

Cabinet

Report Title	Rights of Way Improvement Plan (RoWIP) Review
Date of Meeting	Wednesday, 25 June 2025
Report Author	Zoe Wilson – Public Rights of Way Officer
Lead Officer	Executive Director - Place
Lead Cabinet Member(s)	Cabinet Member for Environment and Highways, Cabinet Member for Regeneration & Infrastructure
Why is this a key decision?	To be significant in terms of its effect on communities living or working in an area comprising two or more wards of the Borough.
Wards Affected	(All Wards);
Identify exempt information and exemption category	Open Choose an item.
Is the report urgent?	No
Reasons for urgency (only where applicable)	
Appendices (if any)	N/A

1. Executive Summary

- 1.1 This report seeks Cabinet approval to carry out a review of the Council's statutory Rights of Way Improvement Plan (RoWIP). It sets out the approach to consultation and engagement and the review timetable leading to the eventual adoption.

2. Recommendations

The Cabinet is recommended to:-

- 2.1 Approve a review of the Sandwell Rights of Way Improvement Plan (the RoWIP) being undertaken and note the proposed process and timetable for carrying out the review.
- 2.2 Delegate authority to approve a draft RoWIP for the purposes of public consultation to the Cabinet Member for Regeneration & Infrastructure in conjunction with the Cabinet Member for Environment & Highways.
- 2.3 Delegate authority to the Cabinet Member for Regeneration & Infrastructure in conjunction with the Cabinet Member for Environment and Highways to agree a public consultation framework and authorise the carrying out of any necessary public consultation.
- 2.4 That following consultation, and the consideration of comments received, and the final Rights of Way Improvement Plan be reported to Cabinet for adoption at a future meeting.

3. Proposals – Reasons for the recommendations

Background

- 3.1 The Rights of Way Improvement Plan (RoWIP) is a statutory document which, by law, every local highway authority (LHA) has a duty to produce, under the Countryside and Rights of Way (CROW) Act, 2000.
- 3.2 The Council adopted its original RoWIP in 2007. Legislation requires that LHAs should seek to review their RoWIP every 10 years, to ensure that it remains up to date and incorporates changes in legislation and the changing needs of the population. Ideally, a review of the RoWIP should have commenced in 2017. Background work did begin then but due to a combination of staff departures, followed by the COVID-19 pandemic and subsequent recruitment difficulties, this work never reached a conclusion. The Council is, however, now in a position to carry out the review.
- 3.3 Since the RoWIP 2007 was adopted, 11 routes have been completed in their entirety, with a further 17 schemes partially improved, utilising funding Government grant funding such as the Integrated Transport Block (now the Local Network Improvement Plan) and the Sustainable Transport Fund as well as using the Council's own capital programme on occasion.

Policy outcomes and objectives

- 3.4 The RoWIP will include detailed policies and proposals for physical and legal improvements to the Public Rights of Way network in Sandwell. It will assess how easy it is for people of all needs and abilities to use, including people with impaired vision and mobility issues. It will also assess how public rights of way meet people's access needs both now and, in the future, including to support walking, wheeling and cycling for transport, exercise, and recreation for all users.

- 3.5 The review of the RoWIP is an opportunity to:
- Assess how well the RoWIP produced in 2007 has worked,
 - Enable people to walk, wheel, ride horses, cycle and reduce car journeys, thus reducing carbon emissions and improving air quality,
 - Contribute to the provision and use of green infrastructure in both urban areas and semirural locations such as Sandwell Valley,
 - Provide local path networks where people can enjoy the outdoors, and meet members of their community,
 - Provide easy access to green space to aid health and wellbeing,
 - Be inclusive of all members of the community,
 - Keep up to date with changes in legislation.
- 3.6 The review will include an evaluation of the existing RoWIP to determine which unimproved routes need to be carried forward into the update. Both the Local Access Forum (LAF) and a working group of officers from relevant teams across the council will also be set up to understand which new routes should come forward. The LAF is a group of representatives with a range of interests in access, who come together to discuss and advise decision making authorities on how to develop, improve, manage and promote access to outdoor recreation and sustainable travel, locally. . Having a working group and involving the LAF, will aid in collaborative working so that the document is more robust and takes different aspects of sustainable travel and useability into consideration, rather than being produced purely from an officer perspective, where valuable insight might be missed.

Timetable

- 3.7 The proposed timetable for the review is;

Task	Time Frame
Report to Cabinet	25th June 2025
Internal Consultation /collaboration + Review	Commence June 2025 for around 7-9 months
Consult LAF - ideas for route inclusion	Commence June 2025 and ongoing until adoption
Consult Public about needs/routes	Begin July 2025 for 4 months
Survey work for existing and new routes	Commence June 2025 for around 7-9 months
Prepare Action Plan/Draft RoWIP	Continuous but aim to complete by March 2026
Publish draft RoWIP for public consultation	March 2026 for a period for of 12 weeks
Review comments and amend RoWIP	Begin immediately after consultation period is over - review time approximately 2 months
Adopt RoWIP	Autumn 2026

4 Alternative Options Considered

- 4.1 As the preparation and adoption of a RoWIP is a statutory requirement through legislation, there is no alternative course of action that would not

leave the Council in statutory breach of its duties and at risk of legal challenge from interested parties.

