

Public Rights of Way & Non-Motorised User Routes Design Guide

To: Highways and Transport Committee

Meeting Date: 7th December 2021

From: Steve Cox, Executive Director Place and Economy

Electoral division(s): All.

Key decision: No

Forward Plan ref: Not applicable

Outcome: Across Cambridgeshire existing Public Rights of Way and other routes are often being upgraded and provided to support growth and sustainable development. The Committee is being asked to consider the creation of a Public Rights of Way & Non-Motorised User Route Design Guide that will address and balance the needs of all users when improving existing and providing new routes for promoting sustainable forms of transport and promoting active travel.

Recommendation: The Committee is recommended to:

- a) note the report;
- b) agree to the creation of a draft Design Guide;
- c) delegate to the Executive Director of Place and Economy and the Chair and Vice Chair the approval of a consultation document and approval of the draft Design Guide to allow the consultation process to be undertaken;
- d) following consultation and refinement of the draft Design Guide to bring a report back to Committee providing a summary of the consultation response and the Design Guide for approval;

Officer contact:

Name: Grant Weller
Post: Team Leader, Highway Infrastructure Projects
Email: Grant.Weller@Cambridgeshire.gov.uk

Member contacts:

Names: Cllr Peter Macdonald / Cllr Gerri Bird
Post: Chair/Vice-Chair of Highways and Transport Committee
Email: peter.macdonald@cambridgeshire.gov.uk gerri.bird@cambridgeshire.gov.uk
Tel: 01223 706398

1. Background

- 1.1 There are various forms of Public Rights of Way (PRoW) and other routes within the county of Cambridgeshire. To support growth and sustainable development, improve access, enable improved community physical and mental health and well-being and to promote sustainable forms of transport promoting active travel, existing routes within the County are often upgraded and new routes provided.
- 1.2 Often changes to the PRoW network and provision of new Non Motorised User routes (NMUs) are requirements of development, secured through the planning process, including housebuilders, commercial development and other promoters like National Highways. The Council also works in partnership with other sponsors and promoters including Parish and District Councils, the Greater Cambridgeshire Partnership and the Cambridge & Peterborough Combined Authority.
- 1.3 Different users have different needs depending on the type of journey they are undertaking. A grass track across a field is ideal for people walking for leisure or riding a horse but is not a suitable surface, particularly in the winter, for active travel, and so will not encourage more people to walk or cycle to school, to work, to shops or other destinations. It is important to consider all users of a PRoW when changes or new routes are proposed, and currently there is no clear local reference guide for promoters and designers.

2. Main Issues

- 2.1 Upgrading routes to provide and promote active travel, particularly where there are competing needs for those walking, cycling, riding or those with mobility or visual impairments can be challenging, especially where there are restricted widths provided or available.
- 2.2 This can be complicated further where the routes must accommodate occasional motorised vehicles, such as heavy farm machinery and trail riders. Access and maintenance costs of the routes also needs to be taken into consideration, as this expanding network increases the maintenance burden on the Council. The routes vary in location from city and urban areas , to routes across open countryside, where the appearance of the routes also needs to be considered.
- 2.3 A particular challenge, where an upgrade has been identified to support growth and sustainable development, has been catering for equestrian users where the route is restricted in width and user segregation cannot be achieved. An example would be an existing 3m wide bridleway that was historically a trodden track across a field that becomes wet and boggy in the winter months, which is fine for people riding and walking for leisure. To improve access for active travel, particularly for those with mobility impairment and cyclists, the route surface would have to be altered. The challenge is around providing a surface that is suitable and appropriate for all users.
- 2.4 This report sets out a way forward to deal with these competing challenges. It is proposed that a draft guide for designers is produced.

