

# **West Sussex Rights of Way Management Plan (Draft)**

**2018 -2028**



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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) which the public are entitled to use.



The PRoW network in West Sussex provides a safe alternative to increasingly busy roads and lanes, and is central to the implementation of the **West Sussex County Council's (WSSC)** Walking and Cycling Strategy. They are used for a wide range of leisure activities, enabling 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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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 to bring more weight and focus to the management of the existing PRoW network. The process of identifying and prioritising improvements in West Sussex is now via the Walking and Cycling Strategy.

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

The vision for PRoW in West Sussex is:

***To enable people to enjoy the countryside on foot, by bicycle and by horse, 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.***

The purpose of this plan is therefore:

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

- The [West Sussex Plan 2017-2022](#) that 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

- The [West Sussex Transport Plan 2011-2026](#) (LTP), which 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
- The [West Sussex Walking and Cycling Strategy 2016–2026](#). 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 the key mechanism by which improvement schemes, including those on the PRoW network, can be identified and prioritised. It recognises that the needs of non-motorised users (NMUs) including walkers, cyclists, horse riders and carriage drivers, are diverse but can be shared and that a partnership approach will be necessary to maximise delivery of schemes.

- The South Downs National Park was established in 2011 and covers 43% of West Sussex. A performance indicator in the [South Downs National Park Partnership Management Plan 2014–2019](#) is the percentage of PRoW that is **‘easy to use or in good condition’**, which demonstrates the shared monitoring by the South Downs National Park Authority (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.



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.

### 3. Objectives

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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.



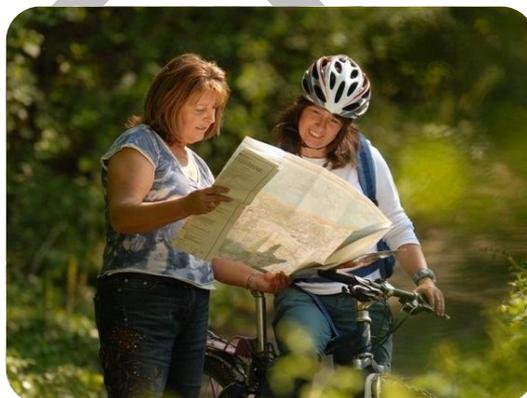
## 4. Existing situation

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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 lead to increased traffic on main roads and country lanes, making them less desirable for use by NMUs. However development also brings opportunities to provide access for NMUs through appropriate infrastructure design and provision.

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

- **Walkers** - ranging from exercising dogs on familiar paths often close to home to tourists exploring new areas, from a short stroll with a young family to a long distance ramble. Trips on foot are made for both recreational and utility purposes. Walkers are the most numerous users of the PRow network.
- **Horse riders** –local rides, where safety allows, or boxing to areas further afield. Almost exclusively for leisure purposes. Probably the most vulnerable users when sharing routes with vehicles due to the unpredictable nature of their mounts.
- **Cyclists** - ranging from family rides along even level routes to adventurous all terrain outings often using the road network to link off-roads sections. Using and crossing roads can be barriers to some cyclists. Cycling is used for a range of purposes both leisure and utility and can give a degree of independence to young people.
- **Carriage drivers** – carriage driving can give access to the countryside for users who are unable to use it by other means. Crossing roads is particularly hazardous for carriage drivers due to the driver being located several metres behind the horse, resulting in poor sight lines.
- **Motorised vehicle users** – with very few PRow in the county available for use by motor vehicles, opportunities for lawful off-road recreational driving is virtually non-existent.
- **Less able users** – these include people with disabilities such as being partially sighted or blind and those with other sensory impairments or conditions that limit ability or confidence. Each has different needs and the availability of facilities such as parking, toilets, benches and route information are often important to these people.





In West Sussex there is an ageing population which will continue to grow, and over 20% of the 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 and other businesses.

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, flytipping, 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 with warmer winters and sharp heavy downpours leading to increased vegetation growth and potentially more pressure on the surface quality of paths.

