



West Sussex

# Rights of Way Management Plan

2018–2028







## Foreword

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Welcome to the Rights of Way Management Plan for West Sussex. This Plan is the result of an extensive consultation and takes into account the views of individual users and groups, land managers, partners, access providers and the two Local Access Forums that cover the county. The Plan sets out the Council's Vision and Objectives and outlines the actions we will need to focus on during the next ten years.

Ensuring visitors and local people alike have the opportunity to enjoy the beauty and tranquillity of large parts of the West Sussex countryside is important. The rights of way network is a much valuable resource. It contributes to people being able to lead a healthy lifestyle whether enjoying the fresh air, appreciating wildlife and the landscape, improving fitness and well-being, exploring on foot, by bike or by horse, or simply to walk the dog.

In West Sussex it has long been recognised that in addition to enabling people to enjoy the countryside, the rights of way network provides sustainable options for travelling to school or work and for accessing local services such as shops, health facilities or to reach public transport. The network provides a safe, traffic free alternative to increasingly busy roads and lanes. These paths contribute to the county being a special place in which to live, work and visit, and the positive impact they have on the rural economy cannot be overlooked. All these are acknowledged within this Plan.

Finally, we need to ensure we target resources to manage the Rights of Way network even more efficiently, focussing them where they are needed most over the next ten years. We recognise there is real concern about the connectivity of the network and the safety of crossing or using roads to link paths. We will seek to maximise opportunities to improve the network such as through District and Borough Local Plans and Parish Neighbourhood Plans.



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# 1. Introduction

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Public Rights of Way (PRoW) are highly valued, allowing residents and visitors to enjoy the beauty and tranquillity of large parts of the West Sussex countryside. They include public footpaths, bridleways, restricted byways and byways open to all traffic (BOATs), all of which the public are entitled to use.



The PRoW network in West Sussex provides a safe alternative to increasingly busy roads and lanes. They are used for a wide range of leisure activities, providing access to the countryside that enables people to enjoy the outdoors and appreciate wildlife and the landscape whether on foot, by bike or by horse. They are a valuable part of everyday life by providing access to shops, workplaces, educational and health services as well as being a vital link to public transport.

The PROW network enriches quality of life and helps to make West Sussex a special place. There is significant and growing evidence on the physical and mental health benefits of green spaces. Green spaces encourage social contact and integration, provide space for physical activity and play, and improve air quality. Being in the countryside is proven to reduce stress and improve mental health.

The PRoW network also plays an important role in keeping the rural economy buoyant as visitors to the countryside use local services and buy local produce. Environmental benefits come from choosing to walk or cycle instead of using cars, which contributes to a reduction in congestion and pollution. In addition, many routes provide ecological benefits as green corridors, allowing movement of wildlife, and the provision of linear habitats.

## 2. The need for this Plan

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West Sussex County Council (WSCC) has a duty, under the Countryside and Rights of Way Act (CROW) 2000, to produce a Rights of Way Improvement Plan (RoWIP) that sets out the vision for managing and improving local rights of way within West Sussex.

WSCC published its first RoWIP in 2007. Key highlights delivered by WSCC or other organisations since the original Plan was published are outlined in Appendix 1. This second Plan has been called the Rights of Way Management Plan (RoWMP) to bring more weight and focus to the management of the existing PRoW network. The Plan also outlines ways in which improvements, such as provision of new routes and major works could be achieved over and above routine maintenance.

The purpose of this plan is therefore:

- to demonstrate how WSCC, working alongside key partners, will manage the PRoW network
- to provide a framework through which local interest and community groups can contribute to the management and development of the PRoW network.

Whilst focusing on PRoW, this Plan also touches on other accessible green space such as woodlands, open access land and permissive paths, as they form part of the wider countryside access network.

Effective targeting of resources together with reflecting the way PRoW improvements are identified and prioritised are key to this second Plan. The Plan should not therefore be read in isolation as it will influence, and be influenced by, other plans and strategies such as:

- **West Sussex Plan 2017-2022** – WSCC
- **West Sussex Transport Plan (LTP) 2011-2026** – WSCC
- **West Sussex Walking and Cycling Strategy 2016–2026** – WSCC
- **South Downs National Park Partnership Management Plan 2014–2019** – South Downs National Park Authority (SDNPA)
- **South Downs Cycling and Walking Strategy 2017-2027** – SDNPA
- **Local Plans and associated documents** such as Green Infrastructure Plans – local planning authorities (District and Borough Councils and SDNPA)
- **Neighbourhood Plans** – various (often but not exclusively parish councils)

More detail about these plans and strategies is provided in Appendix 2.



### 3. Vision and Objectives

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The Council's Vision for PRow in West Sussex is:

***To enable people to enjoy the countryside on foot, by horse and by bicycle, for health, recreation and to access services, while recognising the need to balance this with the interests of those who live and work in the countryside and the management of special landscapes.***

Working in partnership with volunteers and key organisations, the Objectives of the Plan are to:

1. Manage the existing PRow network efficiently and maintain to an appropriate standard for use.
2. Improve path links to provide circular routes and links between communities.
3. Improve the PRow network to create safe routes for both leisure and utility journeys, by minimising the need to use and cross busy roads.
4. Provide a PRow network that enables appropriate access with minimal barriers for as many people as possible.
5. Promote countryside access to all sections of the community enabling people to confidently and responsibly use and enjoy the countryside.
6. Support the rural economy.
7. Support health and wellbeing.



## 4. Existing situation

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West Sussex is predominantly rural in character; more than half of the county is farmland and around a fifth is woodland, making it one of the most heavily wooded counties in the country. Such is the quality of the countryside and landscape that over half of the county is designated as either the South Downs National Park or as an Area of Outstanding Natural Beauty (AONB), namely Chichester Harbour and the High Weald. The beauty and tranquillity of the West Sussex countryside attracts both locals and visitors, and is within easy access of the county's main towns, located in the north and east of the county and along the south coast. These towns will see significant growth over the coming years with development expected to increase traffic on main roads and country lanes, making these less desirable on the grounds of safety for use by non-motorised users (NMUs). However, development also brings opportunities to provide access for NMUs through appropriate infrastructure design and provision.

The PRoW network is enjoyed by a wide variety of people including but not exclusive to:

- **Walkers** – ranging from exercising dogs on familiar paths to tourists exploring new areas, from a short stroll with a young family to a long distance ramble. Trips on foot are made for recreational and utility purposes. Walkers are the most numerous users of the PRoW network.
- **Horse riders** – use local rides (bridleways, byways and quiet roads) where they exist for daily recreation and horse exercising. Whilst some horse riders box their horse to areas further afield, the majority of riders have no access to horse transport.
- **Cyclists** – ranging from family rides along even level routes to adventurous all terrain outings often using the road network to link off-road sections. Cycling is used for a range of purposes, both leisure and utility, and can give a degree of independence to young people. Currently there is limited use of electric bikes on the PRoW network but this could change as they become more popular and widely available.
- **Carriage drivers** – carriage driving is a minority activity but can involve the whole family. It can also give access to the countryside for users who are unable to use it by other means.
- **Motorised vehicle users** – some people enjoy driving motorbikes and 4x4 vehicles responsibly off-road in the countryside; however, with very few PRoW in the county available for use by motor vehicles opportunities for lawful off-road recreational driving is very limited.
- **Less able users** – these include people with disabilities, such as being blind or partially sighted and those with other sensory impairments or conditions that may limit ability or confidence. Such people can enjoy exploring the PRoW network via all modes, however, each has different needs and the availability of facilities such as parking, toilets, benches and route information are often important to them.





Whilst all users have individual needs, when sharing routes some may, inadvertently, affect the enjoyment of others by not understanding others' perspectives. For example, horses can be spooked by cyclists they haven't heard approaching; a group of walkers using the full width of a path can block others; and dog owners may not realise their dog, when off the lead, can intimidate others or run into crops or livestock. Where the PRow network requires use of, or the crossing of, busy roads this too can make users feel vulnerable, whether walking, cycling or horse riding.