- 2.5 The draft design guide will define the different types of route and recommend suitable provision accordingly. It will recommend surface finished materials, edgings and other design characteristics, dependant on location and setting including rural, urban and semi-urban, available land, other physical restraints, purpose including leisure, commuter, mixed use and predicted by current and forecast usage by the different user groups.
- 2.6 The Definitive Map and Statement of PRow defines the overall legal width, whilst the highway records determine the legal extent and status for other highways including cycle-tracks. These will be taken into account when considering how to apportion the overall width of the route amongst all users.
- 2.7 Existing guidance documents and examples of good practice, national and local, will also be considered when drafting this design guide.
- 2.8 The guide will be subject to an Equality Impact Assessment (EqIA) and stakeholder consultation including but not limited to: cycle groups, equestrian groups, walking groups, carriage drivers, motorised user groups, Local Access Forums, disability groups, Parish and District Councils, the City Council, the Greater Cambridgeshire Partnership and the Cambridge & Peterborough Combined Authority.
- 2.9 The guide will aid promoters and designers in proposing the type of surface finish and route widths most appropriate for the particular location and forecast usage, in the knowledge that scheme proposals will continue to be subject to scheme specific consultation processes, through which local users and interest groups can comment on individual scheme proposals. Individual projects and schemes will also be subject to scheme specific EqIA's.
- 2.10 The creation of this guide will not require a pausing or redesign of projects and schemes that are already secured from developers and promoters, including via the planning process, although it may influence input into design considerations, where it can be accommodated without delaying or causing additional cost that has not been budgeted for at the project inception stage. The guide is primarily being created to influence future works associated with PRow alterations and upgrades, and provision of NMU routes.
- 2.11 In summary, there are significant challenges to providing infrastructure to cater for all users, especially where the provision relates to existing routes that have constraints. The proposal in this report are intended to start a conversation with the various user groups, developers, and scheme promoters through the Equality Impact Assessment and consultation process, that balances the needs of users, while promoting sustainable growth and active travel.

3. Alignment with corporate priorities

- 3.1 Communities at the heart of everything we do
There are no significant implications for this priority.
- 3.2 A good quality of life for everyone
There are no significant implications for this priority.
- 3.3 Helping our children learn, develop and live life to the full
There are no significant implications for this priority.
- 3.4 Cambridgeshire: a well-connected, safe, clean, green environment
There are no significant implications for this priority.
- 3.5 Protecting and caring for those who need us
There are no significant implications for this priority.

4. Significant Implications

Report authors should evaluate any further significant implications using the eight sub-headings below. These significant implications should also be evaluated using the questions detailed below. Each specific implication must be signed off by the relevant Team within the Council before the report is submitted to Democratic Services.

If your report is a monitoring report or an “information” report requested by the Committee, please delete this section.

Further guidance and a checklist containing prompt questions are included at Appendix 2.

- 4.1 Resource Implications
There are no significant implications within this category.
- 4.2 Procurement/Contractual/Council Contract Procedure Rules Implications
There are no significant implications within this category.
- 4.3 Statutory, Legal and Risk Implications
There are no significant implications within this category.
- 4.4 Equality and Diversity Implications
The report above sets out details of implications in paragraph 2.8 and 2.9.
- 4.5 Engagement and Communications Implications
The report sets out details of implications in paragraph 2.8..
- 4.6 Localism and Local Member Involvement
There are no significant implications within this category.

- 4.7 Public Health Implications
Public Health will be involved and consulted on the design guide prior to adoption..
- 4.8 Environment and Climate Change Implications on Priority Areas
- 4.8.1 Implication 1: Energy efficient, low carbon buildings.
Neutral Status:
Explanation: No impact on Council buildings from the proposal
- 4.8.2 Implication 2: Low carbon transport.
Positive Status:
Explanation: Promotion of Active travel will aim to encourage the use of cleaner modes of transport eg Cycling, Walking and horse riding.
- 4.8.3 Implication 3: Green spaces, peatland, afforestation, habitats and land management.
Neutral Status:
Explanation: No impact on green spaces, peatland, afforestation, habitats and land management
- 4.8.4 Implication 4: Waste Management and Tackling Plastic Pollution.
Neutral Status:
Explanation: No impact on Waste Management and tackling plastic pollution
- 4.8.5 Implication 5: Water use, availability and management:
Neutral Status:
Explanation: No impact on Water use, availability and management
- 4.8.6 Implication 6: Air Pollution.
Positive Status:
Explanation: Promotion of Active travel will positively impact air pollution and air quality.
- 4.8.7 Implication 7: Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change.
Positive Status:
Explanation: Promoting Active travel for all users, including disability groups will have a positive impact on wellbeing creating a healthier environment.

