in the paths which are identified as

being of the greatest importance to the local community. Similarly, development and promotion of local walks and rides should take place in parallel with the development of a ROW Accessibility Database, so that the information which is published about each route will enable anyone with restricted mobility to make an informed judgement about whether it is suitable for their individual needs.

In Conwy, the Trefriw Trails project ([www.trefriwtrails.org.uk](http://www.trefriwtrails.org.uk)) is an example of a community- led development project to improve access to footpaths in and around the village of Trefriw. It includes making basic information available on-line about which paths are suitable for use with a wheelchair, pushchair or buggy.

### *Current provision for users with a disability or restricted mobility*

A number of projects with formal provision for people with disabilities and restricted mobility have been developed within the County: These include:

- **Brickfield Ponds Nature Reserve, Rhyl** has been developed to meet the needs of users with disabilities. Set within an urban environment, the site aims to give the feeling of a countryside experience. A 1 km circular route with kissing gates, and picnic tables suitable for wheelchair users and those with prams has been developed. All interpretation on site is at an appropriate height for easy reading from a wheelchair and there is a disabled fishing platform and priority parking for people with disabilities.
- **The Simon Bond All Ability Trail** is located in Moel Famau Country Park and consists of a 200m hard surface trail with access to other facilities suitable for people with disabilities.
- **Llangollen Canal and Horseshoe Falls towpath walk** provides a pleasant waterside route suitable for wheelchair users.
- **St Asaph riverside walk** on the eastern edge of the river is available for wheelchair users.



## **Appendix A. The strategic context of the ROWIP: An analysis of key national, regional and local policy documents and strategies**

### **Introduction**

Public rights of way provide one of the main ways people can enjoy the countryside in Wales. The rights of way network is also part of the local transport infrastructure and provides paths away from busy roads and from people's homes to the countryside. Rights of way are also important to the economy, particularly in relation to tourism. Walking, cycling and horse riding are recognised as having important benefits for people's health and well being. The condition and availability of the network therefore has strong links to a range of local authority targets from tourism to transport and health.

It is vital that this resource is well managed to secure benefits for both local communities and for visitors to Wales. Rights of Way Improvement Plans (ROWIP) have been identified by the Government as a way for local highway authorities to identify, prioritise and plan for improvements to their local rights of way network and to make better provision for walkers, cyclists, horse riders and people with mobility problems. They must also take into account the significant amount of new access land that became available under the CROW Act 2000. Local highway authorities are also being encouraged to work in a more integrated way with other organisations in all sectors.

### **The approach**

It is important that the ROWIP is a document that is sited within the context of other strategies and plans published at local, regional and national level and that it integrates with these policies. Accordingly in preparation for the production of a Rights of Way Improvement Plan for Denbighshire a comprehensive trawl of both national and regional policy statements and strategic documents was undertaken. The following key themes emerged and will set the context for the production of a ROWIP for Denbighshire.

The themes are:

- Working in partnership
- Environment
- Tourism and the economy
- Health
- Transport
- Sustainable development and planning

These themes will underpin the ROWIP and although the key points to emerge from each theme will be discussed under separate headings it is striking that many of these themes are interlinked and reappear in other sections.

## **i. Working in partnership**

*People, Places, Futures. The Wales Spatial Plan (2004)*

*Denbighshire County Council Access Strategy (undated)*

The overarching message to emerge from the analysis is that there is strong recognition that working in partnership with other organisations will create valuable synergy that will drive forward the implementation of the ROWIP. Identifying where there are clear linkages between the aims and objectives of the ROWIP and those of other organisations creates opportunities for more efficient and effective use of resources.

The basis for this way of working is a clear understanding of the relationship between the ROWIP and other strategies. In the national spatial strategy *People, Places, Futures. The Wales Spatial Plan (2004, p.7)* the context of how the spatial plan relates to other strategies is clearly set out. In the same way other key policy documents emphasise the need for working in partnership with others to achieve policy objectives. The ROWIP must seek to do the same and work at the local level with partners in other Council departments and with outside bodies to facilitate the delivery of the ROWIP on the ground. Within the County Council the *Access Strategy* sets out its commitment to providing Access for All. It provides a framework for the County's programmes, policies, practices and procedures which should be reflected in departmental action plans.

## **ii. Environment**

*Environment strategy for Wales*

At the national level the *Environment strategy for Wales* recognises that the relationship between the individual and the environment is important and that access to the countryside and coast is a key outcome of the strategy and must be safeguarded:

'There will be sustainable, widespread and equitable access to the countryside and coast, which recognises the need for a balance between tranquil areas and areas supporting larger numbers of people and a range of activities. Damaging access will be discouraged.' (*Environment strategy for Wales, p.46*).

The indicators given for measuring this outcome are the percentage of the total length of footpaths and other rights of way which were easy to use by the public.

There is also strong support for the idea that individuals should be encouraged to take responsibility for the impact of their activities on the environment – their environmental footprint– and that volunteering is one way people could give something back to their communities. In terms of the ROWIP this could mean building in mechanisms to support volunteering to help to deliver some of its objectives. Already operating in Denbighshire is the Countryside Service Volunteer Programme, an annual programme of events which includes practical tasks to be

undertaken by volunteers. Activities relating to the ROWIP could form part of this programme in the future.

### **Local policy documents and strategies**

*Caring for Our Countryside: A countryside strategy for Denbighshire (1998)*

*Clwydian Range Area of Outstanding Natural Beauty Management Plan (2004)*

*Heather and Hillforts in the Clwydian Range and Llantysilio Mountain (2004) North American/United Kingdom Exchange*

*Coastal Management Plan Denbighshire*

*Caring for Our Countryside: A countryside strategy for Denbighshire (1998)* whilst now in need of some up-dating, sets out the vision and policies for the future conservation, enhancement, enjoyment and understanding of the Denbighshire countryside. It states that 'Access to the countryside for recreation is an important feature in the lives of many of the people of Denbighshire and visitors to the county' (p.15) and goes on to say that 'the public rights of way network is the principal means of access to the countryside' (p.16). Key policies with relevance for the ROWIP are:

**Policy ENJ1** To keep under review the Definitive Map of rights of way within Denbighshire and to keep up-to-date records of all alignments and the legal status of all rights of way.

**Policy ENJ2** The 'milestone' approach will be adopted to opening up the public rights of way network until the ultimate target of defining, properly maintaining and publicising all rights of way is achieved.

**Policy ENJ3** Priority will be given to accelerate the removal of obstructions on public rights of way and maintain a fully open network.

**Policy ENJ4** Priority will be given to improving waymarking on paths which are subject to great recreational demand, where there is a need to reduce trespass, or to protect sensitive landscape or wildlife areas.

**Policy ENJ5** To develop a Geographic Information System to assist in the management of public rights of way within the county.

**Policy ENJ6** To provide landowners with free stiles and gates to open up, maintain or upgrade paths on their land.

**Policy ENJ7** To support appropriate applications for diverting rights of way to overcome local problems, providing the alternative route is convenient for users and the integrity of the network is maintained.

**Policy ENJ8** To support and encourage landowners, path users, Community Councils and Town Councils to form partnerships with the County Council to assist in the management of public rights of way.

**Policy ENJ13** To develop a network of well planned, signposted and maintained community paths giving ready access to the countryside from local centres of population.

**Policy ENJ14** To take advantage of opportunities to develop and enhance access to the countryside for all, and to ensure that new routes and facilities are designed for full access whenever possible.

**Policy ENJ19** To encourage responsible cycling in the countryside by identifying, developing and promoting appropriate cycle routes on and off road and by providing information, guidance and improved facilities for cyclists.

**Policy ENJ20** To support the development of safe routes for horse riders particularly where these can be associated with existing horse riding establishments.

In the *Clwydian Range Area of Outstanding Natural Beauty Management Plan* (2004) the section on Access and Recreation (pp.58-65) makes some useful points regarding improvements to access around the sites managed by the Countryside Service. They suggest that:

‘There is potential to improve access around these sites and to link them more strongly to the wider rights of way network...’ (p.59)

This links to objective CP01 and action CPA1 (scheduled for completion by 2005). In the section on ‘the Rights of Way Network’ (p.64-5) there are the following relevant objectives and actions: RoWO1-4 and RoWA1-6.

Other relevant documents include:

*Heather and Hillforts in the Clwydian Range and Llantysilio Mountain* (2004) North American/United Kingdom Exchange

*Coastal Management Plan Denbighshire*

### iii. **Tourism and the economy**

*A Better Wales: The Natural Environment of Wales in 2010* (2001)

*A Winning Wales*

*People, Places, Futures. The Wales Spatial Plan* (2004)

*A Walking Tourism Strategy for Wales – Best Foot Forward* (2002-2010)

*A cycling tourism Strategy for Wales – Moving up a Gear* (2000-2007)

*A riding Tourism Strategy for Wales – Saddling up for Success* (2000-2007)

The importance to the national and local economy of tourism is well-established and there is now wider recognition of the tourism benefits of access to the countryside and the existence of a well managed rights of way network. In *A Better Wales: The Natural Environment of Wales in 2010* (2001) p.12 the point is made that:

‘The tourism industry will be strengthened by greater access to the countryside through a statutory right of access to over 20% of the land area of Wales and most of Wales’ coast, together with better management of Public Rights of Way under the terms of the Countryside and Rights of Way Act 2000, the opening of Glyndwr’s Way National Trail and the development of the tourism potential of nature reserves and of national, regional and local walking trails in conjunction with businesses, communities and local authorities.’

*A Winning Wales* identifies investment in sustainable tourism and recreation as a key objective strongly linked to economic development. This objective can be linked directly to the use and development of the rights of way network. The document also identifies the need to work with local authorities to increase the amount of walking and cycling for travel to work and recreation.

*The Wales Spatial Plan* outlines the way that nationally supported actions will help to deliver local benefits. In terms of tourism the most important of these for the ROWIP is:

‘The WTB, WDA, local authorities and CCW to develop a Welsh coastal tourism strategy, to create a coherent network of routes, destinations and facilities. Detailed project implementation and development at the local level.’ (p.44).

