

# Public Document Pack

**NOTE – At the commencement of the meeting there will be a public forum for up to 15 minutes which will offer members of the public the opportunity to make statements or ask questions.**



County Offices  
Newland  
Lincoln  
LN1 1YL

7 April 2014

## **Mid-Lincolnshire Local Access Forum Meeting**

A meeting of the Mid-Lincolnshire Local Access Forum will be held on **Tuesday, 15 April 2014 at 6.00 pm in Committee Room Three, County Offices, Newland, Lincoln LN1 1YL** for the transaction of the business set out on the attached Agenda.

Yours sincerely



Tony McArdle  
Chief Executive

## **Membership of the Mid-Lincolnshire Local Access Forum**

Mr Chris Padley (Chairman)  
Councillor Denis Colin Hoyes MBE  
Councillor Daniel McNally  
Councillor Iain Colquhoun  
Sandra Harrison  
Mrs Alison Healey  
Ray Shipley  
Mrs Irene Unsworth  
Dr Christopher Allison  
Sheila Brookes  
Colin Smith  
Richard Graham  
Peter Skipworth  
1 Vacancy (Users of Local Rights of Way)  
1 Vacancy (Land Owners)  
3 Vacancies (Other Interests)



**MID-LINCOLNSHIRE LOCAL ACCESS FORUM AGENDA  
TUESDAY, 15 APRIL 2014**

<b>Item</b>	<b>Title</b>	<b>Report Reference</b>
1	Apologies for Absence	
2	Minutes of the previous meeting of the Forum held on 21 January 2014	<b>2</b> (Pages 1 - 8)
3	Update on Issues Considered at the Previous Meeting of the Forum held on 21 January 2014	
4a	County Farms - Opportunities to improve access (minute 24)	
4b	Local Access Forum's National Conference in Durham (minute 27) (Chris Padley)	
4c	To Consider the Way District Councils are Consulted on Rights of Way Planning Matters (minute 28) (Chris Padley)	
4d	"Lost Ways" (minute 29) (Andrew Savage)	
4e	Denton to Skillington, The Drift/Viking Way (minute 32) (Chris Miller)	
4f	Lincolnshire County Council Progress of Definitive Map Modification Orders - South Willingham (minute 36) (Chris Miller)	
5	North East Lincs Countryside Access and Rights of Way Improvement Plan Objectives Update (Nicola Hardy)	<b>5</b> (Pages 9 - 10)
6	The Draft Lincolnshire Rights of Way Improvement Plan 2014-2019 (Andrew Savage)	<b>6</b> (Pages 11 - 98)
7	North East Lincolnshire Progress of Definitive Map Modification Orders (Nicola Hardy)	<b>7</b> (Pages 99 - 100)
8	Lincolnshire County Council Progress of Definitive Map Modification Orders October 2006 - 4 April 2014 (Chris Miller)	<b>8</b> (Pages 101 - 118)
9	North East Lincolnshire Progress of Public Path Orders (Nicola Hardy)	<b>9</b> (Pages 119 - 120)
10	Lincolnshire County Council Progress of Public Path Orders (Chris Miller)	<b>10</b> (Pages 121 - 124)
11	Financing of Permissive Paths (and if there is any danger of them disappearing because of lack of finance?) (Pete Skipworth)	

- 12 **Proposal to Authorise Motor Sport Events on Public Roads (Consultation paper from the Dep't for Culture, Media & Sport which seeks views on a proposal to permit motor sports events, including stage rallies, hill climbs and trials of speed, on public roads in certain circumstances (Sheila Brooks)**
- 13 **Date and Time of the next meeting - 6.30pm on Tuesday 22 July 2014 at Huttoft Village Hall (preceded by a tour of the Country Park at 5.30pm)**

**Democratic Services Officer Contact Details**

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**Please Note:** for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements
- Copies of reports

Contact details set out above.