## The Public Rights of Way (PRow) network

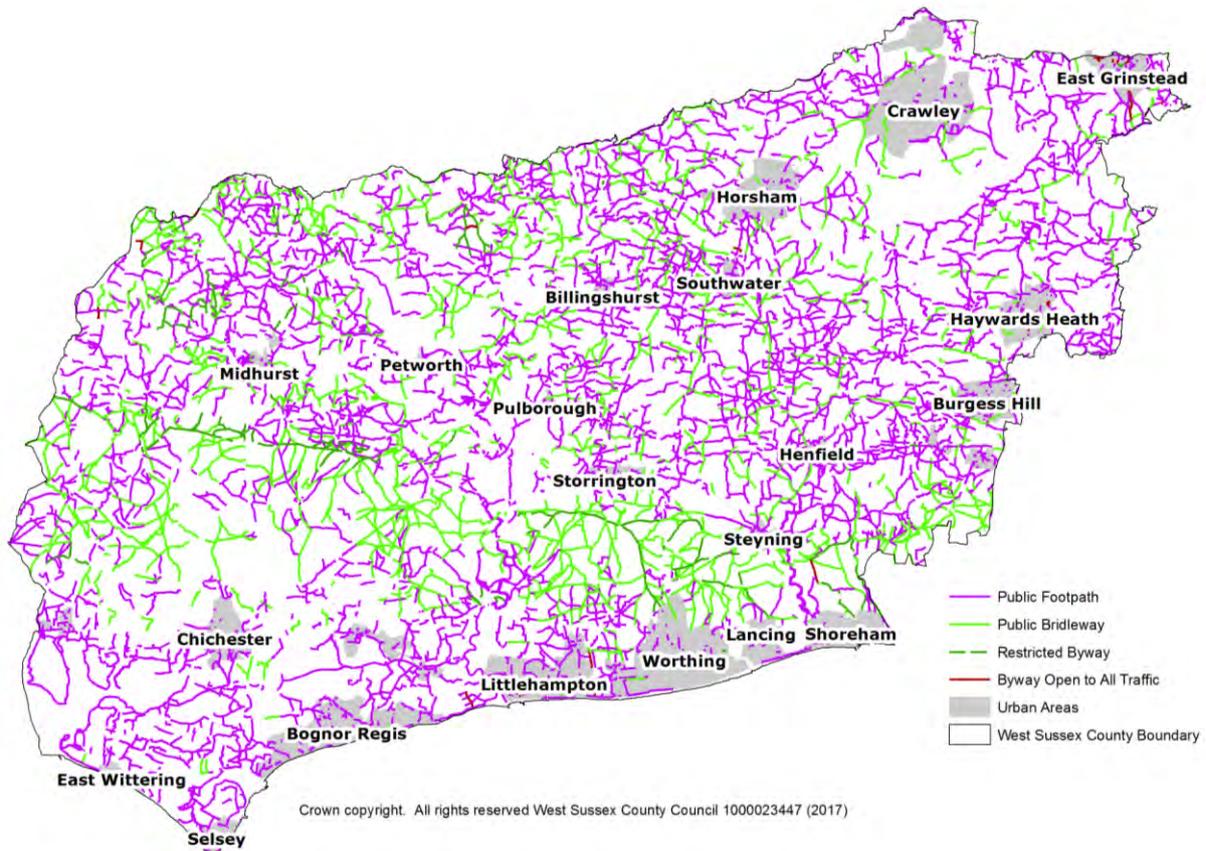
There are over 4,000 kilometres (2,500 miles) of PRow in West Sussex, which includes footpaths, bridleways, restricted byways and byways open to all traffic (BOATs).

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 vehicle		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. Generally there is a fairly even spread of PRow across the county. 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, as shown on the map above. Although walkers are generally well catered for, other users are not so fortunate, see Appendix 2 for maps showing PRow available for cyclists, horse riders, 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 provides good access for these users, the coastal plain has virtually no suitable access for horses. Cyclists have similar rights to horse riders though they must 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, cyclists, horse riders and, to a lesser extent, for carriage drivers. There is generally good drainage on the South Downs so the 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 gulying of the surface on steeper paths.