In West Sussex there is an ageing population that will continue to grow; presently over 20% of the county population is aged 65 and over. The PRow network has a key role to play in maintaining residents' active health for longer into later life. That said, many will become less mobile and this will have an impact on how people can and want to access the countryside.

Public access can have significant benefits to the rural economy with residents and visitors bringing an increased footfall to cafes, pubs, farm shops, stables and other businesses with positive benefits such as direct and indirect employment.





Users of the PRow network can be the eyes and ears on the ground and help raise awareness of either accessibility issues or anti-social problems, such as trespass, fly-tipping, poaching, damage to crops and increasingly issues associated with dogs.

Climate change will continue to have an impact on the management and maintenance of the PRow network. Warmer winters and sharp heavy downpours may increase vegetation growth, lead to greater scour in water channels so affecting bridges, and more pressure on the surface quality of paths.

## The Public Rights of Way (PRow) network

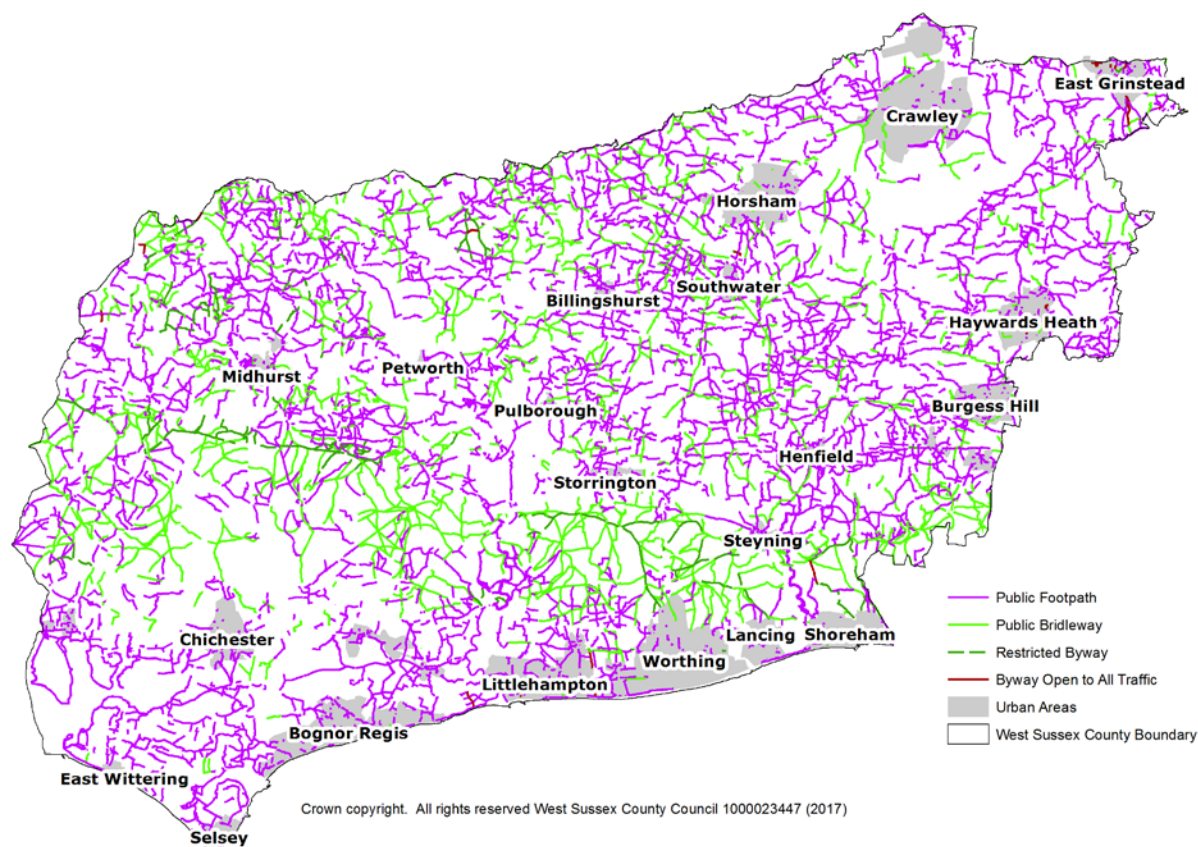
There are over 4,000 kilometres (2,500 miles) of PRow in West Sussex, which includes footpaths, bridleways, restricted byways and byways open to all traffic (BOATs).

### Length of PRow by type (June 2017)

Type of PRow	For use by	Symbol	Km	Miles	% of total
Footpath	Walkers		2,763	1717	68
Bridleway	Walkers, horse riders and cyclists		1,179	733	29
Restricted Byway	Walkers, horse riders, cyclists and horse-drawn carriages		130	81	3
BOAT	Walkers, horse riders, cyclists, horse-drawn carriages and motor vehicles		14	8	<1
<b>Total</b>			<b>4,086</b>	<b>2,539</b>	

The PRow network in West Sussex is recorded on the Definitive Map, the legal record of PRow, and is shown in the diagram below. The paths can be seen in more detail on the WSCC website (links to websites mentioned are included in appendix 8). Local fragmentation and severance by roads is a problem across the whole of the county, making it difficult at times to find safe continuous routes

#### The PRow network (June 2017)



Only walkers have the legal right to access the entire PRow network. Although walkers are generally well catered for, other users are not so fortunate – see Appendix 3 for maps showing PRow available for horse riders, cyclists, carriage drivers and motorised vehicles. Horse riders have the right to use bridleways, restricted byways and BOATs, giving them access to nearly a third of the county's PRow network. However, this access is not evenly distributed across the county. While bridleways and restricted byways on the chalk ridge of the South Downs



provide good access for these users, the coastal plain has virtually no suitable access for horses. The Countryside Act 1968 granted cyclists the right to use bridleways providing they give way to walkers and horse riders. Carriage drivers have access to less than 3% of the network and what is available is mainly on the South Downs. They are minority users of the PRow network and it is rare for new access to cater for them. Access for motorists on PRow is very limited with just 14km available to them.



The geology of the county has a bearing on access. The most dominant feature is the chalk ridge of the South Downs that traverses the county. Drove roads are a common characteristic along the whole South Downs ridge, which offer excellent opportunities for walkers, horse riders, cyclists and, to a lesser extent, for carriage drivers. There is generally good drainage on the South Downs so its PRoW network does not suffer significantly from the waterlogged surface conditions experienced

elsewhere in the county. The exposed chalk can, however, become slippery when wet and water run-off can cause gullying of the surface on steeper paths.

The paths on the coastal plain are mainly footpaths so there are very limited opportunities for users other than walkers. Being highly populated, the roads are busy and, despite the flat terrain, off-road cycling or horse-riding opportunities are very limited. In the north east of West Sussex, the limited bridleway network often lacks connectivity or is severed by the road network.

### Other access

There are many other ways residents and visitors can enjoy the countryside and coast of West Sussex that complement the PRoW network. There is a variety of permissive access, and for a number of these routes WSCC has a legal agreement with the landowner. There are also a number of minor roads, referred to locally as G-roads, that are used primarily for leisure and provide valuable links in the network, particularly for equestrians and carriage drivers.

Other access includes:

- open access land
- the developing England Coast Path
- promoted trails.

Further details are included in Appendix 4.



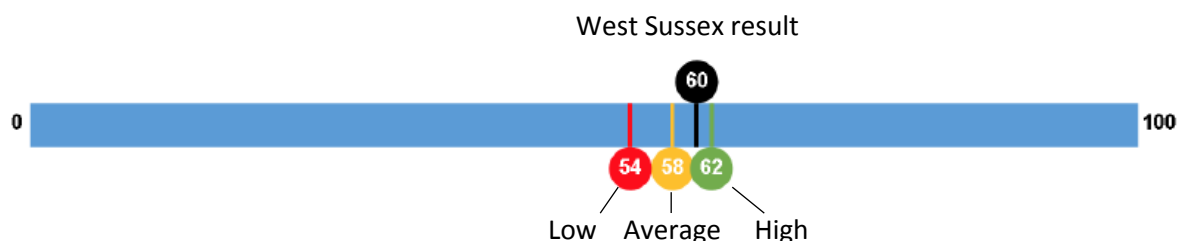


## 5. What people think

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West Sussex is considered within the annual National Highways and Transport Network public satisfaction survey. The results for 2017, placed West Sussex 5th out of 31 peer county highway authorities with a 60% overall satisfaction rating.