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**MID-LINCOLNSHIRE LOCAL ACCESS  
FORUM  
21 JANUARY 2014**

**PRESENT: CHRIS PADLEY (CHAIRMAN)**

Representing Lincolnshire County Council: Councillor D McNally

Representing North East Lincolnshire Council: Councillor Iain Colquhoun

Representing Independent Members: Sandra Harrison, Ray Shipley, Dr Chris Allison, Sheila Brookes, Colin Smith, Richard Graham and Pete Skipworth

Officers: Steve Blagg (Democratic Services Officer), Nicola Hardy (Public Rights of Way and Mapping Officer), Chris Miller (Countryside Access Manager) and Andrew Savage (Senior Countryside Access Officer)

21 APOLOGIES FOR ABSENCE

An apology for absence was received from Alison Healey.

22 MINUTES OF THE PREVIOUS MEETING HELD ON 17 SEPTEMBER 2013

RESOLVED

That the minutes of the previous meeting of the Forum held on 17 September 2013, be agreed as a correct record and signed by the Chairman.

23 MATTERS ARISING FROM THE MINUTES HELD ON 17 SEPTEMBER 2013 (IF NOT ALREADY ON THE AGENDA)

See minute 24.

24 COUNTY FARMS' LANDHOLDINGS - MAP SHOWING THEIR LOCATION IN THE AREA COVERED BY THE MID Lincs LOCAL ACCESS FORUM (ANDREW SAVAGE) (TO BE TABLED AT THE MEETING)

Andrew Savage tabled detailed plans showing the location of County Farms in the area covered by the Mid Lincs Local Access Forum (LAF) and stated that he had requested specific maps showing access to those County Farms in the geographic area covered by this Forum whose were coming up for renewal.

Andrew Savage, as an example, tabled a plan showing the location of two County Farms in the vicinity of South Reston. The Forum agreed that there was no opportunity to create new links and it was agreed that this plan should be passed to the working group to examine.

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM  
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The Chairman reminded the Forum that both Lincolnshire LAFs were examining County Farms to see if there were opportunities to improve access before new tenancies were agreed. He stated that a joint working group established by South Lincs LAF was examining this issue in detail and the Forum agreed that the working group's findings should be reported to this Forum.

RESOLVED

That the report be noted and that the conclusions of the joint working party be reported to this Forum.

25 ITEMS RAISED BY THE CHAIRMAN

26 LINCOLN EASTERN BY-PASS - PUBLIC INQUIRY

The Chairman, with the agreement of the Forum, wished to raise an additional agenda item in connection with a forthcoming Public Inquiry for the Lincoln Eastern By-Pass (which was to examine Side Road Orders and Compulsory Purchase Orders), to be held in Lincoln. He stated that he had been asked by local people to attend the Public Inquiry to give evidence. He added that the evidence given by him would be the same evidence he had submitted when the planning application had been considered by the County Council in 2013.

Local people had concerns about cycle and pedestrian access.

The Forum gave their support to the Chairman's attendance at the Public Inquiry and, it was agreed that if the Forum had any additional comments they should let the Chairman have them as soon as possible.

RESOLVED

That the attendance by the Chairman at the Public Inquiry be supported and that, in the meantime, members let the Chairman have their comments as soon as possible.

27 NATURAL ENGLAND LOCAL ACCESS FORUM NATIONAL  
CONFERENCE 2014

The Chairman sought the support of the Forum to attend the forthcoming Local Access Forum's National Conference in Durham, organised by Natural England.

RESOLVED

That the attendance by the Chairman at the Local Access Forum's National Conference in Durham, be supported.

28     TO CONSIDER THE WAY DISTRICT COUNCILS CONSULTED ON RIGHTS OF WAY PLANNING MATTERS (SEE MINUTE 17 OF THE LAST MEETING OF THE FORUM)

The Chairman stated that this item had been placed on the agenda because he wished to get planning local authorities to take a more proactive and strategic approach on the effect of planning applications on public footpaths. Some local authorities were better than others and enquired if it was possible to get one of the Lincolnshire planning authorities interested in talking to the Forum about this matter.