The coastal plain is home to many people, creating a great demand on the PRow network for recreation and utility needs. The paths 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 there is generally a high concentration of PRow, but in particular the bridleways often lack connectivity or are 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. These include:

- Open access land
- The developing England Coast Path
- The highways network (quiet lanes)
- Permissive access
- Promoted trails



More details of these can be found in Appendix 3.



## 5. What people think

West Sussex takes part in 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 during the PRow routine 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, cyclists and horse riders
- 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)
- is well maintained
- is free from obstructions
- has a suitable surface
- provides good connectivity
- 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 however it was mentioned that some seem to have little understanding of their obligations. When liaising with landowners it was recognised that WSCC have to prioritise the urgent issues, meaning the non-urgent issues, such as wobbly stiles, or obstructions where an alternate route is available, can take longer to resolve.

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, though particularly horseriders, 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 country roads, which NMUs have to use as links in the PRoW 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. Users also mentioned better use of verges/behind hedge routes to link PRoW would help to provide an improved and safer network.



## 6. Challenges and opportunities

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To deliver the vision and objectives of this Plan there are four key challenges that WSCC 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.

<b>Challenge</b>	<b>Delivering Objective</b>	<b>Opportunity</b>	<b>Action Plan Reference</b>
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	Planning process engagement - making the most of access opportunities via development. Partnership working on strategic schemes. Community to take an active lead including working with LAFs and users groups. Improve safety, both actual and perceived.	7,8,9,10,11
Improve accessibility.	2,3,4	Reduction of barriers, such as stiles. <b>Consider 'access for all' during design of schemes.</b>	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	PRow mapping available on-line. Information provision – websites, publications, community. Linking with initiatives, e.g. Experience Weekends 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. For a more detailed list of responsibilities see Appendix 5.

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. A 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 4.

### 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 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, and clearing vegetation, the volunteers are an additional highly valued resource. The majority of work is by **WSCC's PRoW volunteers, but some is done with other volunteer groups such as the South Downs Volunteer Rangers or community groups.**



## Summer clearance programme

WSCC runs an annual summer surface vegetation clearance programme between June and August on around 10% of the PRoW network (approximately 300km), 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, by telephone and by post. These are investigated and prioritised depending on their impact on users, as published on **WSCC's website**. When an issue is identified on the PRoW network 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 step would be 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 issues on the PRoW network.

## 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 WSCC has run a 'gates for stiles' programme where the Council can consider providing landowners with gates for them to replace stiles. As funding is limited this is targeted where improvements will make the most difference.

## 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, district, borough and parish councils, RSPB, Forestry Commission, and National Trust are already active in delivering access benefits. WSSC shall, within resources available and where appropriate, work with partners to seek to gain improvements via the planning process and other available mechanisms.

Larger scale improvement works are funded through capital grant typically from the Highways and Transport Maintenance Block or Integrated Transport Block allocations. Other funding sources may sometimes be available, such as developer contributions and via the Local Enterprise Partnership (LEP). Works may include surfacing, bridge replacements and creation of new routes.



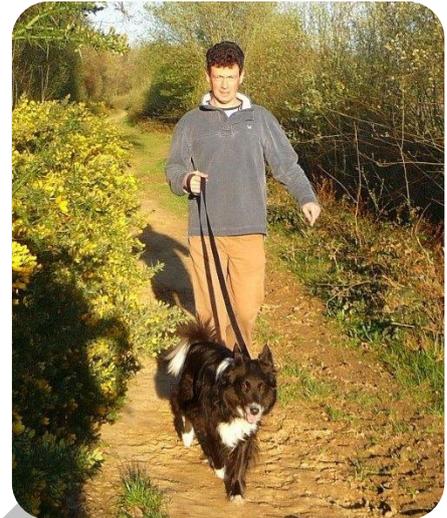
The West Sussex Walking and Cycling Strategy lists schemes that have been put forward by user groups for delivery around West Sussex and will include schemes to be delivered on the PRow network. WSSC prioritisation of these schemes is via the Local Transport Investment Programme (LTIP). This programme determines which schemes are delivered each year via the Highways and Transport Delivery Programme.

