

POSITION STATEMENT ON IMPLEMENTATION OF CROW ACT 2000 (RESPONSIBILITY WITHIN SOCIAL DEVELOPMENT PORTFOLIO)

Report By: Director of Policy and Community

Wards Affected

County-wide.

Purpose

To advise the Committee of the current position on Countyside Rights of Way Act 2000 (CRoW) in respect of service responsibility within the Social Development portfolio area.

Reasons

1. The CRoW Act 2000 has 5 main provisions, aspects of which have deferred implementation dates, for example, the designation of access land and the regulation of common land. Management responsibility for CRoW Act provisions currently sits across 2 Directorates (Environment and Policy & Community) and the County Secretary and Solicitors Department.
2. The current responsibilities under the Act which fall under the scope of this Committee are two fold. These are namely: - Part 3 Conservation and Wildlife and Part 4 Areas of Outstanding Natural Beauty.
3. The Committee need to be aware that significant resources will need to be found to protect the Council from potential litigation for non-compliance when the full provisions of the Act fall due. The timetable is as yet undetermined, but there is an expectation of a 3 year time frame.

Considerations

4. A Council wide Management Group has been set up to monitor progress and assess risk.
5. A project to survey newly designated access land and those Section 9 Commons which will fall to Council ownership within the next 2 years has been initiated. This is supported by a 2 day per week directed time commitment of an Officer from the Countryside Service. Advice is being provided by Property (Estates), the Countryside Agency and DEFRA. This exercise also incorporates conservation and wildlife assessments. When the work is complete it will form the basis of a report to Cabinet to advise of our newly acquired legal and property obligations and provide options for the resourcing framework that will be required to discharge our duties.
6. A Leaders briefing on the further implications of the CroW Act is being prepared for inclusion in an autumn programme.

7. The Council's obligations in respect of the production, adoption and publication of the statutory Areas of Outstanding Natural Beauty Management Plans have been met in full.
8. Those sites that are directly managed within the Parks & Countryside Service that fall under the conservation provisions of the Act are deemed to be stable with management regimes that are likely to lead to progressive enhancements of both species and habitats.

RECOMMENDATION

THAT (a) the report be noted.

and

(b) the Committee be advised of future developments following the proposed Leader's Briefing on corporate progress.

BACKGROUND PAPERS

- Countryside and Rights of Way Act 2000