The view that access supports tourism in Wales at a fundamental level is central to a number of strategies commissioned by the Welsh Tourist Board, the most relevant of which are: *A Walking Tourism Strategy for Wales – Best Foot Forward (2002-2010)*, *A cycling tourism Strategy for Wales – Moving up a Gear (2000-2007)*, *A riding Tourism Strategy for Wales – Saddling up for Success (2000-2007)*. Together these documents analyse the tourism market for each activity in Wales and find that there are significant economic benefits in developing and promoting these activities. For example, visitor spending by walkers is estimated at £550 million, spending by cyclists at £18.25 million and spending associated with horse tourism at £18.55 million. All of these strategies emphasise that delivery of their individual objectives require an integrated approach to the provision and amelioration of facilities on the ground. The valuable information the strategies contain on the needs of walkers, cyclists and horse riders and the economic value of these activities can be used to build the case for increased investment in the rights of way network.

### **Regional strategies and documents**

<i>Tourism Strategy North Wales</i>
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The *Tourism Strategy North Wales* will link with the new regional economic strategy. The mission of the Tourism Partnership North Wales is:

‘Enhancing North Wales tourism economy, through partnership, planning tomorrow’s tourism today.’ (p.2)

The Partnership will implement the strategy through an action plan and identifies action on PROW (B4) broadly as the development of a network of walking, cycling

and riding routes across the region with the Local Authorities taking the lead. This highlights the contribution that the rights of way network can make to the delivery of the Tourism Strategy for North Wales.

The strategy identifies a range of opportunities for walking in the underused Clwydian Range AONB and the Berwyns. Further development of walking and cycling trails in this high quality landscape, potentially with the Forestry Commission, are discussed. The Hiraethog project is given as an example of green tourism, with a clear relation with access to the countryside between the Vale of Clwyd and Snowdonia National Park. It is suggested that further opportunities for using the environment for tourism will be provided through the development of the National Cycle Network Route between Chester, Wrexham, Llangollen and Trawsfynydd.

Current initiatives that include cross-border working between Wrexham and Denbighshire in order to provide new mountain bike trails are seen as providing a model of 'joined up thinking' and a way in which other facilities to access the countryside could be provided and marketed (p.61).

The WTB *Riding Strategy* suggests that one of the constraints on riding tourism is lack of information on routes. Given the North Wales Borderlands access advantages and suitable countryside, there are opportunities for developing and particularly promoting horse riding routes and support facilities, such as the relatively new Ceiriog and Upper Ceiriog long distance equestrian trails (p.63).

### **Local strategies and documents**

*Marketing Excellence: A tourism Strategy for Denbighshire 2003-5*

*Marketing and Interpretation Strategy for the Vales of Clwyd, Stage 1 Report*

*An Environmental Strategy and Action Plan for the Hiraethog Area 2002-2006*

At the local level *Marketing Excellence A tourism Strategy for Denbighshire 2003-5* identifies the Denbighshire countryside as not only providing magnificent scenery but also 'a wealth of opportunities for walking, cycling, riding and other outdoor pursuits (p.5).' It states that a key objective for the Council is 'to support the local tourism industry and maximise additional external funding opportunities' (p.11) and goes on to say that this will involve working in partnership with others. It also states its commitment to taking a coordinated approach to tourism issues across departments within the Council with the establishment of a cross Directorate working group that will meet on a regular basis (p.15). One area that may provide a useful opportunity for such joint working is the need to invest in new research to understand more about visitors (p.11 & 12) which could be a common objective for both the ROWIP and for tourism staff.

Other relevant action points identified in the strategy that will have direct bearing on the ROWIP are to 'maintain and improve routes for walking, cycling, riding and improve access, way marking and information for visitors' and to 'encourage investment by the private sector in growth sectors for tourism.' (p.14)



The *Marketing and Interpretation Strategy for the Vales of Clwyd, Stage 1 Report* is a review of the tourism performance in the Dee Valley 'to harness the area's remarkable resources in order to deepen, broaden and add value to the experience of visiting, and living in the area by creating a recognisable and integrated product which draws on the area's many distinctive features.'(p.1). Access is identified as a key resource for the area but with 40% of the rights of way network having some kind of blockage that will be addressed by the ROWIP, this resource is seen as needing improvement if it is to fulfil its tourism potential (p.45). The report suggests that all-ability trails suitable for people with disabilities need to be developed from key visitor honey pots. The trails at Moel Famau and Llyn Brenig are given as examples. The importance of continuing to work on the recording of 'lost ways' is also noted.

*An Environmental Strategy and Action Plan for the Hiraethog Area 2002-2006* examines the economic benefits that can be obtained by enhancing access opportunities through agricultural diversification and green tourism. It also looks at the needs of different users.

#### **iv. Health**

*Climbing Higher: WAG Strategy for Sport and Physical Activity for Wales*

*Woodlands for Wales. The National Assembly for Wales Strategy for Trees and Woodlands*

The health benefits of walking, cycling and horse riding are well documented.

*Climbing Higher: WAG Strategy for Sport and Physical Activity* focuses on improving the health of the nation over the next 20 years. It contains an action plan to increase sport and recreation in Wales. Targets relevant to the ROWIP are:

Target 10:

- The percentage of the people in Wales using the Welsh natural environment for outdoor activities will increase from 36% to 60%.

Target 11:

- 95% of people in Wales will have a footpath or cycle-path within a ten-minute walk.

One of the key ways of achieving the objectives of the strategy is by:

Encouraging the integration of walking and cycling into everyday life, both as a means of transport and as active recreation.

In *Woodlands for Wales. The National Assembly for Wales Strategy for Trees and Woodlands* sets out the vision for next 50 years which aims to provide real social and community benefits through woodlands by providing opportunities for recreation and preventative health care through greater access to fresh air. The strategy will be delivered through a series of programmes.

In programme 5. Tourism, Recreation and Health a priority for action is 'To promote health through access to woodlands for all communities' (p.9).

### **Local policies**

#### *Denbighshire Community Strategy*

At the local level key targets in the *Denbighshire Community Strategy* are to maintain and improve routes for walking, cycling, riding and improving access to promote participation in healthy outdoor activities (p.11, 4.16).

### **v. Transport**

*The Transport Framework for Wales (2001)*

*Wales Transport Strategy*

*Walking and Cycling Strategy for Wales*

*Road Safety Strategy for Wales (2003)*

*Smarter Choices: Wales (2007)*

*The Transport Framework for Wales (2001)* will be replaced by the *Wales Transport Strategy* currently in preparation. This document will set the context for the Assembly transport policies and new Regional Transport Plans. In addition to transport it will focus on delivery of wider policy objectives including those related to economic development, health, environment and tourism. The main objectives for the strategy will be drawn from the *Wales Spatial Plan* and *A Better Wales*. The framework will have the long horizon of 2030. Theme 2 of the Strategy has particular relevance to the ROWIP:

To achieve greater use of the more sustainable and healthy forms of travel.

To date complementary strategies have been developed for walking and cycling and road safety and these will feed into the *Transport Strategy*.

The *Walking and Cycling Strategy for Wales* highlights that transport choices are linked to health, the environment and the economy. Walking, cycling and horse riding are discussed in terms of utility and as leisure choices. Many targets are closely related to the ROW network and could be used to support bids for funding. The *Road Safety Strategy for Wales (2003)* links to the *Walking and Cycling Strategy*, and contextualises the perceived risks associated with walking and cycling and finds that 'the health benefits of regular walking and cycling far outweigh the "dangers" associated with their use' (p.53). It suggests that quiet lanes can be a way of improving the safety of walkers, cyclists and horse riders and also sees the ROWIP as an opportunity to help to deliver a network of bridleways and circular routes for horse riders (p.61). Other studies such as *Smarter Choices: Wales (2007)* promote more sustainable transport choices and include walking and cycling.

### **Regional transport policy**

*Regional Transport Plan for North Wales*

*Walking: the way ahead (2003) Transport 2000 Trust*

*Sustainable Transport for Wales: Time for Change (2006)*

The regional section of the *Transport Strategy* will set the main themes for the development of the Regional Transport Strategies. Regional Transport Strategies will replace the Local Transport Plan (LTP). The LTP for Denbighshire will be replaced by the *Regional Transport Plan for North Wales* which is expected to be in place by March 2008.

TAITH is a consortium of local authorities working to develop a joint Regional Transport Plan (RTP) for the areas of Conwy, Denbighshire, Flintshire, Gwynedd, the Isle of Anglesey and Wrexham. Sustainable transport is seen as a key element within this and one which will help to deliver several of the RTP's objectives. The sustainable transport themes endorse all three strategic themes within the Wales Transport Strategy and which are:

- To achieve a more effective and efficient transport system
- To achieve greater use of more sustainable forms of transport
- To minimise the need for travel.

The LTP currently in place in Denbighshire emphasises the role that walking and cycling can play in people's daily lives and the need to consider that when decision making. It also emphasises the need to improve the walking and cycling infrastructure and continue the implement of the safe routes to school project. One of the performance indicators used by Government to monitoring progress on transport is covered by PI6.10: Percentage of length of footpaths and other rights of way which are easy to use by members of the public (Local Government DATA Unit Performance indicator website). The ROWIP could be a significant tool in improving performance towards this PI target.

Policies in the *TAITH Regional Transport Plan*, Sustainable Transport Theme that are of particular relevance to the ROWIP are:

## **1. Cycling**

**Policy 3**      **Where ever feasible TAITH will aim to develop, provide and promote a traffic-free cycling provision, especially in locations with high levels of cycling and traffic congestion**

The project identified is 'cycling access to regional mountain bike facilities.' Through TAITH the authorities 'need to identify and address cycling access problems through a central fund to provide safe and direct site access where feasible.'

**Policy 7**      **Walking and cycling routes are to be adequately and suitably signed for people to use them safely and strategically**

Two projects are identified relating to a regional standard for signage and provision of that standard signage. A funded scheme to which TAITH local authorities can

apply for funding to maintain existing and new signage in accordance with the agreed standard will be created.

## **2. Walking**

**Policy 12 To encourage higher levels of walking within the region as a means of**

**12.1 Tackling health and mobility problems associated with physical inactivity and sedentary lifestyles**

**12.2 Developing walking as a local and acceptable transport mode accessing other transport modes**

In Denbighshire two projects are identified: **Urbanwalks** and **Community Walking Links**.

In Urbanwalks Phase 1: Denbigh and Ruthin and Phase 2: St Asaph, Bodelwydden and Llangollen booklets will be produced.

The Community walking links project will 'develop walking routes from residential developments into the cycling/multi-use network. Areas such as Rhyl, Prestatyn and St Asaph will be considered.'