A starting point for all new schemes will be to consider their use by the majority of users, including walkers, cyclists, horse-riders and the disabled, and aim to achieve at least bridleway status. They need to be developed to a stage that demonstrates whether or not they are viable. This stage is often referred to as a feasibility study and is often the stage that demonstrates when some ideas cannot **be delivered as it is simply not possible to build them '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 a scheme is designed in one year and then built in the next year.

The design stage will consider the needs of all users, though it is recognised that the design may have to be a compromise for some users (e.g. a stone surface

may be provided where some cyclists would prefer tarmac). The least restrictive option possible appropriate to the lawful users of path will be sought, e.g. in order of preference: gap, gate, kissing gate, stile, or a ramp instead of steps. Consideration will be given to installing wider than standard bridges where access is required by wheelchairs or pushchairs.

Before new paths are created, or improvements to existing routes are carried out, an assessment of the environmental impact of the work should be conducted. This will include consideration of designations such as Sites of Special Scientific Interest (SSSIs) or Scheduled Monuments.



### **What can you do?**

For schemes identified by the community the proposer needs to investigate the route fully for feasibility on the ground. Evidence of support from interested parties such as user groups, local councils/councillors, SDNPA and LAFs needs to be provided. Where possible the proposer should gain landowner support, as this is often the key to getting new access.

One of the key challenges is balancing the needs of all stakeholders, including disparate users, land owners/managers and the environment. Only when topography, landowner permission or other robust and defensible reasons dictate will routes be created for a more limited user base.



## 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 – acronyms 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
<b>1. Pro-active maintenance of the PROW network</b>		
a) Deliver an inspection and maintenance programme: <ul style="list-style-type: none"> <li>➤ Liaison with PCs</li> <li>➤ Plan and undertake inspections</li> <li>➤ Log and prioritise work</li> <li>➤ Carry out agreed maintenance work</li> <li>➤ Landowner engagement on priority issues</li> </ul>	On-going	WSCC Highways PCs WSCC volunteers, WSCC contractor Landowners
b) Deliver an annual proactive summer surface vegetation clearance programme.	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 adapting PROW management as appropriate	On-going	WSCC sustainability
<b>2. Reactive issues on the PROW network</b>		
a) Manage reports from the public : <ul style="list-style-type: none"> <li>➤ Respond in accordance with published timescales and priorities</li> <li>➤ Investigate reports such as health and safety/total obstruction outside of the scheduled inspection programme</li> <li>➤ Arrange works with contractors or landowners as required.</li> </ul>	On-going	WSCC contractor Landowners
b) Develop a map based on-line system to improve reporting, processing and communication.	2018/2019	WSCC IT, LAFs, SDNPA

Activity	Timescale	Key Partners
<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>➤ Initially through direct contact notifying then 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.	On-going	Landowners User groups
c) Adopt a proactive approach towards securing landowner cooperation through the implementation of campaigns.	On-going	Landowners NFU, CLA SDNPA, PCs
<b>4. The Definitive Map and Statement</b>		
As required by legislation:	On-going	WSCC Legal Services
a) On-going maintenance of the Definitive Map		Planning Authorities
b) Process diversions and extinguishments		
c) Process Definitive Map Modification Order (DMMO) applications		
<b>5. Promotion of PRow</b>		
a) Provide mapping on-line as a tool for users to identify where the PRow network is in West Sussex.	On-going	
b) Ensure on-line information is up to date and clearly demonstrates how WSCC manages the PRow network, how it works with landowners and partners.	On-going	
<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 2018/ Summer 2019	WSCC volunteers
<b>7. Improvements to the network</b>		
a) Major works to existing PRow (surfacing/large bridges): <ul style="list-style-type: none"> <li>➤ Identify and prioritise major works required to PRow</li> </ul>	On-going	WSCC Planning WSCC Highways LAFs, SDNPA, DC, PC HE, FC, NR, CHC, RSPB, NT, other grant bodies WSCC contractors Landowners Community and user groups, public
b) New or upgraded routes/crossings <ul style="list-style-type: none"> <li>➤ Provide guidance on how to propose scheme and gain appropriate support and evidence</li> <li>➤ Undertake reviews of the initial feasibility evidence of scheme</li> </ul>		
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>		

