

Title of meeting: Traffic and Transportation - Decision Meeting

Date of meeting: 19 January 2023

Subject: Portsmouth City Council Rights of Way Improvement Plan (RoWIP)

Report by: Tristan Samuels - Director of Regeneration

Report Author: Andy DiMarco

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1** This report builds on the previous Rights of Way Improvement Plan (RoWIP) report presented to the Cabinet Member for Traffic and Transportation dated 17 October 2019¹.
- 1.2** The purpose of this report is to seek approval from the Cabinet Member for the adoption of the Portsmouth Rights of Way Improvement Plan, daughter document of the Portsmouth Transport Strategy (Local Transport Plan 4), following external consultation.

2. Recommendations

It is recommended that the Cabinet Member for Traffic and Transportation:

- 2.1** Notes the results of the consultation held between November 2021 and February 2022 (Appendix A)²;
- 2.2** Adopts the Portsmouth RoWIP (Appendix B) that has been developed following the responses to the consultation as the Portsmouth Rights of Way Improvement Plan and recognises that this document forms the basis for Rights of Way improvements for the period 2023 to 2033.

¹ [Rights of Way Improvement Plan 2019-2029.pdf \(moderngov.co.uk\)](https://www.moderngov.co.uk/Portsmouth/Rights%20of%20Way%20Improvement%20Plan%202019-2029.pdf)

² [Rights of Way Consultation 2022 - Your City, Your Say survey research \(portsmouth.gov.uk\)](https://www.portsmouth.gov.uk/Portsmouth/Rights%20of%20Way%20Consultation%202022%20-%20Your%20City,%20Your%20Say%20survey%20research)

³ [Countryside and Rights of Way Act 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2000/12)



3. Background

- 3.1** As set out in the report presented to Traffic and Transportation dated 17 October 2019¹, Highways Authorities have a statutory duty to produce a 10-year RoWIP under the Countryside and Rights of Way Act 2000 (CRoW Act)³.
- 3.2** The Portsmouth RoWIP 2023 - 2033 is the second iteration of an Improvement Plan for rights of way in Portsmouth. It builds on the areas for consideration and improvement that were identified in the first iteration of this Plan, spanning the period 2007 - 2017.

4. Reasons for recommendations

- 4.1** A total of 1053 responses were provided, 1052 to the questionnaire and one written response from the Friends of Old Portsmouth Association (FOOPA) during the consultation period. A report analysing the feedback received can be found in Appendix A².
- 4.2** The RoWIP has been reviewed, with changes made that consider the results of the consultation (Appendix B), along with stylistic changes to ensure continuity across daughter documents of the LTP4.
- 4.3** The key changes, following this consultation are as follows:
- Amendments to a map outlining the Rights of Way in Portsmouth.
 - Amendments to a map outlining the 20mph zones and limits.
 - Updates to the National Highways and Transport Network Public Satisfaction Survey results.
 - Updates to provide greater clarity on technical jargon that has been used throughout the document.
 - Diagrammatic improvements to highlight the role in which the RoWIP interacts with other documents and strategies as part of the LTP4.
- 4.4** Alongside the statutory requirement for a RoWIP and reviews of the Plan, adoption of the Portsmouth RoWIP 2023-33 will provide a standalone document that will explain how improvements will be made to the public rights of way network, providing a better user experience for residents and visitors in Portsmouth.
- 4.5** An adopted Improvement Plan for Rights of Way will ensure that further consideration is given to Rights of Way and their usage when local planning policy, transport policy and strategy documents are developed.
- 4.6** In addition to the aims and objectives of the LTP4, the RoWIP links with many

³ [Countryside and Rights of Way Act 2000 \(legislation.gov.uk\)](https://www.legislation.gov.uk)

other local and national policies, highlighting its importance for adoption to ensure the action plan is delivered to meet said aims and objectives.

5. Integrated impact assessment

5.1 An IIA has been undertaken for the RoWIP, see Appendix C.

6. Legal implications

6.1 s.60 CRoW Act provides that the Council as Highway Authority must review its Rights of Way Improvement Plan every 10 years.

6.2 s.61 CRoW Act stipulates the consultation process that must occur "before preparing or reviewing a rights of way improvement plan, and in particular in making any assessment" of a Rights of Way Improvement Plan against its statutory objectives contained in s.60 CRoW Act.

6.3 A detailed analysis of the consultation process has been appended to this report and commends a draft Rights of Way Improvement Plan for adoption.

7 Director of Finance's comments

7.1 There are no direct financial implications of approving the recommendations within this report.

7.2 The cost of drafting the ROWIP have been met from existing cash limits.

7.3 Any physical works that arise as a result of this new ROWIP will be met from the statutory Rights of Way capital budget allocation with the Council's Local Transport Plan (LTP).

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Signed by: Tristan Samuels, Director of Regeneration

Appendices:

- A - Rights of Way Consultation Report
- B - Revised Rights of Way Improvement Plan
- C - Integrated Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location
Portsmouth Rights of Way Improvement Plan (2019-2029)	Rights of Way Improvement Plan 2019-2029.pdf (modern.gov.co.uk)
Countryside and Rights of Way Act 2000	Countryside and Rights of Way Act 2000 (legislation.gov.uk)

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: