

## DARTMOOR NATIONAL PARK AUTHORITY

1 September 2017

**REVIEW OF FUNCTION AND DELIVERY OF PUBLIC RIGHTS OF WAY WORK**Report of the Head of Recreation, Access & EstatesRecommendation: **That Members:**

- (i) **Note progress towards implementing the Public Right of Way review**

**1 Introduction**

- 1.1 The public rights of way (PROW) network within the National Park is managed by the Authority on behalf of Devon County Council (DCC) through a Service Level Agreement (SLA). As part of the agreement the Authority receives an annual “grant” from DCC for revenue maintenance works.
- 1.2 In November 2014, following a review of the Authority’s function and delivery of PROW work, the Audit & Governance Committee agreed a set of proposals to change the way that we deliver public rights of way and in doing so aim to reduce the costs to the Authority. The main cost to the Authority for delivering public rights of way is staff time and overheads which are not covered by the grant from DCC. The report identified two main areas for change:
- Encourage greater community involvement and use of volunteers to help us look after the access network
  - Review of our current approach to maintenance responsibilities.
- 1.3 An action plan was developed and this has been updated to show progress against each action (Appendix 1). The review recognised that new ways of working with communities and volunteers will require additional Ranger time to engage, develop ideas and implement: It recognised that there would be a different focus, supporting others to help us implement physical works on the ground and less direct physical maintenance and survey work by Rangers themselves. It was anticipated that this could take up to three years to be embedded across the National Park and will depend upon on willing communities and volunteers.

**2 Increasing Community Involvement**

- 2.1 The Ranger and Access team have tried a number of different approaches to community engagement to deliver PROW work. This includes promoting opportunities at parish council meetings; community based work parties; student rangers; new voluntary path wardens and a greater role for our existing Voluntary Wardens. From this range of initiatives we are beginning to understand what motivates people and what works well, both in terms of completing work on the ground and value for money.

- 2.2. **A greater role for Voluntary Wardens** - All rangers report good progress with this; at least 75% of path surveys are now undertaken by Voluntary Wardens with 7 rangers reporting that 100% of their surveys are now completed by Volunteers. This is a significant achievement, resulting in a 50% reduction in the number of Ranger days spent on path surveys between 2014/15 and 2016/17.
- 2.3. **Introduction of brushcutter loan system and training**- 46 paths are now looked after by path volunteers (6% of total network). This means that Voluntary Wardens, local conservation groups and newly appointed path wardens are undertaking strimming and minor vegetation clearance as required. This is from a baseline of zero. The introduction of a brushcutter loan system and associated training has helped facilitate this with over 23 Volunteers being trained. Over the two years we have seen a reduction of 48% in the time Rangers are spending on direct path maintenance compared to 2014/15
- 2.4 **Career advancement placements and apprenticeships** - the Authority appointed a one year Student Ranger in June 2016. The post holder received mentoring from one Ranger and focussed most of his work in this one sector for the first six months. This achieved exceptional results to reduce the outstanding PROW issues in that one sector from 90 to 27. The Student Ranger is now focussing on outstanding issues in other sectors, often working alongside our two new Conservation Apprentices. The success of this initiative has been significant both for the Authority but also for the Student Ranger who has gained invaluable practical experience.
- 2.5 **Community Work days:** The action plan identified an opportunity in this area. The team have delivered over 50 work days since April 2015. Some have been more successful than others and the team are beginning to get a feel for what motivates people, what works well, where and when. For example, larger groups and school or youth groups need toilets close by which severely limits where Rangers can work. Special interest groups such as local cycling groups, rambles from across Devon and British Horse Society volunteers have all helped in different locations. It is a difficult balance; time and effort goes into planning and implementing these events and if numbers are low we need to consider whether this is the best approach. Rangers continue to adapt and learn from experience so far. The success of the new ten minute ditch dig has also been variable but again the team are learning what works: In autumn 2016 and spring 2017 the team focussed on routes well used by ten tors training teams and promoted this to team managers. This proved to be successful and an opportunity to engage further with young people.
- 2.6 **Working with Parish Councils** – Initially the review suggested rolling out the Parish Paths Partnership (P3) scheme to the National Park. On further investigation it was felt that given our network of Voluntary Wardens such a scheme would create confusion. In general terms our experience suggests that there isn't the capacity for parish council's to take on PROW work. However, in some instances there are willing and enthusiastic councillors who have become new path volunteers, supporting PROW work as outlined in paragraph 3.3. Rangers continue to look for opportunities to work with parish councils and foster their support.