Activity	Timescale	Key Partners
<b>8. Engagement with the planning process</b>		
Seek to positively influence access affected by development: <ul style="list-style-type: none"> <li>➤ Proactively engage with Local Plans and associated documents, including Green Infrastructure Plans and Infrastructure Business Plans</li> <li>➤ Review and engage with planning applications/consultations affecting PRoW.</li> </ul>	As Local Plan timetables On-going	WSCC Planning SDNPA DC, PC LAFs 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 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
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/Legal Central Government LAFs Landowners
<b>10. Initiatives and campaigns</b>		
Engage with: <ul style="list-style-type: none"> <li>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).</li> <li>b) Opportunities through the Public Health agenda that can encourage a healthy lifestyle and benefit both existing and new users of the PRoW network.</li> </ul>	On-going	WSCC Communications Public Health 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: <ul style="list-style-type: none"> <li>➤ Dedicated Forum Officer (WSCC)</li> <li>➤ Appointment of members</li> <li>➤ Annual election of Chair and Vice Chair</li> <li>➤ Agreed cycle of meetings</li> <li>➤ Agenda, minutes, annual report available on WSCC website</li> </ul>	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, increasing the amount managed by the County Council by just over 40%. This brings 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 County 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 the West Sussex Local Access Forum (WSLAF), Bramber Parish Council, Steyning Community Partnership, The Crown Estate and SDNPA, oversaw 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 Chichester Harbour Conservancy) and an off road route from Flansham to Barnham (Whittington's Way 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

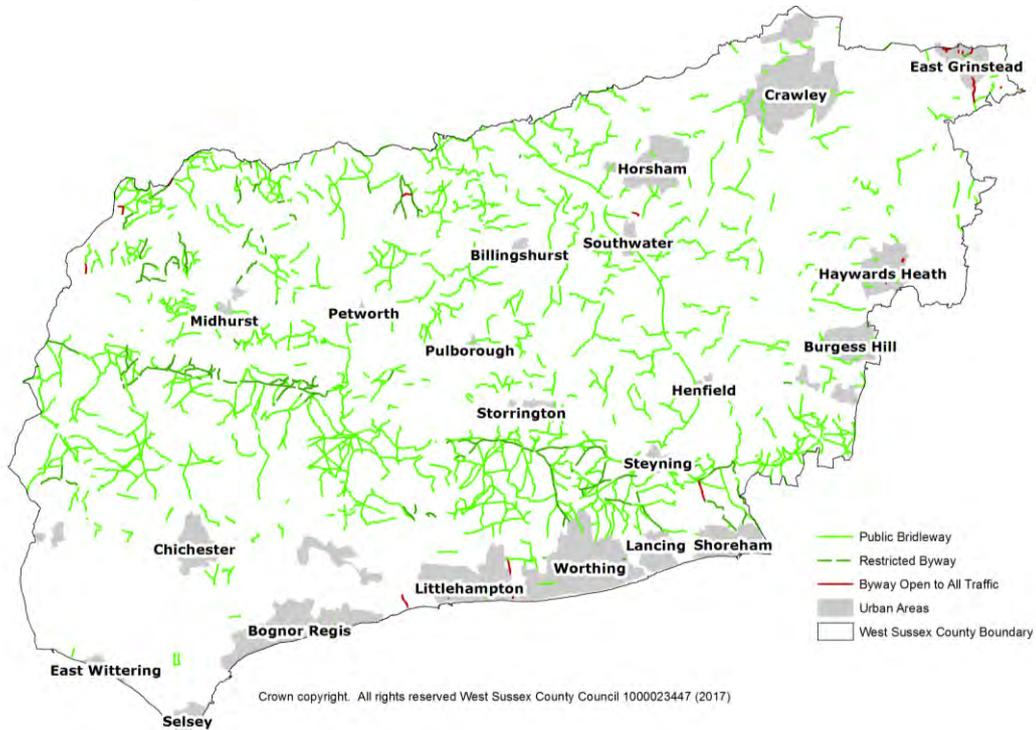
- Over the last 10 years WSCC's PRow service has become more proactive in interacting with the planning process. As well as encouraging local planning authorities to include appropriate access policies in their Local Plans, there are now better mechanisms to enable WSCC to identify and respond to the 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 NMUs.