5 Consultation

- 5.1 Internal consultation, which will take place in the first instance, will include various groups within the council and also the Local Access Forum. This will be done via meetings, workshops and a working group, in order for discussions to take place to provide advice and guidance on how the document is formulated and the routes which are to be included.
- 5.2 Consultation will also be required at an early stage with the public to seek suggestions on which routes should be included within the document. Methods of consultation will include workshops, posters and information posted on the website. A public consultation framework will set out the intended consultation methods in line with recommendation 2.2 of this report.
- 5.3 Once the draft document is completed, a 12-week formal consultation period will take place. Copies of the document will be provided online, and hard copies will also be produced and deposited at libraries and at the Council House. Information on how to comment on the document will also be posted on the website and should demand dictate, further face-to-face engagement may be held.

6. Financial Implications

- 6.1 It is anticipated that the preparation of the document will be completed in-house by the Public Rights of Way Officer supported by other members of the Transportation Planning Team. It may be necessary to employ temporary staff to undertake survey work dependent upon the number of routes identified through stakeholder engagement and consultation. Any costs associated with this will be met from existing budgets.
- 6.2 Should the initial work highlight the need for external support that cannot be funded from existing budgets, a further report will be submitted as appropriate to seek approval to this.
- 6.3 Further to this, a working group will need to be set up, with officer time/input will be required from several council service areas including:
 - Rights of Way/Transportation Planning Officers
 - Highways
 - Parks and Leisure
 - Public Health
 - Regeneration
 - Corporate Landlord
 - Disability Group
 - Education
 - Legal
 - Town Teams

- 6.4 Funding for improvements to routes will come from a variety of sources linked to the nature of routes, such as whether they are predominantly for utility or leisure use. A key source, however, is the Local Network Improvement Plan (LNIP) – which covers minor highway works, including measures to encourage walking and cycling. This funding forms part of the City Region Sustainable Transport Settlement (CRSTS) which is allocated to the Council by Government via its devolution deal with the West Midlands Combined Authority.

7. Legal and Governance Implications

- 7.1 The RoWIP is a statutory document whichever highway authority has a legal obligation to produce as required by the Countryside and Rights of Way (CROW) Act, 2000.
- 7.2 Local authorities have a statutory requirement to consult the Local Access Forum (LAF) throughout the process of making their assessment of the RoWIP.
- 7.3 There is also a requirement to consult prescribed organisations as part of the plan preparation. This will be done at each stage during the preparation of the RoWIP.

8. Risks

- 8.1 Although Sandwell is not alone in having a delayed its review of the RoWIP, the review still needs to be undertaken and concluded as soon as possible, as we are currently in breach of statutory legislation.
- 8.2 In addition, failure to refresh the document will impact on decision making in assessing accessibility needs in relation to sustainable and active travel.

9. Equality and Diversity Implications (including the public sector equality duty)

- 9.1 The RoWIP process will take into account accessibility to users with mobility problems and will try to address the issues affecting them. The Plan has specific proposals for routes to be created, as well as having overarching policies regarding improving and maintaining the existing LROW in the Borough.
- 9.2 The Council is currently in the process of re-establishing the LAF and is putting a working group together to understand the needs of the residents of Sandwell, including walkers, cyclists, horse riders, horse and carriage drivers, and people with mobility problems, so that an inclusive public rights of way network is achieved for all its users.
- 9.3 Utilising the knowledge and experience of the people within the groups will help to shape the document and to assist in identifying which routes would need to be included, whether as a new route or an improved route.

- 9.4 Not everyone has access to a car, therefore providing links and routes to access work, education, health etc. via other means, such as walking and cycling is highly beneficial. The RoWIP can help facilitate this.

10. Other Relevant Implications

Other Corporate implications are as follows;

Climate change – Improvements to the LROW network can help people to choose more sustainable travel modes. It will also encourage people to experience the nature around them and hopefully lead them to care more for the natural world.

Social Value – The creation and improvements to both utility and leisure routes can assist in the development of an appreciation of the surrounding environment. With people out of their cars, there are more opportunities for people to interact with both the physical and social environment within their local community.

Health and Wellbeing – In conjunction with other documents, the RoWIP will provide an important link to identify routes that will help to make up an inclusive and integrated transport system and provide connections to green spaces which are so important for physical and mental health.

The RoWIP will focus on the LROW network providing both leisure routes and utility routes, which enable modal shift towards healthier and more sustainable forms of transport to places of work, education, health, shopping etc. Leisure routes will encourage healthy leisure activities, including walking, cycling, riding etc. by providing safer and more usable routes.

A more secure and improved LROW network will aid in the improvements to both leisure and utility routes. This will provide a useable alternative to the private car, encouraging walking, cycling, wheeling and riding, making for a more active population.

11. Background Documents

- Sandwell Rights of Way Improvement Plan 2007
- Sandwell Local Plan (Submission Version) 2024

12. How does this deliver the objectives of the Strategic Themes?

- 12.1 **Living in Sandwell:** The outcomes of the RoWIP will help to secure an improved LROW network. This will have numerous benefits to the community, e.g. better access to green spaces and increase access to services, jobs and public transport nodes by means other than the private car. Physical works will also improve safety and security on the network and surrounding environment.
- 12.2 The more secure and improved LROW network will aid in the improvements to both leisure and utility routes. This will provide a useable alternative to the private car, encouraging walking, cycling, wheeling and riding, making for a more active population.

Relevance Check

Budget Reduction/Service Area:

Service Lead

Date:

In what ways does this Budget reduction have an impact on an outward facing service? How will the service feel different to your customers or potential customers?

N/A

If not, how does it impact on staff e.g. redundancies, pay grades, working conditions? Why are you confident that these staff changes will not affect the service that you provide?

N/A

Is a Customer Impact Assessment needed? No