**Policy 13 To facilitate the enjoyment and acceptance of recreational walking within the urban, rural and coastal environments, thus encouraging local people and visitors to walk as a part of their normal daily lives or visit.**

The relevant project for this policy is the Wales Coastal Path.

## **3. Horse riding as a transport mode**

**Policy 14**

**14.1 Whilst debate persists as to whether horse-riding is an accepted transport mode for the purposes of the RTP, appropriate schemes will be considered which improve existing riding networks, especially at highway interfaces and where there are issues of access and safety to consider.**

**14.2 Horse-riding is a popular leisure activity which as well as providing recreational and tourist opportunities may fulfil minor transport needs in more rural areas. However, there will be cases where equestrian traffic needs to be given separate considerations.**

Four projects for Denbighshire are identified:

1. Cross boundary links for equestrians: A priority scheme is the need to develop and **fund** cross-boundary links with networks within neighbouring authorities.
2. Equestrian beach access: Scheme providing where appropriate access for equestrians to local beaches, especially Prestatyn.

3. Circular equestrian routes: Scheme to develop and implement circular riding routes in support of the local **ROWIP**. This would involve partnership with other agencies.
4. Bridleway Interest Groups: Scheme to **fund** and support the progress of bridleway interest groups to identify “lost way” routes that add to a depleted network.

## **7. New Developments and the planning process**

**Policy 18** To secure the development of and secure benefits for walking and cycling from planning and land use policy and resulting developments control activity, including nationally sponsored regeneration schemes.

TAITH to commission the development of a regional practitioner’s Planning Guidance document to assist how walking and cycling can be applied in local and regional development control. The guidance will cover accessibility and location policies and recommend standards for the provision and quality of on and off-site infrastructure. The Group will ensure that all UDPs of member authorities give appropriate priority to the development of walking and cycling infrastructure and facilities. The Group will issue appropriate guidance to member Authorities for all key open spaces, access corridors and former/disused strategic transport corridors to be safeguarded for future non-motorised access and enhancement.

## **8. Travel planning**

**Policy 20** Seek to increase walking and cycling, and modal shift through investing in the development of public and private sector travel planning, as well as the introduction of personalised travel planning across the region.

The Local Authority Green Travel Plan is the relevant document for this policy outcome.

## **10. Interaction with Rights of Way Improvement Plans**

**Policy 22: There is no entry for this policy and therefore scope exists to define the ways in which this interaction might best be facilitated.**

Denbighshire is the only TAITH authorities with a defined project of identifying a linear project created by the ROWIP targets which link into the sustainable transport network in the county.

## **11. Links to and from TAITH region**

**Policy 23** To ensure that strategic links to and from the TAITH regional cycling network and national Cycling Network strategically connect to outside the TAITH region at every opportunity.

The Denbighshire project is ‘Powys links’ and comprises links across the Berwyn Mountain to Ceiriog and the Tanat Valley in Powys.

## **14. Monitoring and Quality Assessment of Provision**

**Policy 26 To develop a consistent approach to the monitoring of the walking and cycling provision throughout the region, and ensuring that all new highway and sustainable transport schemes incorporate a monitoring provision.**

TAITH is to lead on production of a guidance leaflet on monitoring the cycling and walking provision to an agreed regional standard.

The provision of monitoring equipment and the carrying out of manual surveys will be facilitated by the development of a scheme for the duration of the RTP whereby member authorities can submit bids for the installation of monitoring equipment on the existing and new schemes. Funding will cover equipment, data collection, analysis and presentation and provision for annual and/or seasonal manual surveys.

#### **Other related documents**

*Walking: the way ahead* (2003) Transport 2000 Trust – Good Practice Unit Dept for Transport. Case studies in relation to walking policies including schemes that could link to ROWIPs.

*Sustainable Transport for Wales: Time for Change* (2006) Transport for Quality of Life for Sustrans Cymru. This puts the case for policies to encourage more walking and cycling with the associated health benefits (p.5, 6, 8, 9, 10) and for shifting short car trips to walking and cycling (p.8).

#### **vi. Sustainable development and planning**

*A Sustainable Wales*

*The People, Places, Futures. The Wales Spatial Plan (2004)*

*A better Wales: The Natural Environment of Wales in 2010 (2001)*

The ROWIP will need to be framed within the concept of sustainability. *A Sustainable Wales* sets out how the Assembly plans to meet its statutory obligation to promote sustainable development and underlines how the concept of sustainability needs to be reflected in all future policy.

*The People, Places, Futures. The Wales Spatial Plan (2004)* puts forward a national policy framework for development based on sustainable development but in doing so recognises the need to take a local approach to the issues. An important objective outlined in the section on 'Achieving Sustainable Accessibility' (p.29) is to 'Increase levels of walking and cycling through promotion and provision of facilities' (p.30). The ROWIP has a central role to play in helping to meet this outcome.

*A better Wales* outlines the Countryside Council for Wales' vision for Wales in 2010 and is also set within the framework of the theme of sustainable development. One of the key vision statements it contains in relation to access is:

'A Wales in which there is greater access to countryside and coast for all its people and its visitors, giving enjoyment and well being.' (p.2)



Both of these statements lend strong support at the national level to the concept of securing and increasing access to the Welsh countryside and the contribution that this can make to sustainable development as well as economic and health benefits.

### Local planning

*Denbighshire Unitary Development Plan 1996-2011*

*Denbighshire Local Development Plan 2021*

*Denbighshire Community Strategy*

Until the *Denbighshire Unitary development Plan 1996-2011* is replaced by the Local Development Plan, the *Unitary Development Plan* will continue to be relevant in the preparation of the ROWIP. It contains the following key policies:

**TRA10 PROW** and **TRA11** Walking and Cycling routes in the chapter on Recreation and Open Space

**TSM18** Shropshire Union Canal and **TSM4** Tourism related development in Llangollen in the chapter on Tourism

**ENV9** Community Woodlands in the chapter on the Natural Environment

Key indicators that will be used to monitor the delivery of the plan are those for transport trends which include monitoring the levels of walking, cycling and access for all.

As stated above the *Denbighshire Local Development Plan 2021* will eventually replace the *Unitary Development Plan*. The *Local Plan* is currently under development and is timetabled for deposit between June 2007 and Nov 2008. Adoption is timetabled for 2010. Plan objectives that may have some relevance to the ROWIP are proposed in the *Consultation Draft on Recreational Strategic Open Spaces Issues* are:

- To protect existing valued and needed open spaces within urban areas from inappropriate development
- To enable the development of new appropriate recreational facilities to meet new requirements within the county

Similarly in the *Consultation Draft on Community Facilities Issues and Options* the following important objective is identified:

- Locating the majority of development in the county's towns in order to encourage multi-purpose trips and reduce the length of journeys (p.8, 6.1)

*Denbighshire Community Strategy* represents a shared vision for Denbighshire up until 2015. Priorities for the environment include:

1.1.4 Promoting use of public transport, cycling and walking, using safer routes to schools

1.1.5 Improving the quality and network of highways and footways across the county, thereby reducing the risk of accidents.

Targets for the Partnership by 2008 with particular relevance for the ROWIP include:

4.2 Undertake a strategic review of the main transport links throughout the county

4.9 Highlight and develop the heritage and cultural assets of Denbighshire as a focus for tourism with improved signage, interpretation, promotion and access.

4.10 Develop and implement a programme of culture and leisure tourism marketing initiatives with the North Wales Regional Tourism Partnership.

## **vii. Concluding remarks**

The vision of Denbighshire (Denbighshire County Council website) is of 'the ideal place to visit, live, work, conduct business and pursue a wide range of activities'. It aims to 'attract more visitors throughout the year who will experience Denbighshire's outstanding natural and built environment, culture and wide range of outdoor activities.' It will also be a place where people 'will take more responsibility for their own health and wellbeing' and where they 'will be fully aware of the benefits of taking regular exercise and eating well. More adults and young people will participate in sport and physical activity.' It will be a county where the natural environment is respected and maintained.

The Rights of Way Improvement Plan is an important way of realising this vision. It is a vehicle for delivering benefits to health, to the tourism economy, to the environment and to both individuals and their communities and its integration into the wider range of strategies for Denbighshire will make a significant contribution to their delivery.

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*Road Safety Strategy for Wales (2003)*

*Sustainable Transport for Wales: Time for Change (2006)*

**ii. Regional documents**

*Taith regional Transport Plan – Sustainable transport theme (draft) June 2007*

**iii. Local documents**

*Denbighshire County Council Access Strategy*

*Denbighshire Unitary Development Plan 1996-2011*

*Denbighshire Local Development Plan 2021: Consultation Draft on Recreational Strategic Open Spaces Issues*

*Denbighshire Local Development Plan 2021: Consultation Draft on Community Facilities Issues and Options*

*Marketing and Interpretation Strategy for the Vale of Clwyd, Stage 1 Report, March 2007 (Ian Parkin, Malcolm Connor and Lorna Jenner)*

## **Appendix B: Survey of public use and perceptions of public rights of way in Denbighshire: Data table and charts for key findings**

This appendix contains the main data tables and charts on which the findings of the Survey of the Public's Use and Perceptions of Rights of Way in Denbighshire, summarised in chapter 6, are based. Copies of the full survey report can be obtained from the Rights of Way Unit.

## Introduction

### Questionnaire responses

The survey attracted 432 responses, of which 284 completed the shorter questionnaire published in *County Voice* and 148 the longer version published on the Internet and circulated by the Local Access Forum. Nine percent of responses were in Welsh and 91% were in English.