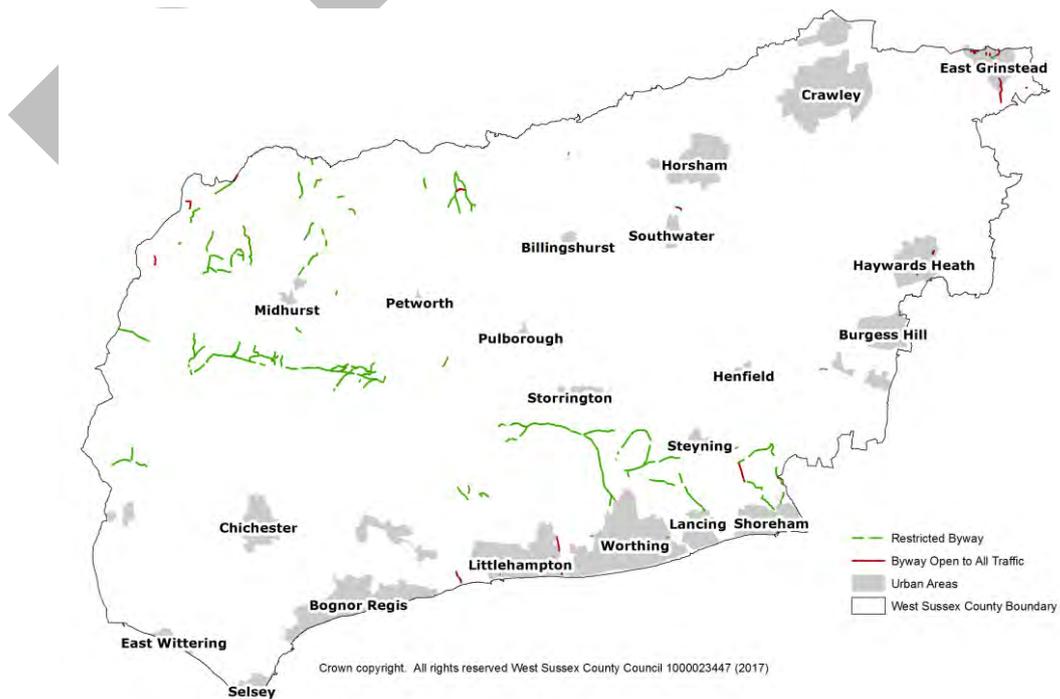
## Appendix 2. PRow available to users other than walkers

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 users other than walkers.

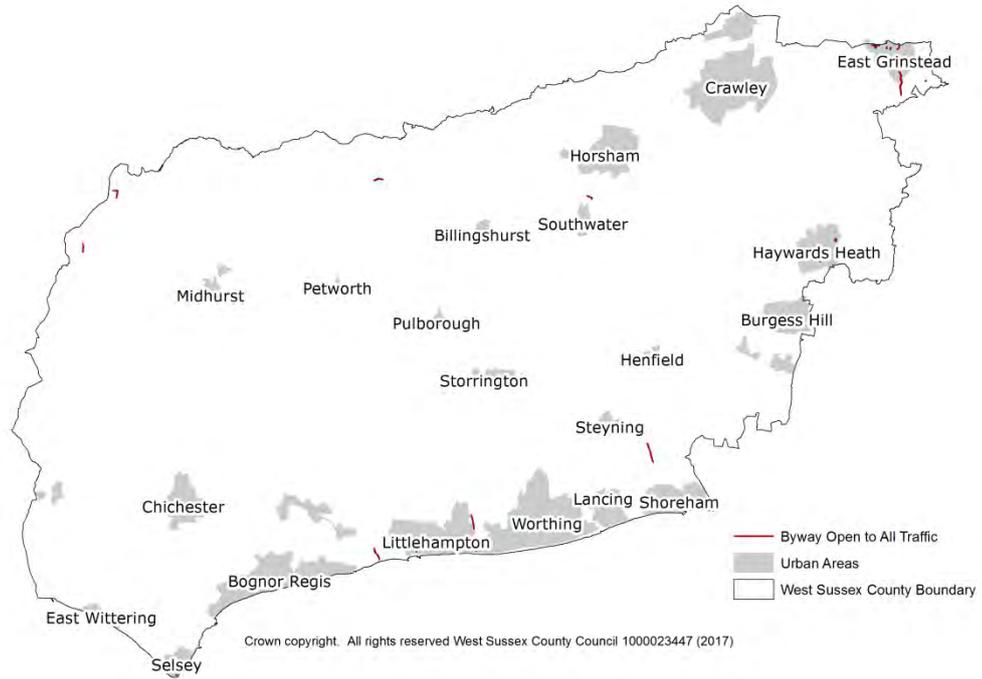
### PRow available to cyclists and horse riders (June 2017)