KBI15 PRow overall satisfaction (%): West Sussex compared with peer county councils



Between July 2015 and January 2016 the Ramblers carried out a national 'Big Pathwatch' survey to assess the state of PRow across the country. In West Sussex over 2,000km, approximately 50% of the PRow network, was surveyed by volunteers. Overall 57% of all reports were positive, with attractive views and welcoming signs among the 1,157 positive features reported. 851 negative issues were reported including unsafe stiles (57 reports), missing or broken signs (202), surface condition (125) and vegetation (152). Most of the issues reported would have been identified as part of WSCC's routine PRow maintenance inspections.

To get a better understanding of the PRow and wider countryside access, WSCC sought views via workshops, questionnaires and face to face meetings from the following key stakeholders:

- the two Local Access Forums (LAF) that cover the county (West Sussex LAF and the South Downs LAF)
- user groups including walkers, horse riders and cyclists
- District and Borough Councils
- SDNPA
- WSCC officers.

Each user group has its own distinct requirements however, there is common ground as all users want access to a PRow network that:

- is easy to find (well promoted and signed)
- provides good connectivity
- is well maintained
- is free from obstructions
- has a fit for purpose surface
- is safe to use.

Users valued the extent of the PRow network. They also valued other countryside access provided by a range of private, public and charitable organisations. Managing the existing PRow network was identified as a top priority and an area where WSCC should concentrate its efforts over the next ten years, clearly supporting delivery of its core service. WSCC's proactive approach to maintaining the PRow network through a regular inspection cycle was credited for it being

generally well maintained. Signage was specifically mentioned as being of a high standard, giving people confidence where they can go. While the summer surface vegetation clearance programme was appreciated, it was identified that more clearance (both surface and side/overhead) is required to keep the paths open and accessible at all times. WSCC's investment in surfacing improvements was identified as bringing some key routes back into use, however, users felt that in some areas wet, muddy or rutted paths were a barrier to use.

Stiles were considered a barrier to the less mobile and all felt accessibility would be improved by reducing the number of stiles, encouraging landowners to replace them with gates or gaps.

The role landowners play in managing paths was acknowledged although it was mentioned that some seem to have little understanding of their obligations. When liaising with landowners it was recognised that WSCC has to prioritise the urgent issues, meaning the non-urgent issues, such as high stile steps, or obstructions where an alternate route is available, can take longer to resolve.

Many landowners suffer as a result of a small section of society misbehaving in the countryside, whether maliciously or unintentionally. Issues include uncontrolled dogs/dog mess, litter/fly-tipping, vandalism, theft, poaching and hare coursing, all of which impact on their livelihoods. This can have an effect on the willingness of landowners to provide additional access. Landowners would like to see people being made more aware of their responsibilities.

Information provided on the Council's website covering PRow mapping, long distance trails and general PRow management was highly valued. The system for reporting issues on the PRow network was considered by some people to be time consuming. Officers also identified that a more streamline process for managing reports could improve their efficiency.

All user groups consulted, particularly horse riders, were concerned about the lack of connectivity of the PRow network, particularly outside the South Downs. It was strongly felt this will only get worse with increased development and volume of traffic not just on the A and B roads but on the rural roads, which NMUs have to use to link PRow. Road verges, where they exist, are often considered dangerous and sight-lines are often poor – better management of vegetation and considerate positioning of signage would be helpful. Routes along or adjacent to carriageways or using field edges were suggested as being required to help improve connectivity and provide a safer network for all NMUs. There was also concern that due to severance some paths are not used and therefore do not contribute to the available network.

It was felt that closer scrutiny of planning applications and earlier consultation with user groups in the design process could help identify improvements and avoid further fragmentation and severance. WSLAF would like to see planning authorities push for commitment from developers to provide a path, available to all NMUs, around the perimeter of developments and to link to the wider PRow network. Equestrians would like developers to have to consider them in their plans, but currently the duty only extends to walkers and cyclists.

## 6. Challenges and opportunities

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To deliver the Vision and Objectives of this Plan there are four key challenges that WSCC and partners need to focus on. The table below details the potential opportunities available to address those challenges.

This table should be read in conjunction with the Objectives in Chapter 3 and the Action Plan in Chapter 9.

Challenge	Delivering Objective	Opportunity	Action Plan Reference
Provide an effective maintenance programme for the PRoW network	1,4,6,7	Continue to deliver a pro-active inspection and maintenance programme working closely with volunteers and landowners.  Introduction of an improved issue reporting system.  Develop an asset management approach including an audit of all PRoW assets.	1,2,3,4,5,6,7,9,10,11
Improve connectivity and minimise severance on the PRoW network	2,3,4,6,7	To engage with the planning process and seek to enhance access opportunities for all NMUs.  Partnership working on strategic schemes, including highways schemes.  Communities to take an active lead including working with LAFs and users groups.  Consider safety concerns, both actual and perceived.	7,8,9,10,11
Improve accessibility	2,3,4	To seek the reduction of barriers, such as stiles.  Consider 'access for all' during design of schemes.	1,3,7,8,9,11
Ensure people are aware of the PRoW network and have the knowledge and confidence relevant to their responsibilities	5,6,7	Continue to make PRoW mapping available on-line.  Information provision – websites, publications, community links.  Linking with initiatives, e.g. Experience Weekends, Sussex Pathwatch and Think Share Be Aware.	4,9,10,11



## 7. Public Rights of Way management

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### Who looks after what

The land occupied by a PRow is not typically owned by the Council, although in some cases WSCC is the landowner. Responsibility for PRow is shared between the landowner and the Council. The Council is responsible for the protection and maintenance of PRow. The landowner is responsible for keeping the PRow on their land free from obstruction, which includes side and over hanging vegetation and crops, and for the maintenance of structures, such as gates and stiles. Generally bridges are the responsibility of the Council. The Council may work with landowners to solve PRow issues that are a problem to the landowner, for example providing advice on rights of way matters or improving signage to reduce trespass. For a more detailed list of responsibilities, see Appendix 6.

Failure on the part of either the Council, as the highway authority, or the landowner to fulfil their duties may result in legal action. Further information about managing PRow in West Sussex can be found on the Council's website: [www.westsussex.gov.uk/prow](http://www.westsussex.gov.uk/prow).

At any time a small number of PRow are not available for the public to use. This may be because of obstruction by development or for technical/legal reasons. PRow may also be closed on grounds of public safety to allow works to be undertaken. Details of unavailable PRow on the network can be found on the Council's website.

### Definitive Map and Statement

The official record of PRow is the Definitive Map and Statement, which can be inspected at the Council's offices by appointment. It is kept under continuous review. A working copy of the map can be viewed on the Council's website. PRow have evolved over many years and continue to evolve today through map modification order and public path order processes. Details of these processes can be found in Appendix 5.

### Routine inspection and maintenance

A fundamental aspect of WSCC's service is the delivery of a routine inspection and maintenance programme that operates on a parish by parish basis over a 15 month cycle. Since 2011 volunteers, in the role of Parish Path Inspectors, have played a significant and much valued role in assisting with inspections. Routine maintenance works, that are identified during inspections and which are the responsibility of the Council, include waymarking, small plank bridges and clearing surface vegetation. These works are carried out by WSCC's routine maintenance contractor shortly after inspection. WSCC will contact landowners regarding matters that they are responsible for according to priority and resources available.



## **Volunteer tasks**

Minor improvement works that add value to the network are often carried out by volunteers. Whether installing new or repairing existing bridges, boardwalks and steps, or clearing vegetation, the volunteers are an additional highly valued resource. The majority of work is by WSCC's PRoW volunteers, but some is delivered in partnership with other volunteer groups such as the South Downs Volunteer Rangers or community groups.



