

Public rights of way 3rd survey: Covid-19 impact

This was the third survey (February 2021) conducted in conjunction with the Institute of Public Rights of Way and Access Management (IPROW), following the first survey in April 2020 and a second in May 2020.

The aim was to collect and share information on the impact of Covid-19 restrictions on the use and management of public rights of way across England and Wales. The survey went out from Paul Newark as Chair of the ADEPT PROW Working Group via the regional leads in that network to main contacts in local authorities, and this time also to contacts in local authorities in Wales via CSS Wales.

Rights of Way Officers from over 68 local authorities and nine National Parks Authorities across England and Wales responded to the survey, which was designed with the Institute of Public Rights of Way and Access Management (IPROW). The survey ran from mid-January until end February 2021.

The survey asked questions about some of the wide-ranging issues affecting public rights of way services across the UK, including details on levels of network usage, the reality of backlogs for different types of legal definitive map casework, budgets, staff resources, common pressures during the current emergency, and common ways of resolving some of these pressures.

There were 77 responses to the third survey, which was higher than previous surveys.

Levels of use

85% of respondents reported an increase in the numbers using the public rights of way network evidenced by numbers of reported issues and counter data. Given the data collated was during a winter period, many authorities also reported that increased usage and wet weather had created surface damage to footpaths because of churned up mud.

Service type and network size

The majority of local authorities' officers / national park officers deal with a wide range of countryside services other than just their main public rights of way network. Other common functions include management of access land, country parks and sites, national trails and coast paths, unclassified roads, common land and village greens.

Public Rights of Way Only	18 (23%)
Other duties including public rights of way	59 (77%)

Most authorities have FTE (full time equivalent) employees with some or many volunteer resources as well. FTE staff numbers again vary widely to barely any staff to 30 FTE in Dorset, for example.

The length of each authorities' public rights of way network varies enormously from 45km for Debry City Council to nearly 10,000km in Powys.

Budgets

Budgets for delivery of public rights of way services (excluding staff but including contractor costs) varies enormously across the UK authorities. £50K seems to be about the average per annum but some authorities have virtually no funding a year and might run on volunteers mostly, whilst others like Devon have £1.5million.

Over half of respondents stated their budgets have remained the same since last financial year (19/20) with 82% also expected to remain the same in 2021/2022 - so little change during the covid period. However, there are small percentage of authorities (21%) that have seen their budgets increase in 20/21 and a few (8%) who also expect it to increase in 21/22. Note – a small minority also didn't comment on budget questions.

Budgets	2019/2020	2021/2022 expectations
Increased	15 (21%)	6 (8%)
Decreased	9 (13%)	7 (10%)
Remained the same	48 (67%)	58 (82%)