The contacts for the sign off process are as follows:

- Resource Implications – Finance (Tom Kelly (GPC)/Ellie Tod (C&I)/Sarah Heywood (E&E & HC&I)/Martin Wade (C&YP, C&P, & Health)/ Stephen Howarth (Adults)
- Procurement/Contractual/Council Contract Procedure Rules Implications – Procurement (Henry Swan)
- Statutory, Legal and Risk – Legal (Fiona McMillan fiona.mcmillan@peterborough.gov.uk)
- Equality and Diversity –Service Responsibility (Service to nominate a contact)
- Engagement and Communications – Communications (Comms Service Lead)
- Localism and Local Member Involvement – Service Responsibility (Service to nominate a contact)

- Public Health – Public Health (Kate Parker. Reports should ideally be shared at drafting stage. If not a minimum of one week will be needed to provide clearance.)
- Environment and Climate Change (only required for key decisions) – Climate Change Officer (Emily Bolton Emily.Bolton@cambridgeshire.gov.uk)

Have the resource implications been cleared by Finance? Yes or No

Name of Financial Officer: Sarah Heywood

Have the procurement/contractual/ Council Contract Procedure Rules implications been cleared by the LGSS Head of Procurement? Yes

Name of Officer: Henry Swan

Has the impact on statutory, legal and risk implications been cleared by the Council's Monitoring Officer or LGSS Law? Yes

Name of Legal Officer: Fiona MacMillan

Have the equality and diversity implications been cleared by your Service Contact?

Yes

Name of Officer: Elsa Evans

Have any engagement and communication implications been cleared by Communications?

Yes

Name of Officer: Sarah Silk

Have any localism and Local Member involvement issues been cleared by your Service Contact? Yes

Name of Officer: David Allatt

Have any Public Health implications been cleared by Public Health?

Yes

Name of Officer: Iain Green

If a Key decision, have any Environment and Climate Change implications been cleared by the Climate Change Officer?

Yes or No

Name of Officer: Sheryl French

5. Source documents guidance

5.1 Source documents

None

Should a report be confidential

See Appendix 3.

There has to be a very strong justification given as to why it is not in the public interest for a report to be in the public section of the agenda and why it should be exempt (confidential). Report authors should seek the Monitoring Officer's clearance for any confidential reports.

Overall report guidance

- Keep the main cover report as short as possible (ideally within four sides).
- Do not use long titles and remove superfluous blank spaces.
- Do not use double spacing after full stops.
- Avoid full use of capital letters.
- Avoid using colour to convey information and label the content.
- Text and background – try to keep to black on white.
- You need to use “alt text” for all images including logos, photos, charts etc
- Links use Tiny URLs to create relevant title of link and to shorten, and avoid using “click here”
- Use Plain English
- Ensure all relevant officers have been consulted on the report content.
- Committees of the Council are public meetings so there is a requirement to avoid the use of any unexplained acronyms.
- All graphs and charts should be produced in greyscale to avoid colour printing
- Write a description of what is contained within a map, providing an address and postcode or written directions.
- Do not attach long appendices. Where the report refers to large documents, authors should only include the executive summary and where possible make the full version available via the Internet (consult the relevant Democratic Services Officer for further technical advice) and put copies in the Members’ Group Rooms (Democratic and Members’ Services can help arrange).

Appendix 1 - Guidance not to be retained in final version of report

A key decision is one which:

- Results in the Council incurring expenditure or making savings, in a single transaction or a related series of transactions, in excess of £500,000 and / or
- Is significant in terms of its effect on the community living or working in an area of Cambridgeshire.

APPENDIX 2 – GUIDANCE AND CHECKLIST FOR IMPLICATIONS

Report authors should decide whether in each category there are no, some or significant implications, considering each of the prompt questions. A commentary need only be included within the report where there are significant implications. Report authors will need to clear each implication category with the relevant Team. They may wish to this before the drafting a report particularly if the issue is contentious.