## **Summer clearance programme**

WSCC runs an annual surface vegetation clearance programme between June and August on selected paths of the PRoW network (approximately 300km at the time of writing), which aims to keep paths open and available for use. The PRoW on the programme are regularly reviewed. Parish Councils are given the opportunity to suggest paths for consideration, and others are reviewed or identified during routine inspections or via public reports.

## **Reporting and recording issues on the network**

The public can report PRoW issues online and by telephone. These are investigated and prioritised, as published on WSCC's website, depending on their impact on users. When an issue is identified it is recorded on WSCC's PRoW IT management system. This IT system was introduced in 2014 to improve the efficiency and reporting capabilities and replaced the former paper based system. The next proposed improvement to the system is to enable the public to view existing recorded issues and to report new issues via an on-line map. This could have the benefit of reducing duplication of reports through greater visibility and enable users to see the status of reported issues.

## **Improving accessibility**

WSCC has a policy to provide the least restrictive access, preferring gaps over gates and gates over stiles. For a number of years the Council has run a 'gates for stiles' programme where consideration is given to providing landowners with gates for them to replace existing stiles with gates, thereby improving accessibility. As funding is limited this is targeted where improvements will make the most difference. SDNPA also operates a 'Miles without Stiles' programme.

## 8. Improvement schemes

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WSSC alone cannot deliver an improved access network that will meet the needs of all. Other organisations, including the SDNPA, Chichester Harbour Conservancy and district, borough and parish councils, are already active in delivering access benefits. WSSC will, within available resources and where appropriate, work with partners to seek to gain improvements. Improvements may include major surfacing and bridge replacements and creation of new routes.

Some larger scale PRoW improvement works are funded through the Council's Capital Programme. Suitable schemes are identified during inspections, via reports from the public or through the Walking and Cycling Strategy. WSSC PRoW schemes are prioritised via the Local Transport Investment Programme (LTIP). This determines which schemes are delivered as part of the Highways and Transport Delivery Programme.



Before surfacing works



After surfacing works

Schemes are developed to a stage that demonstrates whether or not they are viable. Often referred to as a feasibility study, it may at this stage be demonstrated that an idea cannot be delivered as it is simply not possible to build it 'on the ground' or gain the necessary permissions. However, when a feasibility study can evidence that a scheme could be achieved, the next stage is for it to be fed through the correct channels to be prioritised for funding and delivery. When approved, delivery can often mean that a scheme is designed one year and built the next.

A starting point for new schemes will be to consider who could benefit from a new route, such as walkers, cyclists, horse-riders and the disabled, and be as inclusive as possible, often the aim will be to achieve at least bridleway status. The eventual outcome invariably is a balance of the needs of all stakeholders, including disparate users and land owners/managers. It may be that because of topography, landowner permission or other robust and defensible reasons, a lesser status may be delivered.



The design stage will consider the needs of all relevant users, although it is recognised that the design may have to be a compromise for some, e.g. a stone surface may be provided whereas some cyclists would prefer tarmac. Where structures are to be installed, the principle of least restrictive access will be adopted. It may also be that a ramp rather than steps, or a wider bridge than standard, is provided where access is required by wheelchairs or pushchairs. At this stage the environmental impact of the work will be assessed, including consideration of statutory designations, such as Sites of Special Scientific Interest (SSSIs) or Scheduled Monuments.



Access improvements can also be achieved via the planning system. WSCC reviews all planning applications affecting PRow and comments as appropriate. It also works closely with planning authorities, developers and user groups to seek gains for communities to mitigate local development. Other funding sources may sometimes be available, such as via the Local Enterprise Partnership (LEP).

### **What you can do**

WSCC acknowledges the existing PRow network does not always provide the opportunities users seek but has limited capacity to deliver new routes. Community and user groups can get involved, for example through developing Neighbourhood Plans. For further details of whether your area has one, or is developing or reviewing one, contact your local planning authority (district or borough council, or South Downs National Park Authority) or parish council.

Communities can also be proactive in creating new access, whether permissive or a PRow. Work will include investigating the route for feasibility on the ground; gaining support from interested parties such as user groups, local councils/councillors, SDNPA and LAFs; and gaining landowner(s) support, which is often key to securing new access. WSCC intends to work with WSLAF to develop guidance outlining what is required to create new access.



## 9. Action Plan

The Action Plan sets out the activities that WSCC and its partners will need to focus on over the next ten years to secure better management and improvement of the PROW network in West Sussex. The priority is foremost to meet the statutory duties of the Council.

### Partners – initials used

CHC	Chichester Harbour Conservancy	NFU	National Farmers' Union
CLA	Country Landowners and Business Association	NT	National Trust
DC	District or Borough Council	NR	Network Rail
FC	Forestry Commission	PC	Parish Council
HE	Highways England	SDNPA	South Downs National Park Authority
LAF	Local Access Forum	WSCC	West Sussex County Council

Activity	Timescale	Key Partners of WSCC PROW
<b>1. Pro-active maintenance of the PROW network</b>		
a) Deliver an inspection and maintenance programme: ➤ liaison with PCs ➤ plan and undertake inspections ➤ log and prioritise work ➤ carry out agreed maintenance work ➤ landowner engagement on priority issues	15 month cycle	WSCC Highways PCs WSCC volunteers WSCC contractor Landowners
b) Deliver an annual summer surface vegetation clearance programme ➤ review paths included in clearance programme ➤ carry out clearance	Annual	PCs WSCC contractor
c) Deliver small scale improvements, such as bridges, boardwalks, steps and vegetation clearance	On-going	WSCC volunteers SDNPA CHC Other volunteer and community groups
d) Monitor impacts of climate change and adapt PROW management as appropriate	On-going	WSCC Sustainability
<b>2. Reactive issues on the PROW network</b>		
a) Manage reports from the public: ➤ respond in accordance with published timescales and priorities ➤ investigate reports, such as health and safety/total obstruction, outside of the scheduled inspection programme ➤ arrange works with contractors or landowners as required	On-going	WSCC contractor Landowners
b) Develop a map based on-line system to improve reporting, processing and communication	2018/19	WSCC IT

Activity	Timescale	Key Partners of WSCC PRow
<b>3. Landowner engagement</b>		
a) Liaise with landowners to inform and encourage them in regard to their PRow responsibilities: <ul style="list-style-type: none"> <li>➤ provide advice about rights of way issues on their land</li> <li>➤ initially through direct contact notifying them of issues and expected outcomes</li> <li>➤ where necessary through legal enforcement if work is not carried out within an acceptable timeframe and to the required standard</li> </ul>	On-going	WSCC Legal Services Landowners
b) Work with landowners to deliver a gate for stile programme to improve accessibility	On-going	Landowners User groups SDNPA
c) Adopt a proactive approach towards securing landowner cooperation, including through the promotion of campaigns	On-going	Landowners NFU CLA SDNPA PCs
<b>4. The Definitive Map and Statement</b>		
a) As required by legislation, including the Deregulation Act or Countryside and Rights of Way Act 2000: <ul style="list-style-type: none"> <li>➤ on-going maintenance of the Definitive Map</li> <li>➤ process diversions and extinguishments, seeking enhancements and improvements where possible</li> <li>➤ process Definitive Map Modification Order (DMMO) applications</li> </ul>	On-going	WSCC Legal Services Planning Authorities User groups
b) Create a step-by-step process for the creation of unregistered routes to assist the public in making and monitoring applications prior to 2026	2019	WSCC Legal Services
<b>5. Promotion of PRow</b>		
a) Provide mapping on-line as a tool for users to identify the West Sussex PRow network	On-going	
b) Ensure on-line information is up to date and clearly demonstrates how WSCC manages the PRow network and how it works with landowners and partners	On-going	
c) Work alongside partners in regard to promoted routes, such as the South Downs Way and Downs Link	On-going	CHC SDNPA SDW Trail Officer Other organisations
<b>6. Asset management on PRow network</b>		
Develop an approach to collect, record and maintain infrastructure data on the PRow network (signs, bridges, steps, gates, stiles, etc.), including location, type and condition	Summer 2020	WSCC volunteers