### **3 Approach to maintenance responsibilities**

- 3.1 The extent of the Authority's statutory duties are limited to: signing of public rights of way where they leave the road, clearance of surface vegetation, maintaining rights of way so that they are "reasonably passable for their intended use", providing a minimum 25% contribution to landowners towards the upkeep of gates and stiles on PROW and to maintain bridges.
- 3.2 Devon County Council has made it very clear that it only expects the Authority to deliver the core, statutory functions in relation to public rights of way (and that is what the funding is for).
- 3.3 The Authority has for many years provided a full service to landowners within the National Park for the maintenance of public rights of way. This has included meeting the full cost to provide and install new field furniture or repair existing, cutting back hedges and overhanging tree limbs, dealing with fallen trees and providing dog accessible stiles. This work has been in addition to the statutory function outlined above.
- 3.4 The review and action plan recognised that we need to better communicate with landowners their responsibilities for public rights of way and move towards a position whereby the Authority fulfils its statutory duty as expected by Devon County Council.
- 3.5 The team have been trying to implement this proposal in ways that support continued positive and productive working relationships with landowners and farmers. We produced a short publication containing guidance on the responsibilities of the Authority and landowners/farmers which has been used as a basis for discussion. The team have found that generally landowners and farmers are understanding of the position and willing to help. A pragmatic and partnership approach is proving to be the most effective way to achieve improvements on the ground e.g. rangers supply materials such as stone and the farmer undertakes the work on our behalf. Trees, Rangers will go ahead and clear trees from paths if the work is likely to be less than an hour.

### **4 Other benefits and future projects**

- 4.1 As well as the volunteer time contributed by a range of different groups and individuals we have also received cash donations of nearly £5,400 from the Ramblers Association to support the delivery of specific public rights of way projects. Totnes Ramblers contributed £5,000 to repairs to the South Hessary path, and the Moorland Ramblers Group contributed £400 to improve access on the Two Moors Way
- 4.2 Staff are also looking at ways to improve efficiency through IT developments. Currently the Authority uses an established IT software programme to assist with day to day management of PROW (CAMS). We are upgrading this system so that it will be simpler for the public to report problems and will streamline our process for recording and managing path issues. We are also exploring options for a mobile version of CAMS which will enable data capture in the field and avoid double handling of data.