### Responses by source and language

Source	English		Welsh		All responses	
	No.	%	No.	%	No.	%
County Voice	262	92.3	22	7.7	284	65.7
Full questionnaire	132	89.2	16	10.8	148	34.3
<b>Total</b>	<b>394</b>	<b>91.2</b>	<b>38</b>	<b>8.8</b>	<b>432</b>	<b>100.0</b>

*n* = 432

### Responses by postcodes

Postcode	Number	%
<b>Local areas</b>		
LL15	50	11.6
LL16	77	17.8
LL17	25	5.8
LL18	59	13.7
LL19	49	11.3
LL20	20	4.6
LL21	40	9.3
CH7	36	8.3
CH8	12	2.8
	<b>368</b>	<b>85.2</b>
<b>Other areas</b>		
LL codes	21	4.9
CH codes	21	4.9
	<b>42</b>	<b>9.7</b>
Other codes	13	3.0
Not given	9	2.1
<b>Total</b>	<b>432</b>	<b>100.0</b>

## Part A: Use of rights of way

### Question 1. How often do you use rights of way?

Use rights of way:	For walking or running		For riding a cycle		For walking or running		With off road vehicle*	
	No.	%	No.	%	No.	%	No.	%
At least once a week	309	71.5	50	11.6	37	8.6	5	3.4
At least once a month	65	15.0	36	8.3	7	1.6	5	3.4
< once a month	23	5.3	33	7.6	3	0.7	2	1.4
Rarely	8	1.9	40	9.3	6	1.4	1	0.7
Never	5	1.2	72	16.7	155	35.9	53	35.8
Not answered	22	5.1	201	46.5	224	51.9	82	55.4

*N*, for walking/running, cycling and riding a horse = 432; for use with off road vehicle = 148

### Question 2. Where are the paths and tracks that you use?

Use paths and tracks:	In town or built up area		Near edge of town or village		In remote/wider countryside	
	No.	%	No.	%	No.	%
Very regularly	70	16.2	175	40.5	188	43.5
Regularly	53	12.3	127	29.4	107	24.8
Occasionally	104	24.1	56	13.0	73	16.9
Never use	46	10.6	8	1.9	10	2.3
Not answered	159	36.8	66	15.3	54	12.5

*n* = 432 responses

### Question 3. And what do you use these paths and tracks for?

Activity:	County Voice		Full questionnaire		All responses	
	No.	%	No.	%	No.	%
a. Walking the dog	99	34.9	46	31.1	145	33.6
b. Short recreational walks/rides (>2 miles)	155	54.6	84	56.8	239	55.3
c. Longer recreational walks/rides (<2 miles)	213	75.0	117	79.1	330	76.4
d. Regular journey to work/school	16	5.6	10	6.8	26	6.0
e. Going to local shops/amenities	74	26.1	26	17.6	100	23.1
f. Jogging/walking to keep fit	109	38.4	52	35.1	161	37.3
g. Other activities	25	8.8	35	23.6	60	13.9

*N* = 432 responses

### Question 3. Number of activities

No. of activities:	County Voice		Full questionnaire		All responses	
	No.	%	No.	%	No.	%
0 activities	2	0.7	1	0.7	3	0.7
1 activity	61	21.5	35	23.6	96	22.2
2 activities	91	32.0	42	28.4	133	30.8
3 activities	84	29.6	36	24.3	120	27.8
4 activities	38	13.4	21	14.2	59	13.7
5 or more activities	8	2.8	13	8.8	21	4.9

*n = 432 responses*

### Question 3. Activities identified as "other" (Q. 3g)

Already covered by Q3 a-f	No.
Cycling (cycle ride, mountain bike, etc)	10
Horse riding (horse riding, hacking, exercise horse, etc)	8
Walking (rambling/hiking with group, long distance walking, etc)	6
Jogging/running (fell running, fell faces)	3
Total*	27
Additional activities	No.
4x4 driving/green lanes	8
Study wildlife (bird watching, entomology, pick wild fruit)	8
For work (survey, visit fields, etc ) or access to property	6
Explore/enjoy countryside, "day out in peace and quiet"	4
Reach climbing sites, orienteering or other sports	3
Social enjoyment (visit friend/neighbours, visit pub)	3
"For convenience"	1
Exercise carriage horses for pleasure and tourism	1
Use motor cycle	1
Walking llamas on bridleways	1
Wildfowling	1
Total*	37

*\*Totals include multiple responses*



#### Question 4. Main reason for using ROWs

Main activity	No.	%
a. Walking the dog	16	10.8
b. Short recreational walks/rides under 2 miles	9	6.1
c. Longer recreational walks/rides, over 2 miles	75	50.7
d. Regular journey to work or school	2	1.4
e. Going to shops or local amenities	1	0.7
f. Jogging or walking to keep fit	14	9.5
g. Other	23	15.5
Not answered	8	5.4

*n* = 148

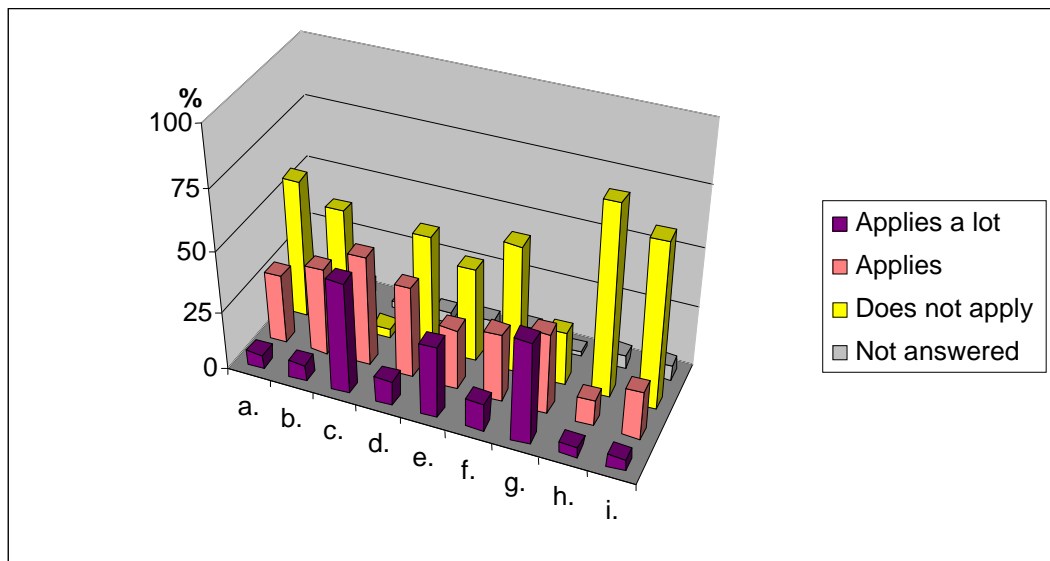
**Part B: Confidence and information**

**Question 5: Confidence when using footpaths and bridleways**

When using footpaths and bridleways in the countryside I:	Applies a lot		Applies		Does not apply		Not answered	
	No	%	No	%	No	%	N	%
a. often worry about getting lost or trespassing	9	6.2	42	28.8	85	58.2	10	6.8
b. sometimes find it difficult to get over stiles	10	6.8	53	36.3	73	50.0	10	6.8
c. expect some paths to be muddy or overgrown	68	46.6	67	45.9	6	4.1	5	3.4
d. normally go only to areas that I know	15	10.3	55	37.7	70	47.9	6	4.1
e. like exploring new paths	44	30.1	37	25.3	57	39.0	8	5.5
f. prefer a leaflet showing route & how long will take	17	11.6	41	28.1	78	53.4	10	6.8
g. normally take an OS map and use it to find my way	62	42.5	49	33.6	32	21.9	3	2.1
h. won't use unfamiliar paths in case are blocked	6	4.1	16	11.0	116	79.5	8	5.5
i. am more comfortable walking or riding on lanes	7	4.8	29	19.9	101	69.2	9	6.2

*n = 146 responses*

**Confidence when using footpaths and bridleways**



**When using footpaths and bridleways in the countryside I...**

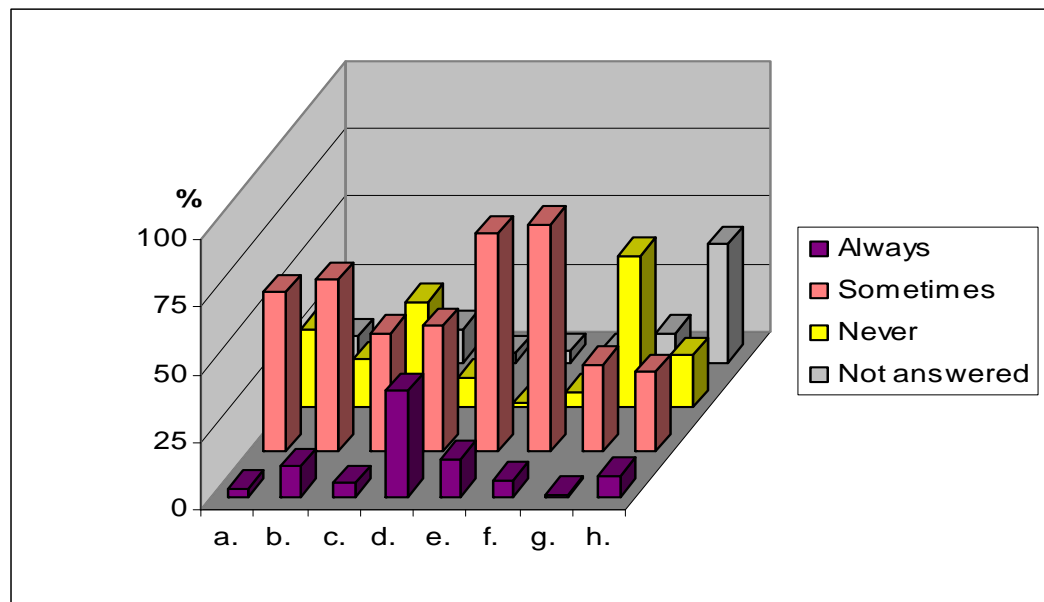
- |                                       |                                       |   |
|---------------------------------------|---------------------------------------|---|
| a. worry about getting lost           | d. go only to areas I know            | g. take and use OS map                  |
| b. find some stiles difficult         | e. like exploring new paths           | h. won't use unfamiliar paths           |
| c. expect paths to be muddy/overgrown | f. prefer a leaflet showing the route | i. am more comfortable walking on lanes |

**Question 6. What kind of information do you rely on?**

When visiting the countryside I:	Always		Sometimes		Never		Not answered	
	No	%	No	%	No	%	No	%
a. use information from a library or TIC	4	2.7	86	58.9	42	28.8	14	9.6
b. use guidebooks or walks leaflets	16	11.0	93	63.7	26	17.8	11	7.5
c. use information from the Internet	7	4.8	64	43.8	57	39.0	18	12.3
d. find place to walk or ride from a map	57	39.0	68	46.6	16	11.0	5	3.4
e. go to places I've always known about	20	13.7	118	80.8	2	1.4	6	4.1
f. go places told about by family/friends	9	6.2	123	84.2	8	5.5	6	4.1
g. drive around until I find a place to stop	1	0.7	47	32.2	82	56.2	16	11.0
h. use other information (specify)	11	7.5	43	29.5	28	19.2	64	43.8