Activity	Timescale	Key Partners of WSCC PRow
<b>7. Improvements to the network</b>		
a) Major works to existing PRow (typically surfacing over 100m and large bridges), including schemes funded through LTIP: <ul style="list-style-type: none"> <li>➤ identify and prioritise major works required to PRow</li> </ul>	Annually	WSCC Planning WSCC Highways LAFs SDNPA, CHC DCs and PCs
b) New or upgraded routes/crossings: <ul style="list-style-type: none"> <li>➤ provide guidance for communities on how to propose schemes and gain appropriate support and evidence</li> </ul>	2019	HE, NR FC, RSPB, NT other grant bodies WSCC contractors
c) Progression of improvements after a and b completed: <ul style="list-style-type: none"> <li>➤ ensure suitable schemes are put forward to the appropriate process for prioritisation for funding</li> <li>➤ design successful scheme</li> <li>➤ deliver successful scheme</li> </ul>	Timetable as agreed	Landowners Community and user groups Public
<b>8. Engagement with the planning process</b>		
Seek to positively influence access, including proactively looking for PRow gains for all NMUs (links and upgrades), affected by development: <ul style="list-style-type: none"> <li>➤ proactively engage with Local Plans and associated documents, including Green Infrastructure Plans, Infrastructure Business Plans and Neighbourhood Plans</li> <li>➤ review and engage with planning applications/consultations affecting PRow</li> <li>➤ develop PRow access guidelines for developers</li> </ul>	As Local Plan timetables On-going	WSCC Planning Planning authorities DC PCs LAFs Developers User groups Public
<b>9. Consultations and legislative changes</b>		
a) England Coast Path development by NE: <ul style="list-style-type: none"> <li>➤ engage with consultation process ensuring future roles and responsibilities are clearly understood from the outset in regard to maintenance, legal processes and on-going liabilities</li> <li>➤ ensure ongoing management and maintenance is embedded in PRow working practices</li> </ul>	As per NE timetable	WSCC Highways, WSCC Legal Services NE Landowners
b) Engage with other consultations over the lifetime of this Plan that have the potential to impact PRow (e.g. changes arising pre and post Brexit)	As and when	WSCC Highways WSCC Legal Services Central Government LAFs Landowners

Activity	Timescale	Key Partners of WSCC PRow
<b>10. Initiatives and campaigns</b>		
Engage with: a) Initiatives and campaigns that seek to inform and positively influence users of the PRow network (e.g. Think Share Be Aware, sheep worrying, West Sussex weekends, Pathwatch) b) Opportunities through the Public Health agenda that can encourage a healthy lifestyle and benefit both existing and new users of the PRow network	On-going	WSCC Communications Public Health organisations SDNPA LAFs Users groups
<b>11. Partnership and stakeholder relationships</b>		
a) Continue to work in partnership with SDNPA in accordance with the "Accord", which documents how SDNPA will work with highway authorities on access matters	On-going	SDNPA
b) Ensure continuity of WSLAF, providing support to the Chair in line with government guidance, which includes: ➤ dedicated WSCC Forum Officer ➤ appointment of members ➤ annual election of Chair and Vice Chair ➤ agreed cycle of meetings ➤ agenda, minutes, annual report available on WSCC website	On-going	West Sussex LAF Other organisations and user groups as required Public

## Appendix 1. Rights of Way Improvement Plan 2007-2017 Key highlights

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The previous Rights of Way Improvement Plan covered the years from 2007 to 2017. Significant progress has been made to improve the PRoW network, and wider countryside access in West Sussex since the original plan was published. Some of the highlights, delivered by WSCC or other organisations, are outlined below.

### Managing the Rights of Way network

- In 2006 people said they valued the proactive PRoW inspection and maintenance programme. This continues to be supported by WSCC County Councillors.
- Having listened to user concerns the summer surface vegetation clearance programme has been increased, and in 2017 included around 300km of the PRoW network.
- WSCC has established an active volunteer group delivering a range of PRoW improvements across the county. Tasks include installing new and repairing existing bridges, steps and boardwalks as well as vegetation clearance.
- Following creation of the SDNP in April 2011, the PRoW network within the South Downs came back under the management of WSCC bringing a consistent management approach to all PRoW across the county. WSCC has a commitment to work closely with the SDNPA to achieve a high quality PRoW and access network.
- To improve accessibility for many walkers WSCC has supported landowners to remove over 1,000 stiles from the PRoW network through its Gates for Stiles programme between 2007 and 2017.

### Publicity and promoting responsible access

- In 2015, in response to concern about real and perceived conflict on multi-user routes WSCC ran a 'Think Share Be Aware' campaign to promote responsible use on shared paths.
- WSCC's PRoW webpages have been developed and improved, providing a wide range of information and advice. The PRoW network and WSCC permissive paths can be viewed using an on-line map.
- The Council has been working with its partners to inspire visitors to come and enjoy active, outdoor short breaks in the county through 'Experience West Sussex', which includes a website with features on walking, cycling, and great places to stay.





## **New access provision**

- In 2014 WSCC, in partnership with WSLAF, Bramber Parish Council, Steyning Community Partnership and the SDNPA, delivered access improvements at Bramber. This included surfacing improvements to 1.6km of footpath along the River Adur as part of an Access for All project, and new bridleway links to enable users of the Downs Link multi-user route to use an underpass instead of crossing the busy A283.
- Significant work has been carried out to improve access around Burgess Hill, known as the Green Circle. In 2013 nearly 4km of new public bridleways were officially opened. This was a partnership project between Mid-Sussex District Council, Burgess Hill Town Council and WSCC.
- Some key cycle routes have been developed, including the Salterns Way from Chichester to West Wittering (established in 2010 by CHC) and an off road route from Flansham to Barnham (established in 2010 by WSCC).
- Substantial new access, in the form of nearly 10km of footpaths and over 7km of bridleways, was created in 2014 by the Environment Agency between Bracklesham and Selsey as part of its Medmerry flood defence programme for Selsey.

## **Planning and development**

- Over the last 10 years WSCC's PRoW service has become more proactive in engaging with the planning process. As well as encouraging local planning authorities to include appropriate access policies in their Local Plans, there are now better mechanisms to enable WSCC to identify and respond to the access risks and opportunities presented through the planning process. This enables WSCC to work alongside other organisations, such as WSLAF, to campaign for the protection and enhancement of access for all NMUs.



## Appendix 2. Policy Context – related Plans and Strategies

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- **West Sussex Plan 2017-2022 (WSCC)** – This document outlines the Council's five priority outcomes, which are:
  - best start in life
  - a prosperous place
  - a strong, safe and sustainable place
  - independence for later life
  - a council that works for the community.
- **West Sussex Transport Plan (LTP) 2011-2026 (WSCC)** – This Plan sets out the approach to managing, maintaining and investing in transport. It covers all modes of transport and recognises the needs of walkers, cyclists and equestrians. The main objective of the LTP is to improve the quality of life for the people of West Sussex by:
  - promoting economic growth
  - tackling climate change
  - providing access to services, employment and housing
  - improving safety, security and health.
- **West Sussex Walking and Cycling Strategy 2016–2026 (WSCC)** – The Rights of Way Management Plan sits alongside this Strategy which has the following aims and objectives:
  - to clearly state the Council's aims and objectives for walking and cycling
  - to determine the Council's priorities for funding, reflecting the overall walking and cycling aspirations of the Council
  - to provide guidance in support of prioritising walking and cycling infrastructure in new development
  - to provide the framework through which local interest and community groups can make suggestions for the development of walking and cycling improvements
  - to support interested parties in securing additional funding where available.



The Strategy provides a key mechanism by which improvement schemes can be identified and prioritised. It recognises the needs of NMUs are diverse but can be shared and that a partnership approach will be necessary to maximise delivery of schemes.