Sandra Harrison agreed to provide the name of the Executive Councillor for planning at East Lindsey District Council to enable the Chairman to pursue this matter further.

Comments by the Forum included:-

1. The Secretary of State for the Environment seemed to be in favour of housing development at the expense of the environment.
2. LAFs did not have any specific powers in this area and therefore there was a tendency for planning authorities to treat communication with LAFs as an inconvenience instead of an opportunity to provide useful advice.
3. There was a need for planning authorities to be more proactive in their approach about the effects of planning applications on public footpaths and to ensure the LAFs were kept informed.
4. Most planning authorities had a checklist of consultees for planning applications and a deadline for them to respond. However, it was quite common for consultees not to respond.
5. West Lindsey District Council was cited as a local authority which followed best practice in consulting about planning applications.
6. It was time consuming for volunteers to examine all planning applications in detail.

RESOLVED

That the comments made by the Forum be noted and that Sandra Harrison let the Chairman have the details of the Executive Councillor with responsibility for planning at East Lindsey District Council so that the Chairman can discuss arrangements for a District Planning Authority to speak to the Forum about strategic planning and how planning applications affected public footpaths.

29     "LOST WAYS" (A PRESENTATION BY SARAH BUCKS AND PHIL WADEY (BOTH FROM THE BRITISH HORSE SOCIETY) HAS BEEN EMAILED TO MEMBERS OF THE FORUM)

The presentation by Sarah Bucks and Phil Wadey, from the British Horse Society, in connection with "Lost Ways" had been emailed to the Forum before this meeting.

The Forum agreed to receive the presentation at its next meeting and to invite the two authors to the meeting.

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM  
21 JANUARY 2014**

RESOLVED

That the Forum receive the presentation on "Lost Ways" at its next meeting and that the authors be invited to the meeting.

30 ISSUES ARISING FROM THE EAST MIDLANDS LOCAL ACCESS FORUM  
CHAIRS' MEETING HELD ON 1 OCTOBER 2013

RESOLVED

That the minutes of the meeting of the East Midlands Local Access Forum Chair's meeting held on 1 October 2013, be received.

31 FOOTPATHS IN CRISIS AND BUILDING ON FOOTPATHS - RESPONSE  
OF THE LOCAL AUTHORITIES

Pete Skipworth referred to a recent article in the national press in connection with the effects of proposed new legislation which would give priority to the building houses over the routes of public footpaths.

Chris Miller stated that he had not read the newspaper article but thought that this might have emanated from the recent discussion of the Deregulation Bill and the proposal to allow a "right to apply" for path diversions and for this to be extended to gardens and farmyards. He added that within the Parliamentary Review Committee report on the Bill the effects on public footpaths had been the main discussion point and that it was possible that there could be changes when the Bill was discussed in the Commons and the Lords.

Chris Miller stated that the current planning process allowed people to comment on planning applications which affected footpaths and to suggest alternative routes.

The Forum suggested that government legislation was too rushed nowadays compared to procedures in the past when a Green Paper would have been published for consultation purposes before major legislation was enacted.

Pete Skipworth raised a separate issue in connection with the reporting of problems with public footpaths by volunteers to the County Council and the lack of feedback. Some members of the Forum stated that they had not experienced any problem.

Officers stated that volunteers should receive feedback to an enquiry about a problem with a public footpath and the response should state the action proposed to address the problem. A reference code was always issued in any response by the Council to help with tracking communication.

RESOLVED

That the comments made by the Forum and the responses given by officers be noted.



32     DENTON TO SKILLINGTON, THE DRIFT/VIKING WAY - PROPOSED  
PROHIBITION OF DRIVING ORDER - CURRENT SITUATION

Consideration was given by the Forum to the outcome of the decision made by the County Council's Planning and Regulation Committee on 4 December 2013, in connection with a total ban for all motorised vehicles, including motorcycles, from using the length of road, known as The Drift/Viking Way (Denton to Skillington).