*n = 146 responses*

**Information relied on when planning a trip**



**Sources of information**

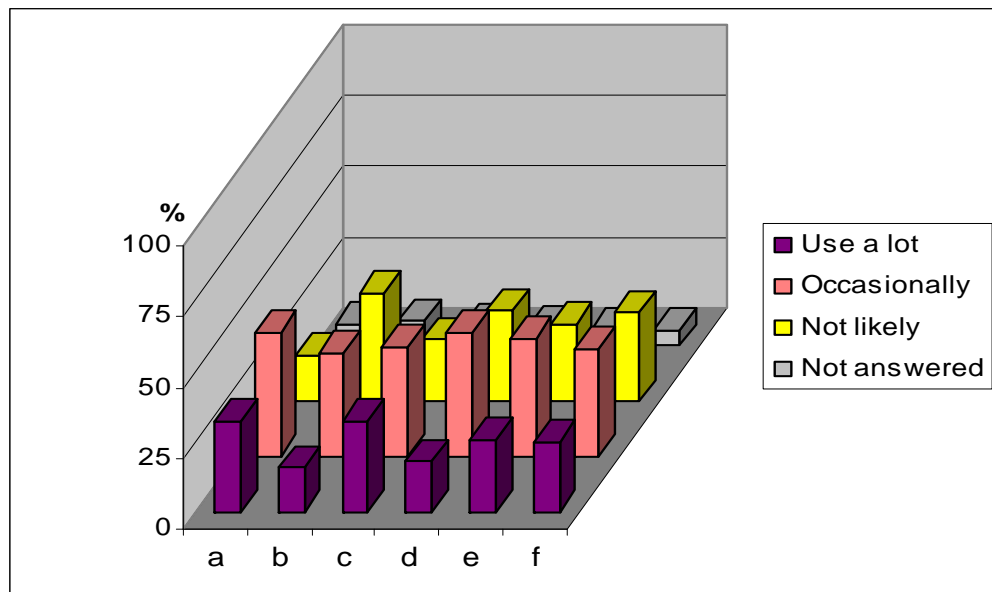
- a. from library or TIC
- b. guidebooks or leaflets
- c. the Internet
- d. from a map
- e. go to places always known about
- f. told about by friends or family
- g. just drive around
- h. other sources

### Question 7 Likely use of information if provided through the Internet

Likely to use information about:	Use a lot		Occasionally		Not use		Not answ'd	
	No.	%	No.	%	No.	%	No.	%
a. suggested walks or cycle/horse rides	47	32.2	64	43.8	24	16.4	11	7.5
b. ROWs that link to public transport	23	15.8	54	37.0	56	38.4	13	8.9
c. the Definitive Map and Statement	47	32.2	57	39.0	32	21.9	10	6.8
d. Council's path maintenance programme	26	17.8	64	43.8	47	32.2	9	6.2
e. applications to close/divert ROWs	37	25.3	61	41.8	40	27.4	8	5.5
f. ROWs missing from Definitive Map	36	24.7	56	38.4	46	31.5	8	5.5

n = 146 responses

### Likely to use information if provided through the Internet



#### Information about:

- |   |   |
|---|---|
| a. suggested walks or cycle/horse rides | d. Council's path maintenance programme |
| b. ROWs that link to public transport   | e. applications to close/divert ROWs    |
| c. the Definitive Map and Statement     |   |
|   | f. ROWs missing from Definitive Map     |

## Question 8 - Use of existing on-line information

### 8a. Access to the Internet

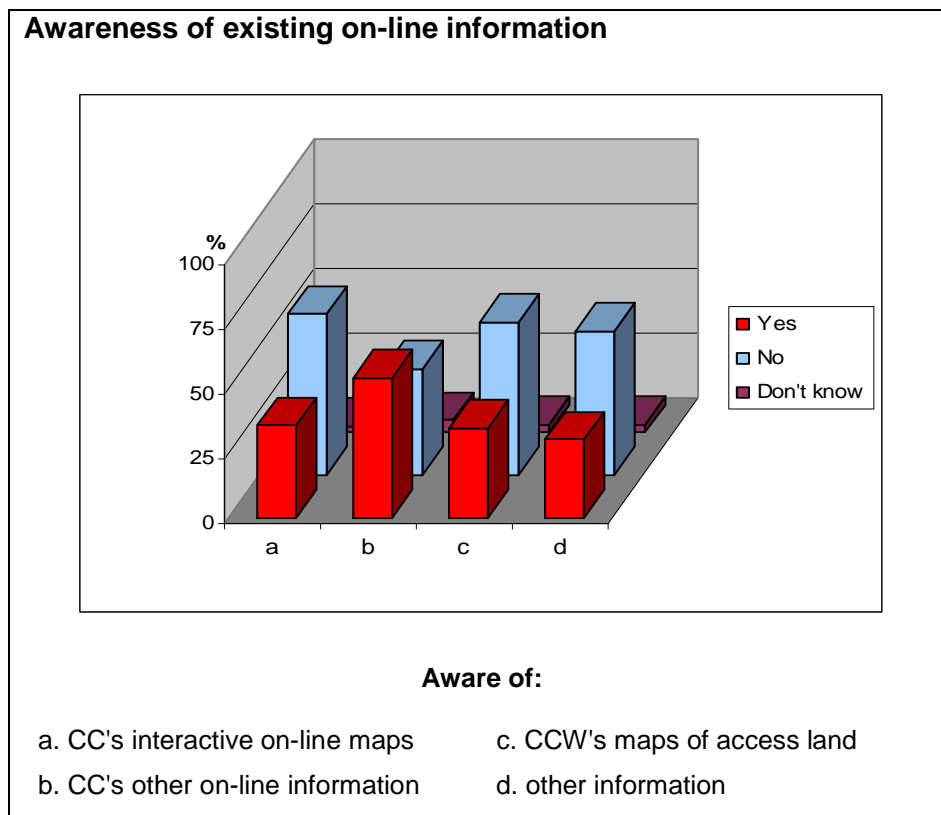
	Yes		No		No answer	
	No.	%	No.	%	No.	%
	<b>Currently have access to the Internet</b>	117	80.1	23	15.8	6

*n = 146 responses*

### 8b. Awareness of existing on-line information

Aware of:	Yes		No		No answer	
	No.	%	No.	%	No.	%
a. CC's interactive on-line maps	44	35.5	77	62.1	3	2.4
b. CC's other on-line information	67	54.0	51	41.1	6	4.8
c. CCW's maps of access land	43	34.7	73	58.9	8	6.5
d. other information about ROWs	37	29.8	69	55.6	18	14.5

*n = 124 responses*

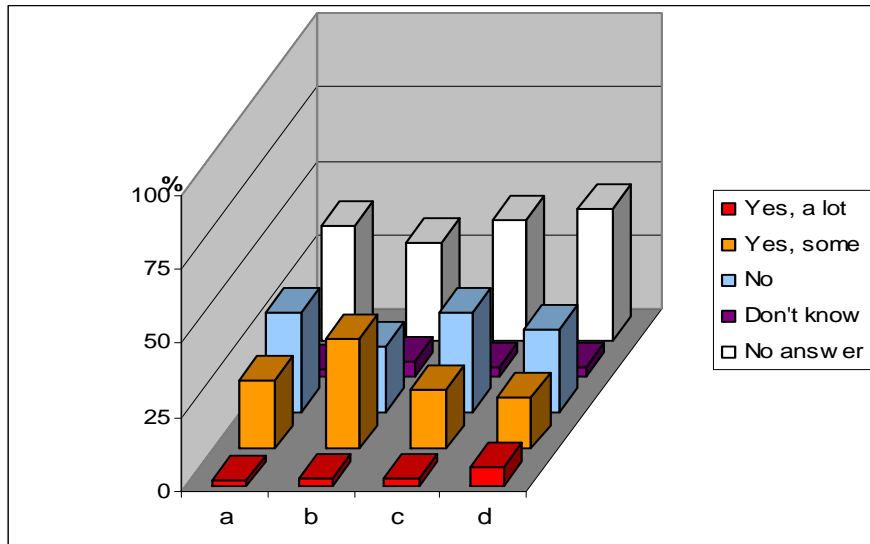


### 8c. Use made of existing on-line information

Made use of:	Yes, a lot		Yes, some		No		Don't know		No answer	
	No.	%	No.	%	No.	%	No.	%	No.	%
a. CC's interactive on-line maps	2	1.6	29	23.4	42	33.9	3	2.4	48	38.7
b. CC's other on-line information	3	2.4	46	37.1	28	22.6	6	4.8	41	33.1
c. CCW's maps of access land	3	2.4	25	20.2	42	33.9	4	3.2	50	40.3
d. other information about ROWs	8	6.5	22	17.7	35	28.2	4	3.2	55	44.4

*n = 124 responses*

#### Use made use of existing on-line information



#### Made use of:

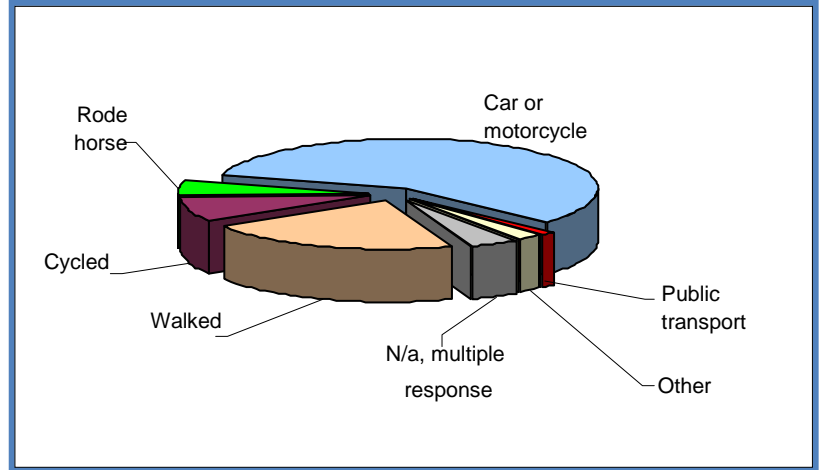
- |                                   |                              |
|-----------------------------------|------------------------------|
| a. CC's interactive on-line maps  | c. CCW's maps of access land |
| b. CC's other on-line information | d. other information         |