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



PRoW available to motorised vehicles (June 2017)



## Appendix 3. Other countryside and coastal access

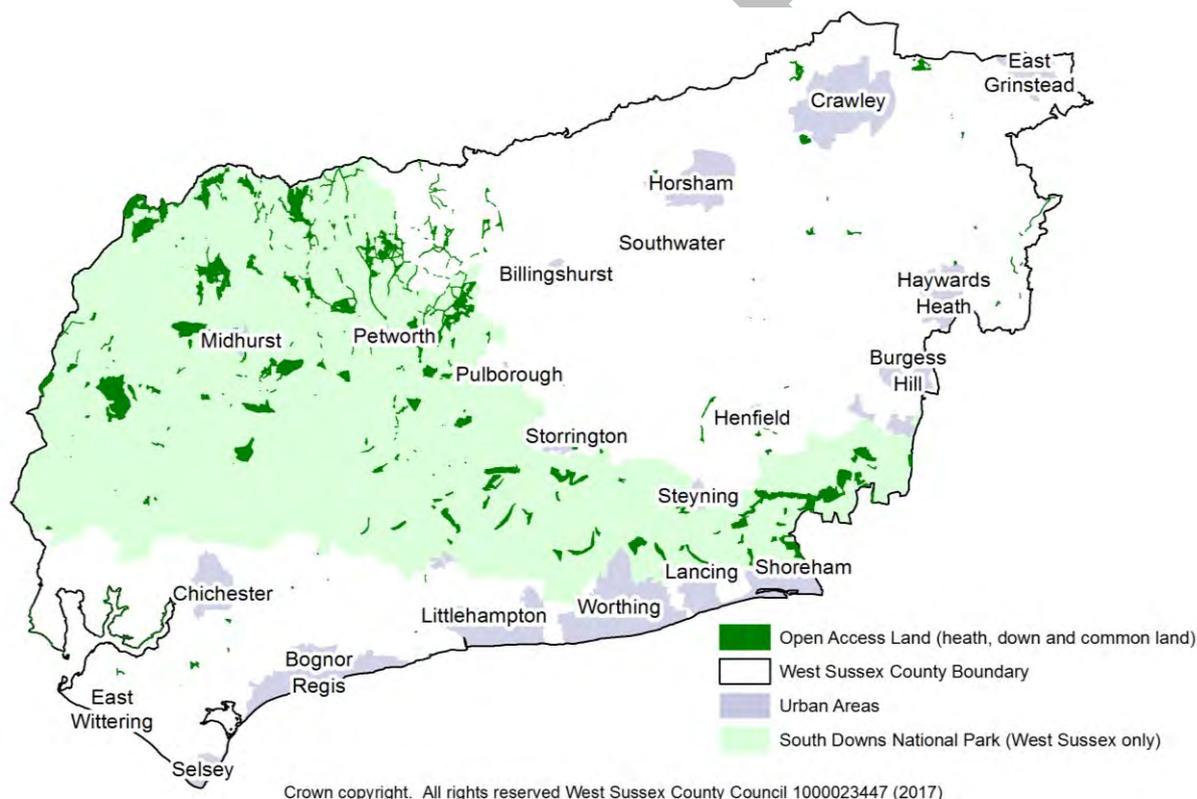
Below are details of some of the other ways people can enjoy the countryside and coast in addition to the PRoW network.