- **South Downs National Park Partnership Management Plan 2014–2019 (SDNPA)** – The South Downs National Park was established in 2011 and covers 43% of West Sussex. A performance indicator in the Management Plan is the percentage of PRow that is 'easy to use or in good condition', which demonstrates the commitment to access by the SDNPA. The South Downs Cycling and Walking Strategy 2017-2027 sets out the ambitions for cycling and walking across the National Park and aims to deliver two main outcomes: a network of high quality access routes, and a welcoming environment for cycling and walking experiences. It identifies how projects are prioritised for delivery and includes an action plan.



- **Local Plans and associated documents** – The SDNPA and the seven district and borough councils within West Sussex, as local planning authorities (LPAs), have either completed or nearly completed their Local Plans. The emerging Local Plans all include the aspiration that new developments should, wherever possible, protect, enhance and create opportunities for all NMUs to travel sustainably, and for people to be able to access and enjoy the nearby countryside. The LPAs are currently producing Green Infrastructure Plans/Strategies, which consider the network of green spaces and other environmental features. The PRow network is naturally part of Green Infrastructure as it



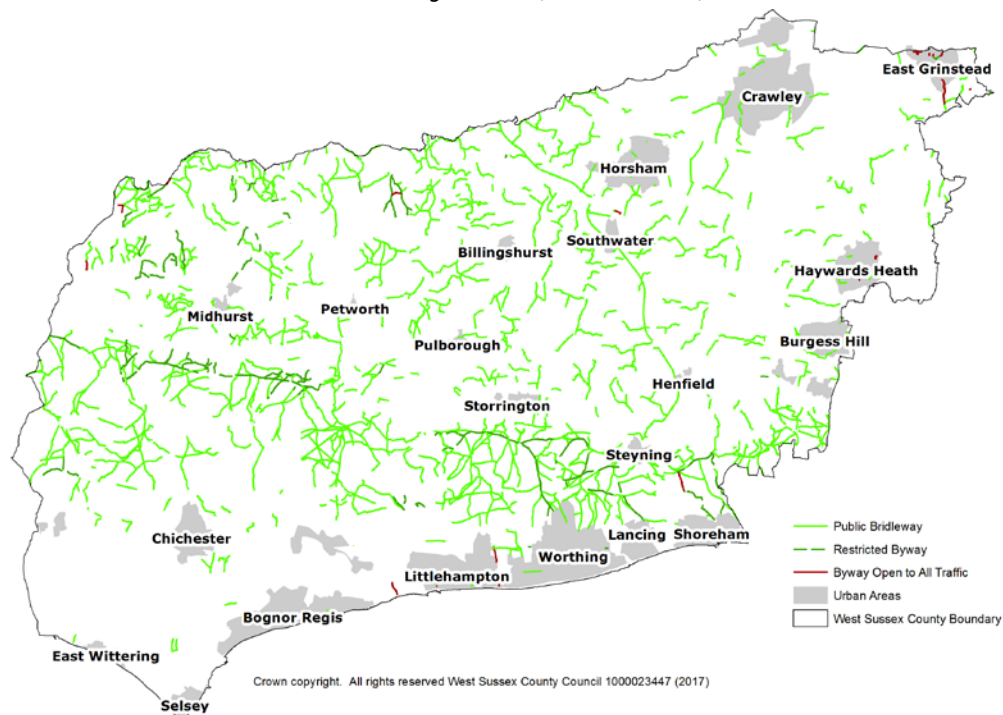
enables people to use, share and enjoy their environment. In addition to these Local Plans many communities, usually led by the parish council, are producing Neighbourhood Plans. These enable communities to have a greater say in the local environment where they live and work, and will often seek to deliver sustainable development including safe access for NMUs. Green Infrastructure Plans/Strategies and Neighbourhood Plans sit alongside a Local Plan.



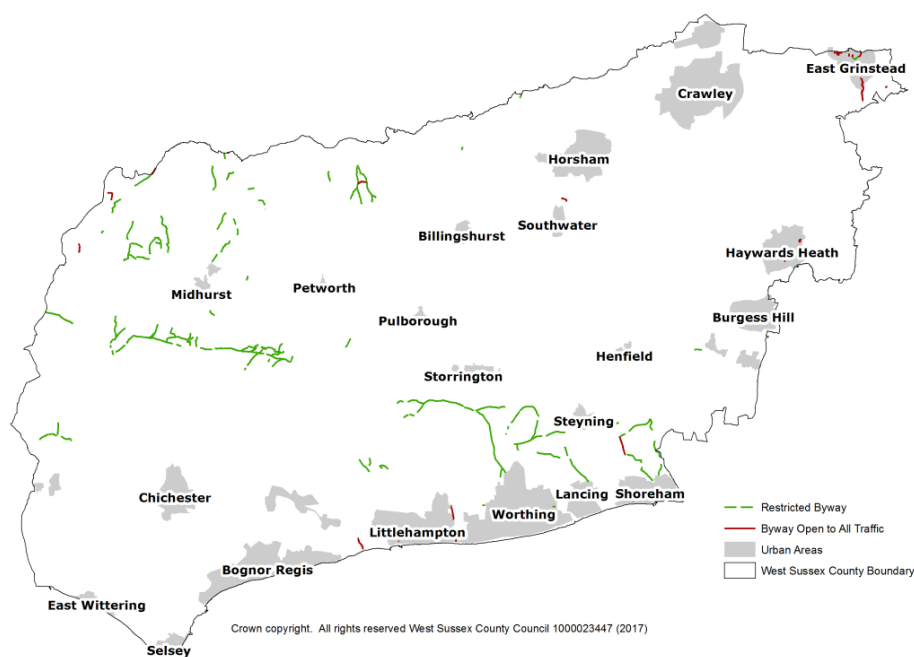
## Appendix 3. PRow available to horse riders, cyclists and motorised vehicles

In Chapter 4, the existing situation, a map of the entire PRow network is included and states that only walkers can access all the paths on the network. The following maps show PRow available for other users.

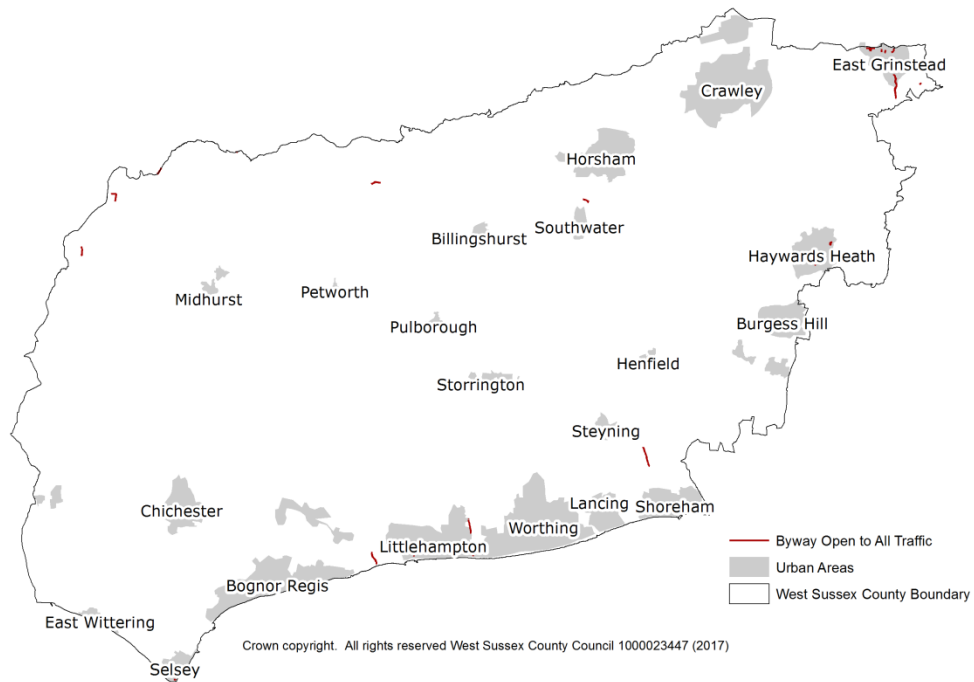
### PRow available to horse riders and cyclists (June 2017)