**Part C. Information about the respondent's last visit to the countryside**

**Question 9. How did you get to the place you visited?**

<b>Transport:</b>	<b>No.</b>	<b>%</b>
Walked	32	21.6
Cycled	12	8.1
Rode horse	8	5.4
Car or motorcycle	85	57.4
Public transport	2	1.4
Other	3	2.0
N/a, multiple resp.	6	4.1

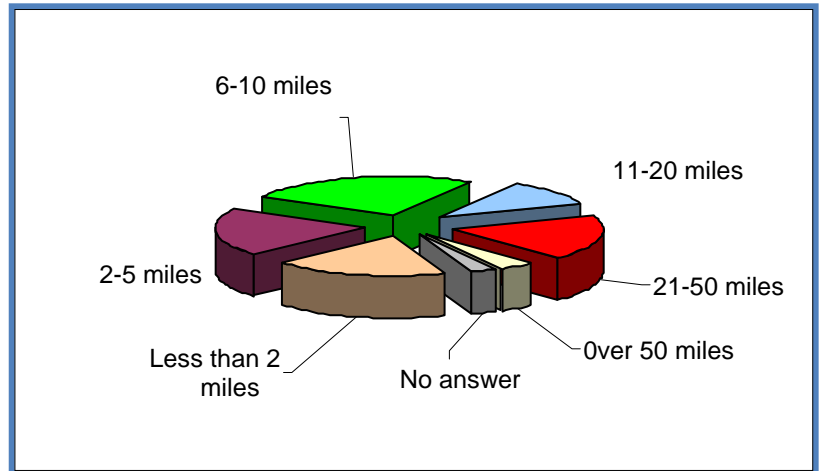
*N. = 148 responses*



**Question 10. How far was it?**

<b>Distance:</b>	<b>No.</b>	<b>%</b>
Less than 2 miles	28	18.9
2-5 miles	29	19.6
6-10 miles	38	25.7
11-20 miles	16	10.8
21-50 miles	27	18.2
Over 50 miles	6	4.1
No answer	4	2.7

*N. = 148*

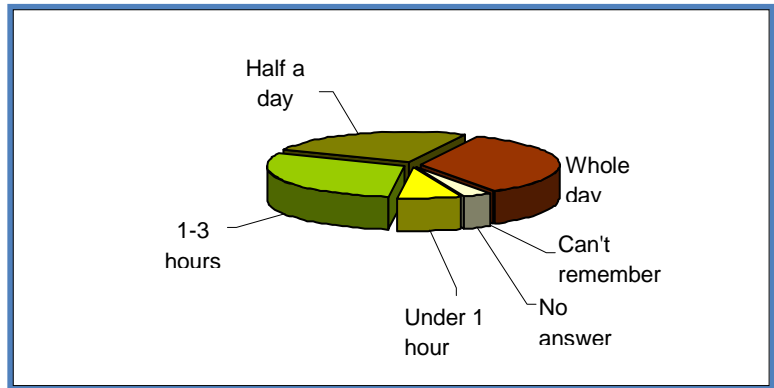




**Question 11. How long did your trip last?**

How long:	No.	%
Under 1 hour	11	7.4
1-3 hours	44	29.7
Half a day	37	25.0
Whole day	51	34.5
Can't remember	0	0.0
No answer	5	3.4

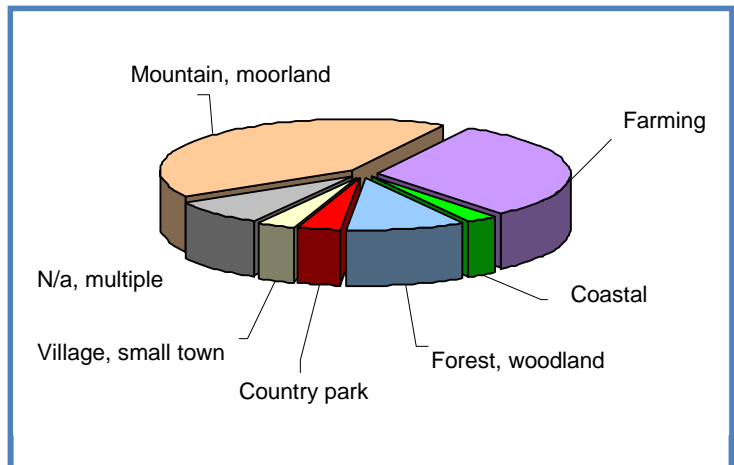
*N= 148 responses*



**Question 12. What kind of area did you visit?**

Kind of area:	No.	%
Mountain, moorland	61	41.2
Farming area	46	31.1
Coastal	4	2.7
Forest, woodland	15	10.1
Country park	5	3.4
Village, small town	5	3.4
N/a, multiple	12	8.1

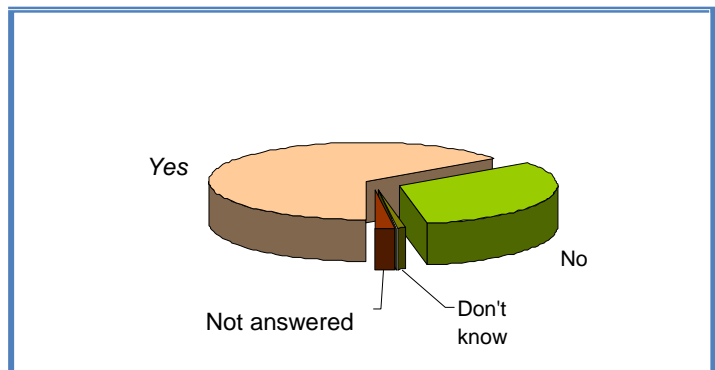
*N= 148 responses*



**Question 13. Was the area you visited in Denbighshire?**

In County:	No.	%
Yes	96	64.9
No	48	32.4
Don't know	1	0.7
Not answered	3	2.0

*N= 148 responses*



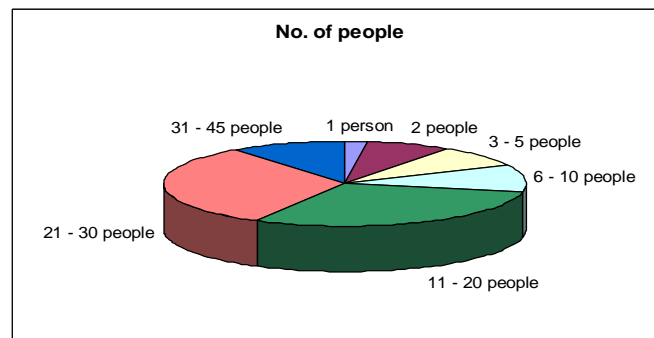
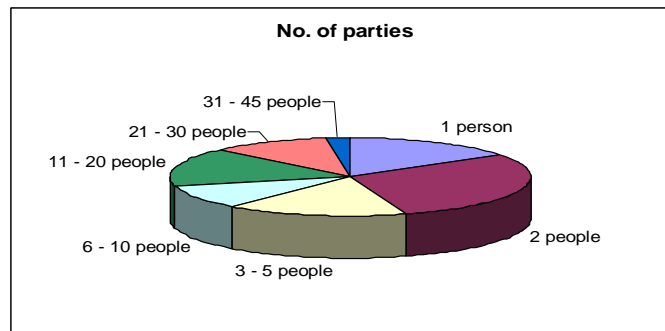
**Question 14. How many people were in your party?**

**Number of people in each party**

<b>Size of party</b>	<b>No. of parties</b>	<b>%</b>	<b>No. of people</b>	<b>%</b>
1 person	22	15.5	22	2.0
2 people	42	29.6	84	7.6
3 - 5 people	23	16.2	93	8.4
6 - 10 people	14	9.9	117	10.5
11 - 20 people	23	16.2	328	29.5
21 - 30 people	15	10.6	352	31.7
31 - 45 people	3	2.1	115	10.4
<b>Total all parties</b>	<b>142</b>	<b>100.0</b>	<b>1111</b>	<b>100.0</b>

*n = 142 responses*

**Question 14 How many people were in your party?**



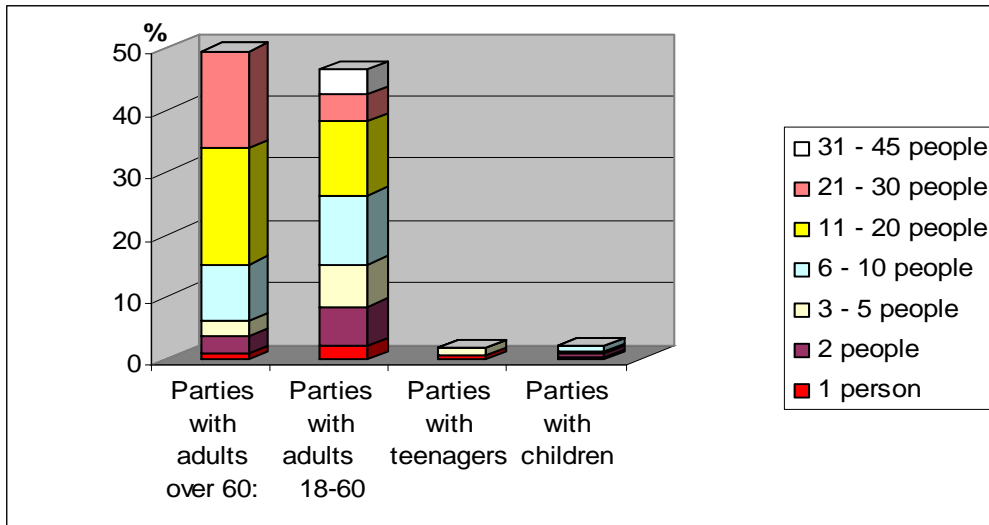
## Composition of parties

	No. of parties	% all parties	No. people	% all people
<b>Parties with adults over 60:</b>				
1 adult over 60	10	7.0	10	0.9
2 adults over 60	16	11.3	32	2.9
3-5 adults over 60	8	5.6	27	2.4
6-10 adults over 60	12	8.5	101	9.1
11-20 adults over 60	13	9.2	208	18.7
21-30 adults over 60	7	4.9	172	15.5
>30 adults over 60	0	0.0	0	0.0
All parties with adults over 60	66	46.5	550	49.5
<b>Parties with adults 18-60:</b>				
1 adult aged 18-60	24	16.9	24	2.2
2 adults aged 18-60	35	24.6	70	6.3
3 - 5 adults 18-60	18	12.7	76	6.8
6 - 10 adults 18-60	14	9.9	123	11.1
11- 20 adults 18-60	10	7.0	132	11.9
21 - 30 adults 18-60	2	1.4	49	4.4
>30 adults 18-60	1	0.7	43	3.9
All parties with adults 18-60	104	73.2	517	46.5
<b>Parties with teenager:</b>				
1 teenager	6	4.2	6	0.5
2 teenagers	1	0.7	2	0.2
3 - 5 teenagers	3	2.1	12	1.1
> 6 teenagers	0	0.0	0	0.0
All parties with teenagers	10	7.0	20	1.8
<b>Parties with children</b>				
1 child	3	2.1	3	0.3
2 children	4	2.8	8	0.7
3 - 5 children	1	0.7	4	0.4
6 - 10 children	1	0.7	9	0.8
> 11 children	0	0.0	0	0.0
All parties with children	9	6.3	24	2.2