Chris Miller stated that The Drift was not recorded on the Definitive Map and Statement and formed part of the "ordinary roads" network albeit that it had an unsealed surface and was used more for recreation than utilitarian access. However, it did form part of the Viking Way long distance footpath route and added that there would be issues in connection with managing the use of the route to prevent 4x4 vehicles and quad bikes continuing to use it. The possible use of carriage gaps would be examined.

Following an enquiry by the Forum about whether PC Nick Willey, the Police Officer with responsibility for Rural Crime in Lincolnshire, had been consulted, Chris Miller stated that the Council's highways section had contacted the local Police about the issues with this Green Lane.

The Forum noted that there were similar problems in the Wolds AONB. Following an enquiry from the Forum, Chris Miller stated that he would be surprised if the Council would be able to use highway powers to record a Byway Open to all Traffic on The Drift/Viking Way and agreed to examine the issue.

RESOLVED

That the report be noted and that Chris Miller examine whether highway powers could be used to record a Byway Open to all Traffic for The Drift/Viking Way.

33     NORTH EAST LINGS COUNTRYSIDE ACCESS AND RIGHTS OF WAY  
IMPROVEMENT PLAN UPDATE

Consideration was given by the Forum to a report from Nicola Hardy in connection with North East Lincolnshire Council's Countryside Access and Rights of Way Improvement Plan.

Nicola Hardy stated that in connection with Public Footpath 21 Stallingborough, an alternative route had been out to informal consultation and had received support with the exception of an objection from one landowner. The case would be pursued and submitted to the Planning Committee for approval in due course.

Nicola Hardy stated that in connection with Bridleway 91 at Ashby Cum Fenby, a diversion of the route had been suggested because there had been some serious accidents on the current route involving walkers and cyclists. The alternative route had been to Committee, had received approval and would be advertised as soon as possible. One objection had been received from a landowner and this would be examined as part of the Right of Way Improvement Plan.

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM  
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Nicola Hardy stated that the Council's Enforcement Policy had been updated and was now more robust compared to the previous Policy.

The Forum noted that Farmers were much more responsive in restoring footpaths to their original condition if they had been altered through their actions.

Chris Miller stated that as part of the County Council's enforcement policy, the Rural Payments Agency was informed about obstruction, ploughing and cropping breaches as the Agency might inspect the farm holding and determine that payments should be deducted if a footpath was not in good order.

RESOLVED

That the report be noted.

34 LINCOLNSHIRE COUNTY COUNCIL COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN UPDATE

Consideration was given to a report by Andrew Savage in connection with progress made in the implementation of the Lincolnshire Countryside Access and Rights of Way Improvement Plan (ROWIP).

Andrew Savage stated that the last footpath to be improved in ROWIP 1 was located at Cherry Willingham and added that overall three kilometres of footpath had been improved in 2013.

Andrew Savage stated that ROWIP 2 would need to be adopted by the Council before being consulted upon. He hoped to submit a draft of ROWIP 2 to the next meeting of the Forum.

RESOLVED

That the report be noted.

35 NORTH EAST LINCS PROGRESS OF DEFINITIVE MAP MODIFICATION ORDERS

Consideration was given to a report by Nicola Hardy in connection with North East Lincolnshire's Definitive Map Modification Orders. There had been no change to the Orders since the last meeting of the Forum.

RESOLVED

That the report be noted.

36     LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP  
MODIFICATION ORDERS

Consideration was given to a report by Chris Miller in connection with Lincolnshire County Council's Definitive Map Modification Orders since the inception of the current prioritisation policy and current caseloads for the period from October 2006 to 6 January 2014.

Chris Miller stated that in connection to an application submitted in 1983 (Leasingham) it had been determined that there was insufficient evidence to make an Order and that also the applicant could not be traced. He agreed to let the Chairman know the outcome of the application for Wickenby (Railway Corner to Wickenby Wood) which was with the Secretary of State.