### 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](#)



## **England Coast Path**

The England Coast Path, which will provide a walkable route around all of England's coastline, is expected to be fully opened in West Sussex in 2018/19. 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.

**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.**

The route will become part of the suite of National Trails and will be signed with the National Trail acorn symbol.

## **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. Most of this is for access on foot although some permissive routes are provided for other users, most notably horse riders, of which some 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 it is not always well publicised and there is no single place where this information is available.

## **The highway network**

Minor roads, including the unsealed and unclassified county roads (UCRs) 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 even country lanes are becoming increasingly busy and considered by many NMUs as too dangerous to use or cross.

## **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. 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 the Forest Way in East Sussex. 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.

### **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. **The Council'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, though 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 County 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 the County Council, following preliminary assessment, to reject applications which are incorrectly made or clearly do not meet the legal tests, thus cutting the number of applications requiring further and detailed investigation.

### **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 County Council is keen to encourage network improvements and enhancements as part of diversion 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 right of way and WSCC is offered consultations on the many proposals that could affect existing paths. WSCC seeks **to protect path users' rights and their** convenience, and will often propose improvements whether this is to an existing route, such as creating structure free access, or the creation of a new route. 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 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 detail on-going responsibilities.

## Appendix 5. 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, however where public access across a bridge is shared with private rights, the maintenance responsibility is also shared between WSCC and the respective landowner.

### **Landowner**

- Provide and maintain stiles, kissing gates, gates and other lawful structures (excepting bridges that are the responsibility of the 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 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 of either stock control or user safety)
- Obtain consent from WSCC before carrying out any alterations to the surface of a public path
- Not to deter the public with misleading signs.

## Appendix 6. Glossary of terms

<b>Acronym</b>	<b>Definition</b>
<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 – legislation that puts a duty on highway authorities to produce a RoWIP
<b>Cycle track/way/ lane</b>	A route usually only open to cyclists and possibly pedestrians, and not shown on the Definitive Map
<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)
<b>LTP</b>	Local Transport Plan – sets out how a highway authority will manage the road network
<b>NMU</b>	A collective term for a group of road 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 a formal agreement with a body such as WSCC or without
<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>TRO/TTRO</b>	Traffic Regulation Order/Temporary Traffic Regulation Order – process by which highways, including PRoW can be closed to all or some categories of user
<b>UCR</b>	Unclassified county road, generally not tarmacked or similar

## Appendix 7. 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>	Page 2
<a href="#">West Sussex Transport Plan 2011-2026</a>	Page 3
<a href="#">West Sussex Walking and Cycling Strategy 2016 – 2026</a>	Page 3
<a href="#">South Downs National Park Partnership Management Plan 2014 – 2019</a>	Page 3
<a href="#">WSCC Public Rights of Way Map (iMap)</a>	Pages 10,13,19
<a href="#">National Highways and Transport Network Public Satisfaction Survey</a>	Page 9
<a href="#">West Sussex long distance promoted routes</a>	Page 24
WSCC Public Rights of Way web pages	
➤ <a href="#">Public Rights of Way main page</a>	Page 19
➤ <a href="#">Landowners’ and managers’ responsibilities</a>	Pages 12,17
➤ <a href="#">Inspection and maintenance schedule</a>	Pages 9,10,11, 12,16,19,
➤ <a href="#">Report a problem and timescales</a>	Pages 10,11, 13,16
➤ <a href="#">Request a change to a PRow</a>	
➤ <a href="#">The Definitive Map and Statement</a>	Pages 6,12,17, 25,27
➤ <a href="#">Unavailable Public Rights of Way</a>	Page 25
<a href="#">West Sussex Local Access Forum</a>	Pages 9,11,16
<a href="#">Open access land</a>	Pages 2,8,23
<a href="#">England Coast Path</a>	Pages 8,18,24
<a href="#">Experience West Sussex</a>	Page 20

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