A working definition of “significant” is where the broader implications of a proposal are so evident /substantial that they need to be taken into consideration when Members are making a decision on the proposal.

All headings (in bold below) should be included. However, if the implications have been referenced earlier in the report, the detail does not need to be repeated – just a reference made to the relevant text.

<p>Resource Implications</p>	<ul style="list-style-type: none"> • What are the capital and revenue costs? • What is the availability of current and future budget provision? • Is the organisation delivering value for money? • Is the best placed organisation delivering this service? • What are the implications for our property assets? • What are the implications for Information and Communications Technologies (ICT) and data ownership? • What are the impacts on human resources – employees’ Terms & Conditions, work location, staffing levels, industrial relations, Human Resources (HR) policies and if so has advice on the report been sought? • Are resources being used in a sustainable way, with regard to carbon dioxide (CO₂) emissions, climate change adaptation/mitigation, and long-term impact on environment? • Have we considered and are we in line with best practice? • Is our performance as an authority or partnership impacted?
<p>Procurement/ Contractual/ Council Contract Procedure Rules Implications</p>	<ul style="list-style-type: none"> • Have you evidenced compliance with the Council’s Contract Procedures Rules? • Have you identified where you are seeking Committee to approve an exemption from the Contract Procedure Rules and detailed the risks and mitigations? • Have you identified any EU or UK legislative risks associated with the exemption process such as non-compliance with the Public Contract Regulations Act 2015, transparency and open competition? • Have you identified the procurement or contractual risks associated with a contract? • Has the contract/procurement been subjected to the Council’s Commercial Board? • This includes re-procurement
<p>Statutory, Legal and Risk Implications</p>	<ul style="list-style-type: none"> • Did the proposal originate as a result of statute? • What is the relevant statutory guidance? • Are there any legal implications? • Are there any reputational implications? • What are the key risks and how might they be managed? • Are there any community safety implications? • Are there any health and safety implications? • Are there any human rights implications? Please consult with the Legal Team for advice on completing this section?

Equality and Diversity Implications	<p>The completion of this paragraph should include the need to have due regard to the Council's equalities duties under the Equality Act 2010. Where you are recommending changes that impact on a community, a community impact assessment needs to be carried out).</p> <ul style="list-style-type: none"> • How would the proposal affect access to services by the full range of communities in Cambridgeshire? • What are the implications for fairness, equality and diversity, within the workforce as well as for customers? • Have you had due regard to the Council's Equalities duties under the Equality Act 2010? • Have you carried out a Community (Equality) Impact Assessment? If so, this should be attached as an Appendix to this report and reference made to it in the report and recommendations. If not, the report should explain why this is not necessary. • Guidance on carrying out a Community Impact Assessment is available on Camweb
Engagement and Consultation	<ul style="list-style-type: none"> • Has there been community engagement / public consultation and if so, what were the results? • Has discussion on the proposals taken place across directorates and with other relevant councils / agencies? • What are the implications for engagement with voluntary/community sector? • Have affected employees been consulted? • Have local Members been consulted and their views taken into consideration? • Where you are recommending changes that impact on a community, has a Community Impact Assessment (incorporating requirements under the Equality Act) been carried out incorporating feedback from community engagement where appropriate? (see link above)
Localism and Local Member Involvement	<ul style="list-style-type: none"> • Does the proposal empower communities to do more for themselves? • How will the proposal harness the energy of local communities to work with the County Council? • Does the proposal involve devolving decision-making and delivery to a more local level? • Have you fully informed Local Members about matters affecting their divisions during the formative stages of policy development and discussion at informal meetings, as required by Part 5.3 – Member/Officer Relations of the Council's Constitution?
Public Health	<ul style="list-style-type: none"> • Will the proposal have an impact on the health of Cambridgeshire residents? • Will the proposal support improving the health of the worst off fastest? • Will the proposal impact on a key health and wellbeing need identified in the Cambridgeshire Joint Strategic Needs Assessment (JSNA) • How does the proposal ensure that public health preventative measures for COVID-19 are being adhered to. • What national guidance on COVID-19 is relevant to this proposal. All national guidance can be reviewed at the following link: https://www.gov.uk/coronavirus <p>The suite of Cambridgeshire JSNA documents are available on the Council website at the following link: http://www.cambridgeshireinsight.org.uk/jsna Please consult with the Public Health Team for advice on completing this section. Contact number: 01223 699689.</p>

Environment and Climate Change

Answering the below questions will help indicate the positive/neutral/negative status of the Environment and Climate Change implications. Where the answer is “yes” the section response is “positive”.