## 5 Conclusion and Recommendation

- 5.1 The PROW Review recommended that the Authority continues to deliver public rights of way given its importance to local people, to users and to the local economy. The action plan aimed to reduce officer time and hence cost to the Authority of direct implementation of public rights of way surveys and maintenance. It was acknowledged at the time that community engagement and implementation of new ways of working can be time consuming, but if successful will provide a basis for a more sustainable way forward for the future.
- 5.2 Significant progress has been made in the first two years: In 2014/15 Rangers spent nearly 350 days on PROW work and in 2016/17 this was reduced to 178 (approximately 50% in two years). This has enabled Rangers to spend time working with volunteers, developing new community based initiatives and testing a range of different approaches.
- 5.3 In developing the action plan it was recognised that community engagement is time consuming and may result in a deterioration of the network in the short term. In April 2015, when we started implementing the action plan 84% of our public rights of way were classified as easy, at end of March 2017 this reduced to 79%. The deterioration in the network was noticeable and the number of outstanding PROW issues was increasing. It is difficult to attribute this decline purely to a change in working methods as a number of other factors, such as severe weather, have probably played a part. However, for staff who had always prided themselves on the standard of our PROW the deterioration affected morale and job satisfaction. In response to this a new Student Ranger post has focused on PROW work and some additional hours have been agreed to try and reduce the backlog. In the first quarter of 2017/18 it is pleasing to report that 92% of our network is now classified as easy to use; we hope that this reflects some of the initiatives we have been implementing and is the start of an upward trend .
- 5.4 Over the past two years Rangers have spent more time working with volunteers (46 days in 2015/16 and 62 in 2016/17) and they have delivered over 50 community volunteer work days. We are learning that community engagement/use of volunteers does take more time to plan and administer but hopefully this will get easier as time goes on and effective systems are in place. We are also learning what works well and where best to focus future effort
- 5.5 There is optimism from the team that we are moving in right direction and it is worth learning and building on what works well. The support and dedication of our volunteers whether that's long term volunteers through our VW scheme, the local Conservation Groups or those who join us for work parties and /or 10 minute ditch digs is crucial to the continued delivery of PROW and we cannot thank them enough for the time they give. Many of the groups like to work alongside a Ranger and learn from their experience, the capacity to do this will be crucial in the future
- 5.6 The landowners and farmers booklet containing information about rights and responsibilities has raised awareness and there is greater appreciation for the work that the Authority has provided above and beyond our responsibilities for many years. Rangers are now working in partnership to encourage a greater role for landowners and farmers in the management of PROW across their land.

## **6 Financial Implications**

- 6.1 Over the first two years of implementation we have allocated additional resources for the training of and the purchase of equipment for Volunteers and employment of the Student Ranger. A total cost of approximately £16,000.

## **7 Equality and Sustainability Impact**

- 7.1 A screening assessment has been undertaken that did not show any likely negative impacts. The Authority takes into account the needs of people with limited mobility when undertaking works to public rights of way, and will continue to implement the policy for gaps, gates and stiles.

**Background papers: NPA/AG/14/056**

## PROW Review Action Plan 2015-2018 – 24 month update

Ref	Proposal	Approach	Target for Implementation	26 month progress report
AP1	<b>Establish a Dartmoor Community Paths Scheme</b>	Agree criteria and funding arrangements with DCC (2014). Can draw on DCC approach and systems. Aim to work with 4 parish councils initially?	Year 2015/16 – 4 parish councils as initial pilot and assess  Year 2016/17 - promote wider to parish councils  Year 2017/18 – promote wider to parish councils	It was decided not to pursue a P3 scheme as VW's already do path surveys & P3 includes payments for this work. Instead we tried to tailor community schemes with each parish  Rangers continue to raise the issue at PC meetings and ask for help. No Parish Council has engaged formally, despite being sympathetic, but a number of individual councillors have shown an interest and we have recruited 3 path volunteers to date.  .
AP2	<b>Brush Cutter loan system for groups or path volunteers</b>	Establish a loan system for use by volunteers, community groups or parish councils.	Year 2015/16 – Purchase of 6 strimmers and safety equipment. Appropriate training delivered through DCC scheme.  Year 2016/17 - Review effectiveness  Year 2017/18	11 strimmers have been purchased and 13 VW's or community path wardens have been trained to use brush cutters and are now undertaking work on the ground. 3 more VW's and 2 community path wardens are awaiting training planned for october 2017.  Also 10 volunteers from 3 local conservation groups have benefited from the training allowing them to use strimmers  6% of path network now maintained by volunteers
AP3	<b>Increase role of Voluntary Wardens for PROW work</b>	Implemented by sector rangers in conjunction with their VW's to undertake path surveys and minor practical works. Review of current duties / handbook may be required?	Year 2015/16 – 60% of paths surveyed by VW's.  Year 2016/17 – 75% of paths surveyed by VW's  Year 2017/18 – 100% of paths surveyed by VW's	Good progress – ahead of target. 7 rangers report that VW's now do 100% of path surveys
AP4	<b>Recruitment of path wardens / path volunteers</b>	Implemented by sector rangers through contacts with local communities, and advertised on website. Particular focus where there is not a P3 parish operating	Year 2015/16 – no targets set  Year 2016/17  Year 2017/18	Community path volunteers see above AP1 and rangers continue to seek opportunities.