Backlog of Definitive Map type cases

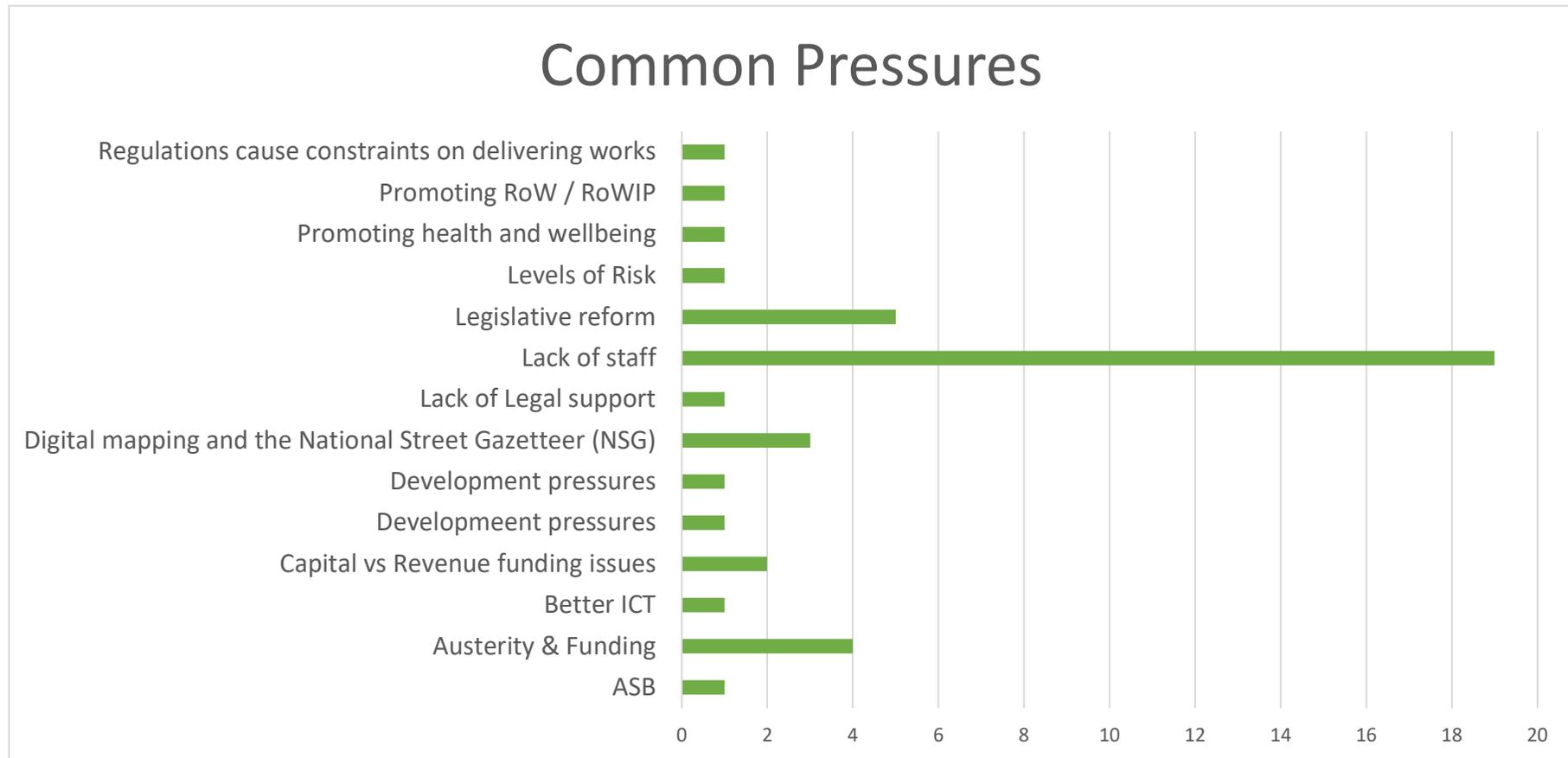
Most authorities have a backlog of both Public Path Order (PPOs) and Definitive Map Modification Order (DMMO) applications with DMMOs being the type of casework that involves years of work ahead.

The estimated timescale for clearing DMMO backlogs ranges from six months to 150 years, with most having something around the 20 years' mark. Interestingly, there has been a marked drop in the number of non-determination appeals from the previous two years, possibly because of changed priorities for many in 2020.

The number of public path orders progressed varies enormously too, with most authorities having under 30 outstanding cases but others have very high backlogs. For example, Powys has 170 outstanding applications, but also the biggest network km wise by far.

Common Pressures

Respondents identified a wide range of pressures on delivering public rights of way services, with the key pressures being lack of staff, legislative reform (e.g. de-regulation), austerity and funding. However, there appears to be a wide range of other pressures such as anti-social behaviour, ICT needs, climate change, lack of revenue in comparison to capital funding and promoting public rights of way, to name just a few others. In particular, many authorities noted that whilst capital funding has been sustained or is increasing, there is a clear cap with revenue income making it sometimes difficult for them to utilise the capital funding.