Energy efficient, low carbon buildings:

- Will the proposal decrease energy use for the council and/or communities?
- Will the proposal lead to a switch to low-carbon energy supply, including renewables?

Low Carbon Transport:

- Will the proposal decrease use/reliance on the private car?
- Will the proposal encourage use of cleaner modes of transport? Eg. EV, cycling, walking.
- Will the proposal increase use of public transport?

Green spaces, peatland, afforestation, habitats and land management:

- Will the proposal encourage, incorporate or implement tree planting?
- Will the proposal prevent or minimise tree removal?
- Will the proposal create, enhance or reduce damage to green space or natural habitats?
- Will the proposal improve the accessibility of green space or nature?
- Will the proposal lead to the improvement of peatland condition or extent? E.g. sustainable agriculture, restoration

Waste Management and Tackling Plastic Pollution:

- Will the proposal reduce waste generated by the council and/or residents, increase recycling, or encourage use of sustainable materials?
- Will the proposal reduce rubbish and waste, especially plastics, or reduce emissions from landfill?

Water use, availability and management:

- Will the proposal lead to reduced risk of flooding?
- Will the proposal promote and/or implement nature-based solutions to climate change (e.g balancing ponds, Sustainable Drainage solutions, tree planting etc) to manage the effects of climate change? E.g. Flood risk or heatwaves.
- Will the proposal help minimise use and wastage of water at the council and/or for communities, or help secure water supplies for the future?

Air Pollution:

- Will the proposal lead to a reduction in air pollution or an improvement in air quality?

Resilience of our services and infrastructure, and supporting vulnerable people to cope with climate change:

- Will the proposal lead to our services having greater ability to cope with the effects of climate change? E.g. flooding or heatwaves
- Will vulnerable people better cope with climate change?

See the Climate Change and Environment strategy [here](#) for further information on the Council’s climate priorities.

Contact the Climate Change Officer if you encounter any issues in completing these implications: mlei@cambridgeshire.gov.uk.

WHETHER A REPORT SHOULD BE PRIVATE AND CONFIDENTIAL

There has to be strong justification given as to why it is not in the public interest for a report to be in the public section of the agenda. When agreeing to exclude the press and public, a Committee has to consider whether the public interest of withholding a report from publication outweighs the public interest in disclosing the information.

Paragraph 11 of the Access to Information Rules (Constitution Part 4.2) lists the circumstances under which the Local Government Act 1972 allows exclusion of the press and public. These cover:

1. Information relating to any individual.
2. Information which is likely to reveal the identity of an individual.
3. Information relating to the financial or business affairs of any particular person (including the authority holding that information).
4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office holders under, the authority.
5. Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
6. Information which reveals that the authority proposes
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
 - (b) to make an order or direction under any enactment.
7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

If the report does include information that falls into the above categories, where possible, if it is not vital information that the Committee requires to make its decision, the information should be omitted from the body of the report (or only included as a confidential appendix) so that the report can be considered in public.

The Monitoring Officer must be consulted if the whole report needs to be treated as confidential.

The following heading and wording should be added as a header so it appears on every page of the report

NOT FOR PUBLICATION *This document contains exempt information under Paragraph [insert here the relevant number(s) from the list above] of Part 1 of Schedule 12A of the Local Government Act 1972, as amended, and it would not be in the public interest for this information to be disclosed (information relating to [add here the relevant text from the relevant number(s) above])*

Under the Local Government Act, some information **must** be treated as confidential, and the press and public **must** be excluded. This applies to information given to the Council by a Government Department on terms which forbid its public disclosure or information which cannot be publicly disclosed by or under any enactment or by the order of a court.