<b>AP5</b>	<b>Career Advancement Volunteers</b>	Advertise on website and take up requests as they arise. Already demand for this approach	Year 2015/16 – 1 placement Year 2016/17 - 2 placements Year 2017/18 – 4 placements	Student Ranger started in June 2016. Impact has been significant – outstanding issues down from 90 to 27 in one sector during first 6 months . Now working across wider area (at least 4 more sectors) We have not increased the placements in line with the targets – first placement only in place from June 2016. 2 Conservation Apprentices have been employed which is also helping. We are considering how to take this scheme forward but we have kept the student ranger in post for another year.
<b>AP6</b>	<b>Increase community work days /user group work parties</b>	Approach local community groups, conservation volunteers and user group organisations	Year 2015/16 – Minimum 1 day per ranger  Year 2016/17 – Minimum 2 days per ranger  Year 2017/18 – Minimum 2 days per ranger	All Rangers have utilised extra work groups and exceeded the target for days planned – 50 over two years (target was 27.) However each sector is different and those sectors close to major conurbations are able to get access to more groups The Student Ranger has provided extra cover at weekends which allows Rangers to plan Community Work days at weekends when the public are available  Local rambling and cycling groups have proved to be effective and the people engaged have a vested interest to help improve PROW.  . Larger community work days advertised locally and through social media have been much more variable in numbers attending. Some events have had a very poor turn out, There is a question of value for money when time and energy goes into planning and promoting the events. Also once a job is started the Ranger does have to go back and finish it if volunteers run out of time. Have found that volunteers are more interested in doing archaeology/conservation jobs not PROW. Learnt that we need to focus our work days so that we make best use of resources. Groups comprising people who use PROW are often more successful. Larger groups and youth groups can be demanding of time and require more facilities - makes planning and preparation more difficult and less flexible if weather changes.
<b>AP7</b>	<b>Provide and install gates or kissing gates where they will replace stiles</b>	This approach is already included in Authority's Gaps, Gates and Stiles policy. Outcome is to provide an incentive to reduce number of stiles on network.	Year 2015/16 – Discussions with local communities  Year 2016/17 Implement changes	Started the conversation through a guidance booklet for landowners and farmers and raising awareness of responsibilities. Mixed reception initially but gradually people are understanding of the position.  All Rangers now try to do this and the practice is ,generally accepted but there is occasional resistance – usually for good reason.  <b>AP7 – AP12 We are taking a pragmatic approach to this which we feel is building support .</b>
<b>AP8</b>	<b>Contribute towards cost of field gates</b>	Authority contributes towards reasonable cost of replacement field gate (or supplies gate only?)	Year 2015/16 – Discussions with local communities  Year 2016/17 Implement changes	Discussions and awareness have started  The staff team feel that enforcement will take up more staff time across DNPA. Agreed that Rangers adopt positive attitude and work towards delivering in partnership with landowners and farmers.  Four cases were landowner has assisted with replacement of gates etc
<b>AP9</b>	<b>Provide stile kit only where</b>	Authority provides materials for	Year 2015/16 – Discussions with local	See above

	<b>landowner insists on retaining a stile</b>	replacement stiles as the minimum 25% contribution	communities Year 2016/17 Implement changes	
<b>AP10</b>	<b>Clear surface vegetation (not side growth)</b>	Authority clears surface vegetation only, landowner may wish to pay our contractor separately for undertaking additional works	Year 2015/16 – Discussions with local communities Year 2016/17 Implement changes	As above – we are trying to adopt a pragmatic approach. Some land owners and farmers have indicated they could help and some have already done so.  There has been a significant shift in the right direction. Ranger time sent on strimming has reduced due to increased help from VW's, existing conservation volunteer groups and work groups. The training provided via AP2 has helped.
<b>AP11</b>	<b>Dealing with overhanging tree limbs</b>	Refer to landowner unless minor works and expedient to clear or where landowner cannot be identified	Year 2015/16 – Discussions with local communities Year 2016/17 Implement changes	Variable response. Trying but it would seem Rangers still doing it. Sometimes its quicker and easier to deal with the issues when you see it. A number of rangers using the one hour rule. If the work can be completed in one hour its more cost effective just to get it done (One hour rule).
<b>AP12</b>	<b>Dealing with fallen trees</b>	Refer to landowner unless minor works and expedient to clear or where landowner cannot be identified	Year 2015/16 – Discussions with local communities Year 2016/17 Implement changes	Again some Rangers using one hour rule, could be rolled out to all rangers.