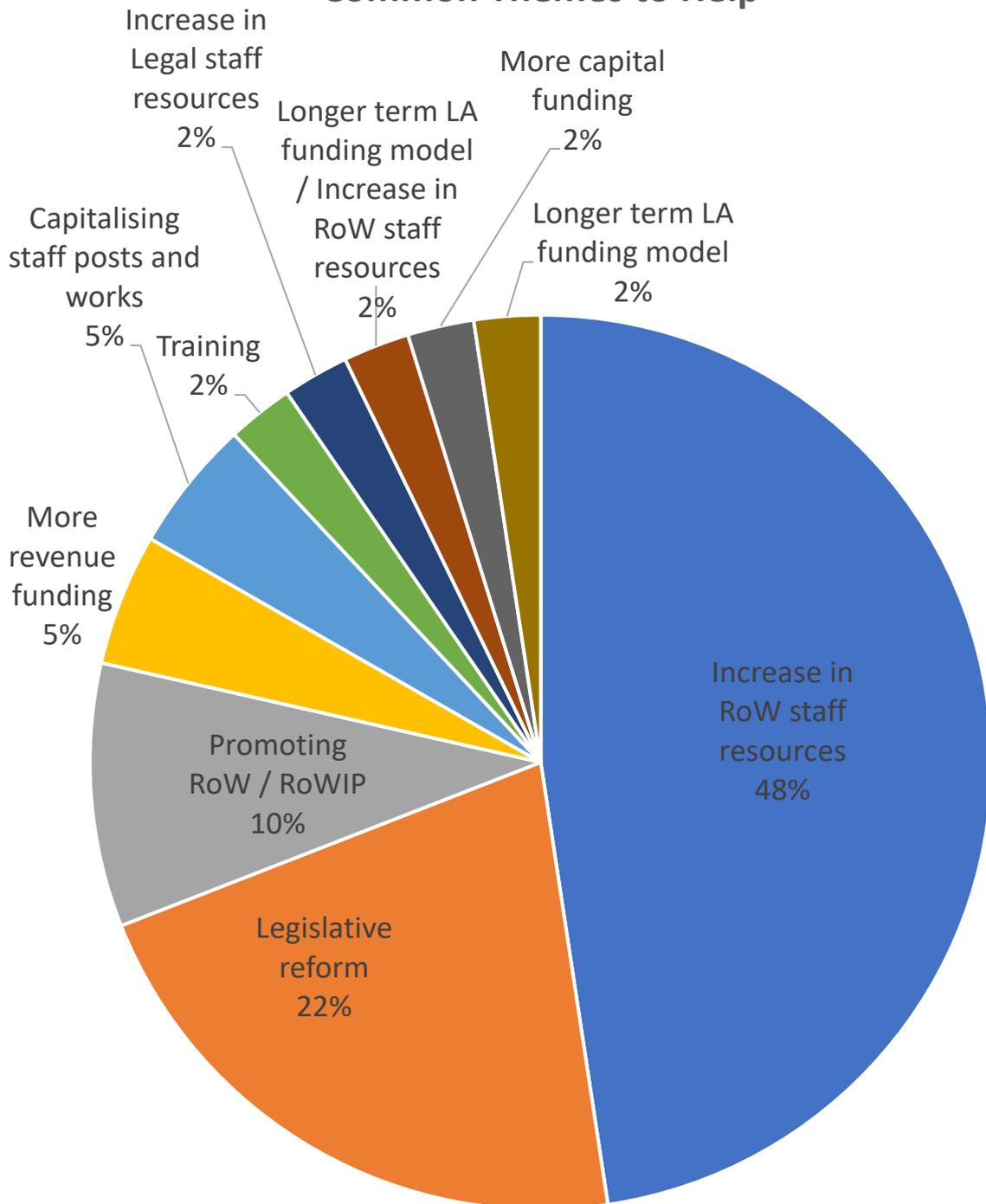
Common Themes to Help

Respondents identified four key themes that could be used to ease some of the common pressures, with increasing staff levels accounting for nearly 50% of responses:

1. Increasing staff levels
2. Legislative reform
3. Promoting public rights of way and improvement plans
4. More revenue funding

Other suggestions for helping services: capitalising posts and works, training, increasing legal staff resources, more capital funding and better longer-term sustainable funding models.

Common Themes to Help



2026 cut-off date for Definitive Map Modification applications

Finally, respondents were asked their opinions as to whether the 2026 cut-off date for certain types of DMMO applications should be kept as it is, postponed to a much later date in 2031 or lie somewhere in between. There were divided opinions on this. 46% thought it should be extended to 2031, but also 35% thought it should remain as it is.

It was noted that de-regulation is only applicable to England and not Wales and Wales will not have a cut-off date.