### PRow available to carriage drivers (June 2017)



## PRow available to motorised vehicles (June 2017)



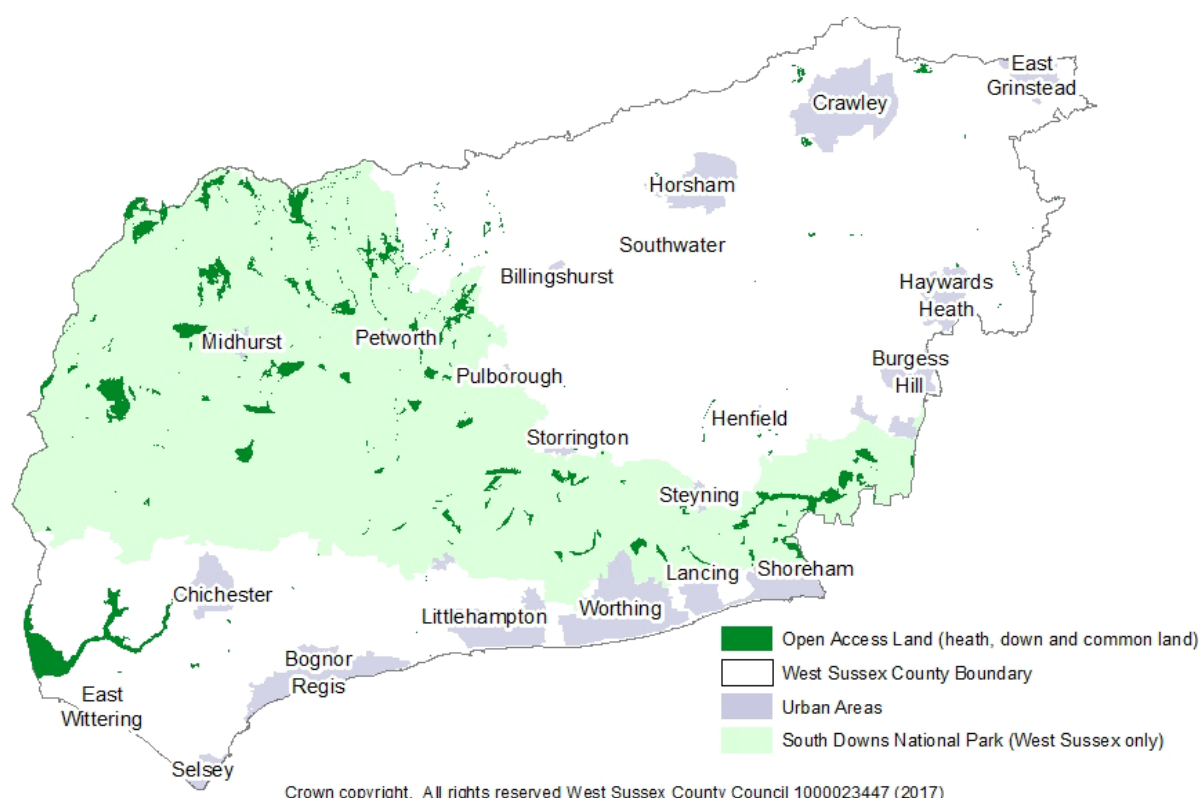
## Appendix 4. Other countryside and coastal access

Below are details of some of the other ways people can enjoy the countryside and coast in addition to the PRoW network.

### Open access land

The public has a right of access on foot to mapped areas of heathland, downland and registered common land within the county. This is referred to as open access land and it came about through the CRow Act 2000. The map below shows the distribution of open access land in West Sussex. The majority of this land falls within the SDNP. In addition to these areas, some landowners have dedicated additional areas as open access land. St Leonard's and Tilgate Forests, owned by the Forestry Commission, are examples of this in West Sussex. All open access land can be viewed on the CRow and Coastal Access website, along with details of any restrictions or closures that may apply. It is also shown on some Ordnance Survey maps.

CRow Open Access Land (moorland, downland and registered open common) in West Sussex (excluding dedicated open access land)



### England Coast Path

The England Coast Path, which will provide a walking trail around England's entire coastline, is expected to be opened in West Sussex in 2019/20. Most of the route will be on PRoW or other routes which the public can already use, however, some new access will also be provided. The route will become part of the suite of National Trails and will be signed with the National Trail acorn symbol.



As part of this work a 'coastal margin' is being identified for all land seaward of the trail that will be available to the public (except to some specific areas for privacy or safety). The England Coast Path and associated coastal margin land can be viewed on the CRoW and Coastal Access website.

### **Permissive access**

There are many areas and routes to which the public has permissive access, including land owned or managed by a range of charitable and public organisations, such as the Forestry Commission, National Trust, Sussex Wildlife Trust and county, district, borough and parish councils. There is also a variety of permissive access provided on private land. Most permissive access is for use on foot although some permissive routes are provided for other users, most notably horse riders, some of which is available to local riders only or on a pay to use basis. Permissive access does enhance the network where it is not possible to secure definitive PRow. It can, however, be difficult for the public to know where permissive access exists as opportunities are not always well publicised and there is no single place where this information is available. In some cases WSCC has a legal agreement with a landowner and these routes are shown on the Council's on-line mapping and on Ordnance Survey maps.

### **The highway network**

Minor roads, including the unsealed and unclassified county roads (UUCRs), play a significant part in connecting off-road routes in rural areas. In some areas these can be a pleasure to use, however, in many places country lanes are becoming increasingly busy and considered by many NMUs as too dangerous to use or cross. Since 2011 WSCC PRow service has been responsible for the management of some UUCRs (referred to by the Council as G-roads), as these are primarily used for leisure purposes and often provide an important link in the PRow network for NMUs. The Council's view is that these do not carry motorised vehicle rights, other than any private access rights that may exist, for example to access property, until proven by a legal process.

### **Long distance trails and promoted routes**

There are many long distance trails in West Sussex. The most well-known of these is the South Downs Way National Trail, which connects Winchester in Hampshire to Eastbourne in East Sussex, traversing the full width of West Sussex. This is available to walkers, cyclists and horse riders, and is managed via a Trail Partnership, including WSCC and SDNPA. Other regionally important routes usable by these modes include the Downs Link, from Guildford in Surrey to Shoreham, and Worth Way, which links Crawley with East Grinstead and the Forest Way. Links to other long linear, promoted or themed routes, mainly available to walkers, can be found on the WSCC website. These trails, where they follow PRow, generally receive the same management as other PRow in the county.

There is also a plethora of locally promoted routes produced by a variety of organisations and community groups that help people explore new areas. Some of these bodies also run guided walks helping people gain confidence in the countryside.

## Appendix 5. Changing the Definitive Map

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### **Processes for rights of way to be added to the Definitive Map**

Most, if not all, Definitive Maps and Statements countrywide are incomplete since not all routes for which there is sufficient (in law) historic or user evidence have in fact been recorded. WSCC's Legal Services deals with the research and investigation of claim applications with supporting evidence for new rights of way to be added to the Definitive Map, or for the status of existing paths to be changed (e.g. footpath to bridleway). The claim process is based on the consideration of evidence of use, which is required to be uninterrupted and continuous over a 20 year period without force, secrecy or permission, or on archive evidence (see below), and is an important, although time consuming, means of adding to the rights of way network. Applications have to satisfy strict legal tests. When such Definitive Map Modification Orders (DMMOs) are made they can be contentious and if opposed they have to be submitted to the Secretary of State for determination, usually leading to Public Inquiries or Hearings.

To try to ensure that "lost ways" are recorded on the Definitive Map, the CRoW Act 2000 set a deadline of 1st January 2026 for applications to register omitted historic routes. Claims on evidence of use are unaffected by this change. The introduction of the cut-off date is aimed at bringing certainty to users of the countryside and to landowners and managers about those historic rights of way that definitively exist. There is currently no way of knowing with certainty how many such routes there may be in West Sussex, and should a high volume of applications be submitted it will be a resource intensive and lengthy process to successfully get these correctly added to the Definitive Map.