DARTMOOR NATIONAL PARK PLANNING AUTHORITY

1 September 2017

**TREE PRESERVATION ORDERS, SECTION 211 NOTIFICATIONS  
(WORKS TO TREES IN CONSERVATION AREAS)  
AND HEDGEROW REMOVAL NOTICES  
DETERMINED UNDER DELEGATED POWERS**

Report of the Trees and Landscape Officer

Recommendation : **That the decisions be noted.**

**TREE PRESERVATION ORDERS**

**Teignbridge**

**Ref: 17/0014                      48 Miners Close, Ashburton                      SX 7604 7038**

Application to fell a sycamore tree. The tree is growing on a very steep bank overhanging the house. Consent was granted subject to the following conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. Replacement planting of one standard silver birch tree within the crown spread of the original during the first planting season following felling.

**West Devon**

**Ref: 17/0009                      Spinners, Horrabridge                      SX 5204 7006**

Application to fell a beech and an oak tree. The trees are in poor condition and leaning towards the house. Consent was granted subject to the following conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. Replacement planting of one standard oak tree within the crown spread of the original during the first planting season following felling.

**South Hams**

**Ref: 17/0010                      Bittaford Wood Caravan Park                      SX 6678 5671**

Application to fell 10 trees, pollard 5 trees and carry out remedial works on 37 trees. The trees have been neglected for many years and the works are necessary to prevent them damaging adjacent properties. Consent was granted subject to the following conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. Replacement planting of four standard oak trees and one silver birch within the crown spread of the originals during the first planting season following felling.

3. All works are carried out in accordance with British Standard 3998:2010 Tree Work Recommendations.

**Ref: 17/0011**

**19 Clobells, South Brent**

**SX 6999 5980**

Application to fell three Lawson cypress and reduce the height of three other Lawson cypress. The trees are growing in a small garden and shade the house and garden for a large part of the day. Consent was granted subject to the following conditions:

1. Five working days' notice to be given to the Authority prior to the commencement of approved works.
2. Replacement planting of one rowan tree within the crown spread of the original during the first planting season following felling.
3. All works are carried out in accordance with British Standard 3998:2010 Tree Work Recommendations.

## **SECTION 211 NOTICES**

### **West Devon**

**Ref: 17/0012**

**Meavy Barton, Meavy**

**SX 5401 6729**

Notification to fell a walnut, sycamore and tulip tree, and to reduce an oak tree. The trees to be felled are in poor condition and the works to the oak tree will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

**Ref: 17/0013**

**1 Orchard Cottage, Chagford**

**SX 7014 8759**

Notification to remove low branches from a Douglas fir. The works are minor and will have minimal impact on health or appearance of the tree.

A Tree Preservation Order has not been made.

**Ref: 17/0015**

**Hayes, Sticklepath**

**SX 6399 9405**

Notification to fell three Lawson cypress and reduce a beech tree. The works will have minimal impact on the character of the Conservation Area.

A Tree Preservation Order has not been made.

**Ref: 17/0016**

**Ardonay Cottage, Drewsteignton**

**SX 7349 9086**

Notification to fell an ash tree. The tree is hidden from public view of has minimal amenity value.

A Tree Preservation Order has not been made.

**BRIAN BEASLEY**

(For further information please contact Brian Beasley – Trees & Landscape Officer)