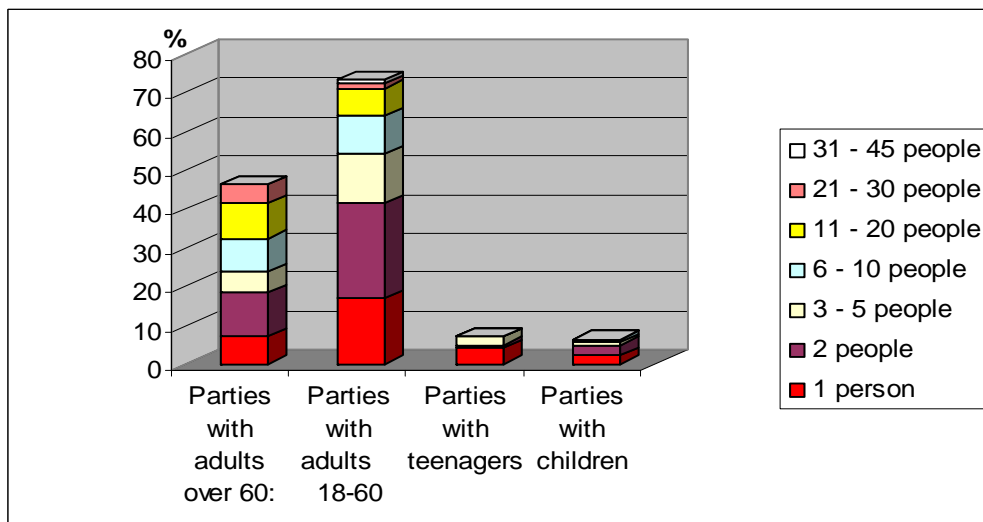
*n = 142 responses*

**Question 14 Composition of parties**

**a. By percentage of people**



**b. By percentage of groups**



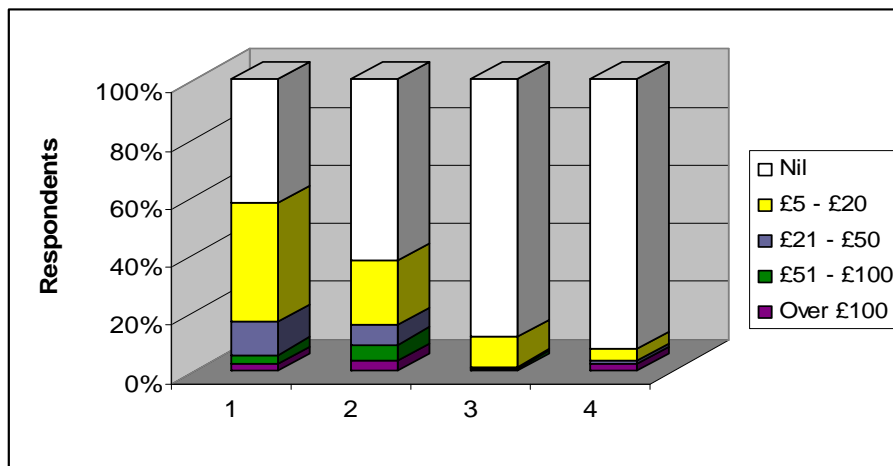
**Question 15. How much did your whole party spend on the trip? (Indicative data only)**

Sum spent	Fuel or fares			Meals, drinks, etc			Books, souvenirs			Other items		
	No.	%	Value £	No.	%	Value £	No.	%	Value £	No.	%	Value £
£0	63	42.6	0	92	62.2	0	131	88.5	0	137	92.6	0
£5 - £20	60	40.5	570	33	22.3	350	15	10.1	125	6	4.1	50
£21 - £50	17	11.5	605	10	6.8	370	1	0.7	50	2	1.4	55
£51 - £100	5	3.4	420	8	5.4	620	1	0.7	70	0	0.0	0
over £100	3	2.0	650	5	3.4	1,100	0	0.0	0	3	2.0	950
<b>Total</b>	<b>148</b>	<b>100.0</b>	<b>2,245</b>	<b>148</b>	<b>100.0</b>	<b>2,440</b>	<b>148</b>	<b>100.0</b>	<b>245</b>	<b>148</b>	<b>100.0</b>	<b>1,055</b>

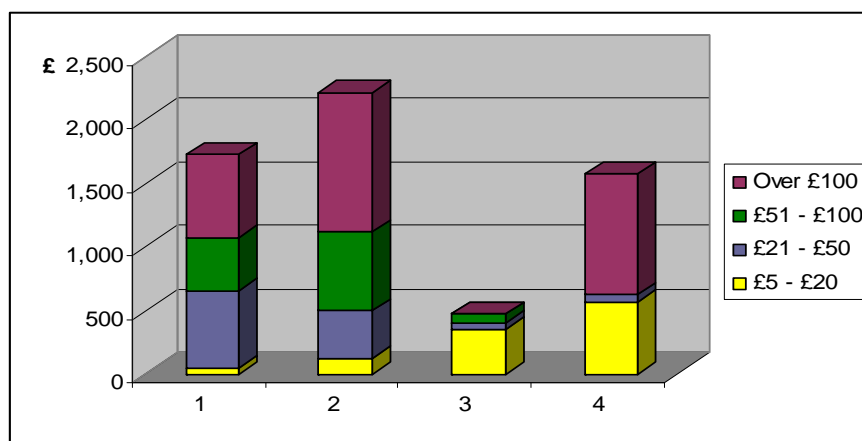
n. 148

**Question 15 How much did your whole party spend on the trip? (Indicative data)**

**a. By percentage of respondents**



**b. By amount spent**



**Spending on:**

- 1. Fuel or fares to make trip
- 2. Meals, drinks or refreshments on trip
- 3. Maps, books and souvenirs on trip
- 4. Other items on trip

## Part D. Priorities for the Rights of Way Improvement Plan

### Question 17 Responses used in analysis

Responses with:	County Voice		Full quest.		All responses	
	No.	%	No.	%	No.	%
Priorities marked correctly as 1 - 5	195	68.7	131	88.5	326	75.5
Priorities marked as 1 - 10	44	15.5	0	0.0	44	10.2
Total used in analysis	239	84.2	131	88.5	370	85.6
Other answers (discounted)	45	15.8	17	11.5	62	14.4
Total	284	100.0	148	100.0	432	100.0

*n* = 432

**Question 17 What would be your top priorities for the Rights of Way Improvement Plan?**

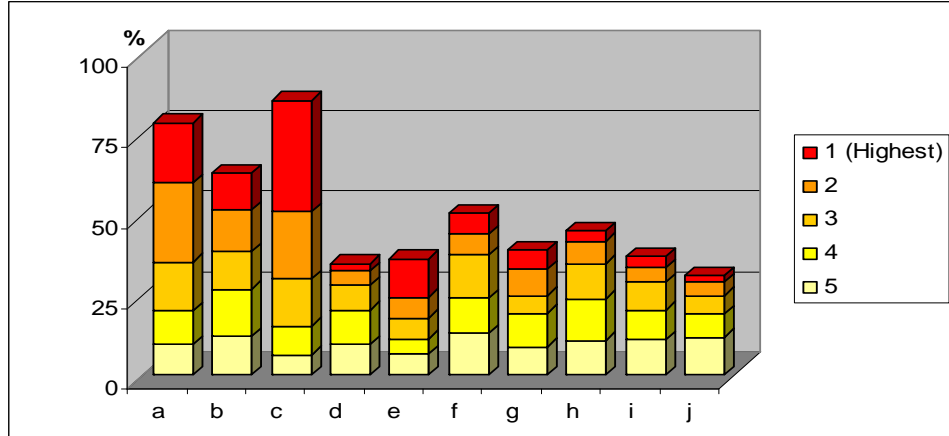
Options for ROWIP:	Ranked as:										Total all (1-5)		Not ranked	
	1 (Highest)		2		3		4		5					
	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%	No.	%
a. More signs so paths easier to find	69	18.6	91	24.6	57	15.4	38	10.3	35	9.5	290	78.4	80	21.6
b. Make paths easier for elderly or disabled	42	11.4	48	13.0	44	11.9	54	14.6	44	11.9	232	62.7	138	37.3
c. Clear overgrowth/ obstructions from all paths	128	34.6	78	21.1	54	14.6	33	8.9	23	6.2	316	85.4	54	14.6
d. Provide more footpaths in countryside	8	2.2	17	4.6	29	7.8	39	10.5	35	9.5	128	34.6	242	65.4
e. More bridleways for riders and cyclists	44	11.9	24	6.5	24	6.5	17	4.6	24	6.5	133	35.9	237	64.1
f. Complete the legal record	24	6.5	24	6.5	50	13.5	40	10.8	48	13.0	186	50.3	184	49.7
g. Improve paths in urban areas	23	6.2	30	8.1	20	5.4	39	10.5	32	8.6	144	38.9	226	61.1
h. Changes line of paths to overcome conflict	12	3.2	26	7.0	41	11.1	48	13.0	39	10.5	166	44.9	204	55.1
i. More short walks leaflets	13	3.5	16	4.3	33	8.9	34	9.2	40	10.8	136	36.8	234	63.2
j. More long distance paths	7	1.9	16	4.3	21	5.7	27	7.3	43	11.6	114	30.8	256	69.2