It is possible that the prospect of a 2026 cut-off date for making applications on archive evidence may result in an increase in the number currently being lodged with the Council, and it is likely the increase will fall to be determined within existing and limited resources. It is anticipated though that additional pressure on resources may be alleviated to an extent by the Deregulation Act 2015, once enacted. One provision will allow WSCC, following preliminary assessment, to reject applications which are incorrectly made or clearly do not meet the legal tests.

### **Changes to the existing PRow network**

Changes to the network come about through various legal processes, including diversions, extinguishments, upgrades, dedications and permissive agreements.

WSCC has for many years exercised its discretionary power to consider applications for diversions and extinguishments, collectively known as Public Path Orders (PPO), from landowners, many of whom seek to improve their privacy and security. There are specific legal tests to be satisfied for any PPO application to succeed, such as consideration of the convenience and enjoyment of path users. The Council is keen to encourage network improvements and enhancements as part of PPO applications wherever possible. In cases where a diversion applicant is willing to offer a specific access benefit in excess of that needed to meet the legal tests – for example, a footpath to be diverted will also be upgraded to bridleway – the proposal will be given priority on the waiting list of applications. At the time of writing, statutory

change is intended to make the discretionary power to consider PPO applications a duty of the highway authority.

Development can materially affect any PRow and WSCC is consulted on the many proposals that could affect existing paths. WSCC seeks to protect path users' rights and their convenience, and will look to propose improvements and enhancements for all NMUs whether this is to an existing route, such as creating structure free access, or the creation of a new route (including upgrades such as a footpath to a bridleway). The final determination of these requests lies with the planning officer. WSLAF has also taken a proactive role in responding to strategic development proposals to help make the case for improved off-road NMu access for residents and visitors.

New routes, or upgrades of existing paths, such as creating a bridleway along an existing footpath, can sometimes be achieved with the support of landowners. Where it is not possible to achieve formal dedication as a PRow, and where there is demonstrable public benefit, it may be possible to enter into permissive agreements to allow public use. These agreements can be a useful tool to achieve enhanced public access where a landowner is not prepared to commit to a dedicated PRow. Permissive access agreements can be entered into by bodies such as WSCC and SDNPA and will detail the on-going responsibilities.

## Appendix 6. PRow maintenance responsibilities

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PRow maintenance responsibilities are split between WSCC and the landowner as follows:

### **WSCC**

- review and update the Definitive Map and Statement and make it available to the public for inspection by appointment
- consider applications for new structures (usually gates and stiles) and requests for the temporary closure of routes
- remind landowners of the rights and responsibilities they have toward the PRow network and enforce these where necessary
- ensure that the network is safe and accessible for the public to use
- maintain the surface of PRow, including the control of natural vegetation growing on them, to a standard suitable for that status of path; so a bridleway, for example, should be maintained to a standard suitable for horse riders, cyclists and walkers
- sign PRow where they leave roads, with the discretion to undertake further waymarking at other appropriate locations
- maintenance of bridges, although where public access across a bridge is shared with private rights, the maintenance responsibility is shared with the respective landowner.

### **Landowner**

- provide and maintain stiles, kissing gates, gates and other lawful structures (excepting bridges that are the responsibility of WSCC)
- ensure PRow are clear and unobstructed. This includes cutting back vegetation encroaching from the side or above to provide convenient access for all lawful users (for example, on bridleways adequate height clearance should be provided for horse riders)
- ensure that field edge PRow are not ploughed or disturbed
- ensure that cross-field footpaths and bridleways are reinstated when cropped
- ensure that bulls are not kept in a field crossed by a PRow unless they are less than 10 months old or are of a beef breed and accompanied by cows or heifers
- obtain consent from WSCC before a new structure is introduced on PRow (applications for new structures are only considered on the grounds mainly of either stock control or path user safety)
- obtain consent from WSCC before carrying out any alterations to the surface of a PRow
- not to deter the public with misleading signs.



## Appendix 7. Glossary of terms

Acronym/Initial	Definition
<b>Access land</b>	Land mapped as Open Country (downland, heathland, mountain or moor) or Registered Common Land under the CRoW Act 2000 (also referred to as open access land)
<b>BOAT</b>	Byway open to all traffic – PRow for all users, including motorised vehicles
<b>Bridleway</b>	PRow with access for walkers, horse-riders and cyclists
<b>CRoW Act 2000</b>	Countryside and Rights of Way Act 2000
<b>Definitive Map</b>	The legal record of PRow, accompanied by the Definitive Statement
<b>Definitive Statement</b>	A conclusive written description of PRow, which accompanies the Definitive Map
<b>Diversion</b>	Legally altering the line of a PRow
<b>DMMO</b>	Definitive Map Modification Order – adding new or upgrading existing PRow
<b>Extinguishment</b>	Legal removal of a PRow from the Definitive Map
<b>Highway</b>	Any road, track or path over which the public has the right to pass or re-pass (includes PRow)
<b>LAF</b>	Local Access Forum – advisory body with the aim of improving countryside access
<b>LPA</b>	Local Planning Authority (SDNPA, district or borough council, WSCC)
<b>LTP</b>	Local Transport Plan – sets out how a highway authority will manage the road network
<b>NMU</b>	A collective term for users that include pedestrians, cyclists and equestrians. Also includes disabled people who may use any of these modes or other equipment such as wheelchairs
<b>Permissive access</b>	Access that is granted by permission of the landowner – this may be with or without a formal agreement with a body such as WSCC
<b>PPO</b>	Public Path Order – the process for existing PRow to be altered
<b>PRow</b>	Public Right of Way - a route over which the public has the right to pass and re-pass
<b>Public footpath</b>	PRow with access on foot
<b>Public bridleway</b>	PRow for walkers, horse-riders and cyclists
<b>Restricted byway</b>	PRow with access on foot, horse, cycle, horse-drawn carriage but not mechanically propelled vehicles
<b>RoW</b>	Right of Way (same as PRow)
<b>SDNP</b>	South Downs National Park
<b>UCR</b>	Unclassified county road, generally not tarmacked or similar

## Appendix 8. Web links

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The website links below cover the documents, links or web pages referred to in this Rights of Way Management Plan.

<a href="#">West Sussex Plan 2017-2022</a>	Pages 2,21
<a href="#">West Sussex Transport Plan 2011-2026</a>	Pages 2,21
<a href="#">West Sussex Walking and Cycling Strategy 2016 – 2026</a>	Pages 2,21
<a href="#">South Downs National Park Partnership Management Plan 2014 – 2019</a>	Pages 2,22
<a href="#">WSCC Public Rights of Way Map (iMap)</a>	Pages 12,16, 23
<a href="#">National Highways and Transport Network Public Satisfaction Survey</a>	Page 8
<a href="#">West Sussex long distance promoted routes</a>	Pages 7,26
WSCC Public Rights of Way web pages	
➤ <a href="#">Public Rights of Way main page</a>	Pages 6,9,19
➤ <a href="#">Landowners' and managers' responsibilities</a>	Pages 11,12,16, 29
➤ <a href="#">Inspection and maintenance schedule</a>	Pages 9,10,11, 12,15,19,
➤ <a href="#">Report a problem and timescales</a>	Pages 10,12,15
➤ <a href="#">Request a change to a PRoW</a>	Page 16
➤ <a href="#">The Definitive Map and Statement</a>	Pages 6,11,16, 27
➤ <a href="#">Unavailable Public Rights of Way</a>	Pages 11, 25
<a href="#">West Sussex Local Access Forum</a>	Pages 9,11,16
<a href="#">Open access land</a>	Pages 2,8,25
<a href="#">England Coast Path</a>	Pages 8,17,25
<a href="#">Experience West Sussex</a>	Page 19



This Rights of Way Management Plan fulfils the requirements of the Countryside Rights of Way Act 2000 to produce and publish a Rights of Way Improvement Plan (ROWIP).