*n = 370*

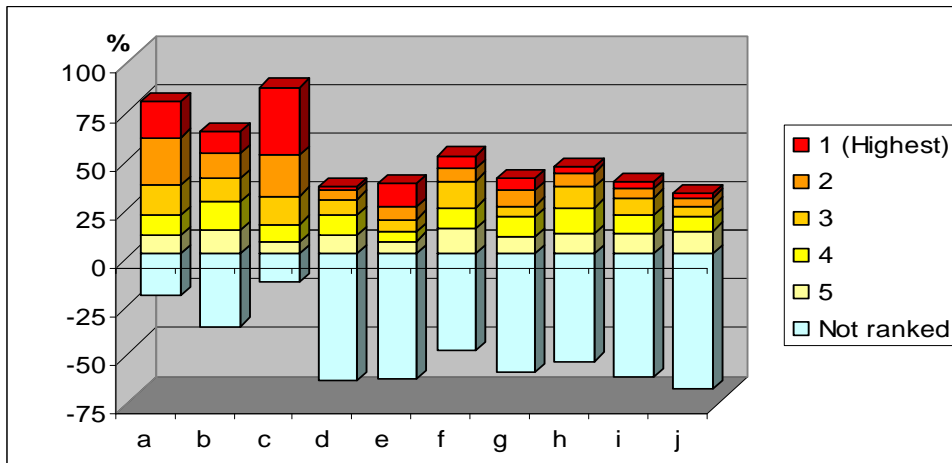


**Question 17. Your top priorities for the improvement plan?**

**a. Top 5 priorities**



**b. Ranked and not ranked**



**Possible activities :**

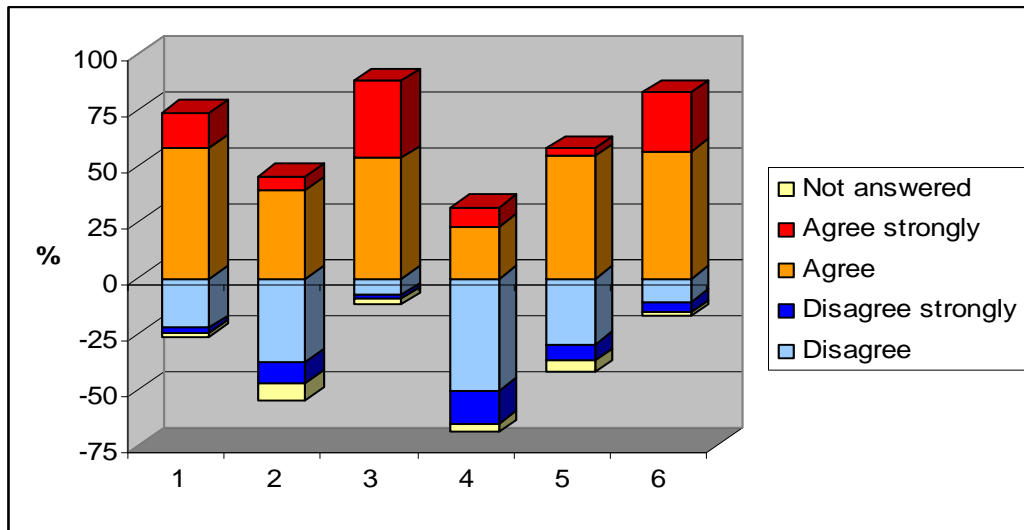
- |   |   |
|---|---|
| a. Put up more signs so paths easier to find  | f. Complete the legal record                  |
| b. Make paths easier for elderly or disabled  | g. Improve paths in built-up areas            |
| c. Clear overgrowth & remove all obstructions | h. Change paths to overcome conflict          |
| d. Provide more footpaths in countryside      | i. More leaflets showing short circular walks |
| e. More bridleways for riders & cyclists      | j. Provide more long distance paths           |

**Question 18. How strongly do you agree or disagree?**

Statement:	Agree strongly		Agree		Disagree		Disagree strongly		Not answered	
	No.	%	No.	%	No.	%	No.	%	No.	%
1. There are already a lot of places to go for a walk in Denbighshire away from roads used by cars	67	15.5	253	58.6	95	22.0	9	2.1	8	1.9
2. There are also a lot of places to cycle or ride a horse	26	6.0	171	39.6	160	37.0	41	9.5	34	7.9
3. Spending on ROW is good value compared to spending on other leisure activities	149	34.5	233	53.9	32	7.4	6	1.4	12	2.8
4. Improvements to ROWs should be in the most attractive areas such as the Berwyns	36	8.3	101	23.4	215	49.8	64	14.8	16	3.7
5. The council does a good job looking after ROWs in Denbighshire	16	3.7	236	54.6	126	29.2	31	7.2	23	5.3
6. Holidaymakers at the coast should be encouraged to also enjoy the countryside	114	26.4	245	56.7	45	10.4	19	4.4	9	2.1

*n = 432 responses*

**Question 18. How strongly do you agree or disagree?**



**Statement:**

- |  |  |
|--|--|
| 1. Already a lot of places to walk               | 4. ROW improvements to be in attractive areas  |
| 2. Also a lot of places to cycle or ride a horse | 5. Council does a good job looking after ROWs  |
| 3. Spending on ROWs is good value for money      | 6. Holidaymakers should also enjoy countryside |

## Appendix C: Glossary and abbreviations

Access Land	Land to which the public have a right of access on foot under the provisions of the Countryside and Rights of Way Act 2000. Includes registered common land and land mapped by CCW as mountain, moorland, heath or down (open country)
ACU	<i>Auto-Cycle Union</i> . Governing body of motor cycle sport
AWDC	<i>All-wheel drive club</i> . Voluntary body representing 4-wheel drive users
BHS	<i>British Horse Society</i> . Voluntary body representing horse riders
BOAT	<i>Byway open to all traffic</i> . Public right of way available as of right to all traffic (including motor vehicles) but used mainly for the purposes of walking or riding a horse
Bridleway	Public right of way over which the public have a right to walk, ride or lead a horse or to cycle (cyclists must give way to other users)
CAMS	<i>Countryside Access Management System</i> . Computerised geographic information system developed by exeGesIS SDM Ltd and widely used by highway authorities to help manage public rights of way
CCW	<i>Countryside Council for Wales</i> . Government's statutory advisor on nature conservation and countryside access and recreation
CLA/CLBA	<i>Country Land and Business Association</i> . Body representing country landowning and business interests
CRAG	<i>Countryside Recreation Access Group</i> . Voluntary organisation advocating responsible use of off-road vehicles
CROW	<i>Countryside and Rights of Way Act 2000</i>
CTC	<i>Cyclists' Touring Club</i> . Voluntary body representing cyclists
Definitive Map and Statement	Map and Statement prepared by the County Council ('the Surveying Authority') under the provisions of the Wildlife and Countryside Act 1981 and which is conclusive evidence, in law, of the rights of way shown on it at the date of the map. (NB. Other rights of way may exist which are not so recorded)
DMMO	<i>Definitive Map Modification Order</i> . Order made by the County Council to amend the Definitive Map and Statement
Footpath	Public right of way over which the public have a right of passage only

on foot (including the use of class 2 and 3 disabled vehicles)

FUW	<i>Farmers' Union of Wales</i>
GLASS	<i>Green Lane Association.</i> Voluntary body promoting the responsible vehicular use of unsurfaced highways and byways
GLEAM	<i>Green Lanes Environmental Action Movement.</i> Pressure group which has campaigned to prohibit mechanically propelled vehicles from using rights of way
HA	<i>Highway Authority</i>
IMBA - UK	<i>International Mountain Biking Association UK.</i> Voluntary body which supports mountain biking in the UK and Ireland
Km / Kms	<i>Kilometre / kilometres</i>
LAF	<i>Local Access Forum.</i> Body which the highway authority is required to set up and service under the provisions of CROW Act 2000 to advise it, CCW and WAG on improvement of public access to land for the purposes of open air recreation and enjoyment
LARA	<i>The Motoring Organisations' Land Access and Recreation Association.</i> Umbrella body of motor sports organisations representing vehicular users of rights of way
LoS / List of streets	List prepared by the highway authority under the Highways Act 1980 showing the highways (streets) in its area that are maintainable at the public's expense. The Act does not specify the detail to be included in the list, nor is the list conclusive evidence in law of the rights which exist over the ways shown on it
Lost ways	Public right of way which is not recorded on the Definitive Map and Statement or which has additional unrecorded rights over it. Provisions in the CROW Act 2000 will (if enacted) extinguish all such rights on 1 January 2026 unless a valid application has been received by the Highway Authority to record them under schedule 14, Wildlife and Countryside Act 1981
LTP	<i>Local Transport Plan.</i> Plan prepared by the local authority which analyses travel problems and opportunities and sets objectives and targets. It is the basis on which Government funding for major capital road and transport schemes is obtained. NB. Current WAG guidance stresses the importance of ROWIP policies being integrated into those of the Local Transport Plan
MBT/ MTB trail	<i>Mountain bike/Trail</i> designed to be ridden by mountain bike, usually over rough terrain

NFU	<i>National Farmers' Union</i>
PI	<i>Performance Indicator</i>
PPO	<i>Public Path Order.</i> Order made by the highway authority to create, extinguish or divert a public right of way
PROW	<i>Public right of way.</i> Minor highway over which a right of passage on foot, riding or leading a horse, by pedal cycle or with a vehicle and classified as either a footpath, bridleway, restricted byway or byway open to all traffic
RA	<i>Ramblers' Association.</i> Voluntary body representing ramblers
Restricted Byway	Rights of way carrying the same rights as a byway open to all traffic with the exception of mechanically propelled vehicles. NB. Restricted Byways were created as a result of the automatic re-designation of all remaining RUPPs under the provisions of the CROW Act 2000
ROWIP	<i>Rights of Way Improvement Plan.</i> Plan required to be produced by the highway authority under the provisions of the CROW Act reviewing the adequacy of local public rights of way and setting out how it proposes to improve and manage rights of way over the next ten years
RSF	<i>Rough Stuff Fellowship</i> Voluntary body representing the interests of mountain bikers
RUPP	<i>Road used as a public path</i> See Restricted Byway
Schedule 14 application	Application made to the County Council under schedule 14, WCA 1981, to amend the Definitive Map and Statement
SSA	<i>Standard Spending Assessment.</i> Mechanism used by WAG to distribute Revenue Support Grant (RSG) to local authorities and intended to enable them to charge the same level of council tax for the provision of a similar standard of service
TRF	<i>Trail Riders' Fellowship.</i> Voluntary body representing those who use rights of way for motorised trail riding
UCR	<i>Unclassified County Road</i>
WAG	<i>Welsh Assembly Government</i>