The Chairman stated that he had been approached by South Willingham Parish Council in connection with the delays by the County Council in considering four cases in that area currently under review by officers. Chris Miller agreed that delays had been experienced with one of the cases due to constant questions being raised and agreed to examine the suggestion to impose a deadline for action and if necessary to submit the other three cases for South Willingham to the Secretary of State.

RESOLVED

That the report be noted and that Chris Miller examine the issues raised by South Willingham Parish Council in connection with one of the four outstanding cases currently being progressed by officers in connection with that area with a view to expediting their submission to the Secretary of State.

37     NORTH EAST LINCS PROGRESS OF PUBLIC PATH ORDERS

Consideration was given to a report by Nicola Hardy in connection with North East Lincolnshire Council's Public Path Orders.

RESOLVED

That the report be noted.

38     LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH  
ORDERS

Consideration was given to a report by Chris Miller in connection with Lincolnshire County Council's Public Path Orders.

Chris Miller responded to questions raised by the Forum:-

1. The Council had been out to consultation in connection with the diversion of the public footpath at Donna Nook following changes made to the foreshore by the Environment Agency. Objections had been received and there was every likelihood that the Secretary of State would become involved.

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM  
21 JANUARY 2014**

2. The Council was prepared to make a public footpath order even if a landowner disagreed.
3. The Council's highways' section was examining alternative routes and would provide clarification in due course in connection with a suggestion for an alternative route to a public footpath at Spilsby.
4. The Council was prepared to speak to and attend Parish Council meetings when public footpaths were being discussed.
5. Gaps for dogs in fencing on public footpaths could be installed but if the fence was on private land the landowner could not be forced to install a gap. The percentage of people walking with dogs was high.
6. The policy of the Council was to try and reduce the number of stiles installed to improve access for the disabled and a stile should only be installed if there was no alternative within a "gap-gate stile" hierarchy. The Council had a legal duty to fund 25% of reasonable maintenance costs of legitimate structures.
7. The installation of foot grips on stiles to assist walkers would be investigated.

**RESOLVED**

That the report be noted and that officers examine the provision of foot grips on stiles to assist walkers.

39     DATE AND TIME OF THE NEXT MEETING - 6.00PM ON TUESDAY 15  
APRIL 2014 AT THE COUNTY OFFICES, LINCOLN

The meeting closed at 3.50 pm

**North East Lincolnshire ROWIP Objectives**

NELC ROWIP Key Action	Project Details	Comments	Update
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">Page 9</p> <p>KA08, KA11 &amp; KA13</p>	Safer Road Crossings	<p>Joint partnership project with road safety team to improve exit points onto busy A road and installation of information promotional boards.</p>	<p><u>Public Footpath 21 Stallingborough</u> currently crosses busy Stallingborough Interchange. Diversion considered necessary to relocate path to safer line away from the Interchange. Given priority as new A18/A180 link road to be added to Interchange in 2014/15 which will increase volume of HGV traffic, increasing risk to users of the path. Consultant employed to expedite case file. Diversion meets Key Action 8 of NELC RoWIP. <b>Order made and will be advertised from Monday 7th April 2014. Expected objections from landowners affected.</b> <u>Bridleway 91 Ashby Cum Fenby</u> has had to be closed due to deterioration of embankment at exit point onto Barton Street. Diversion Order considered appropriate solution to divert exit to safer, flatter location further along Barton Street directly opposite ongoing route to avoid users having to walk, cycle and ride along narrow roadside verge. Consultant employed to expedite case file. Diversion meets Key Action 8 of NELC RoWIP. Given priority as closure has severed access to southern end of network. <b>Order advertised with 1 unresolved objection from landowner affected. About to be referred to Secretary of State.</b></p>
KA5, KA9, KA11 & KA13	Strategic Urban Path Improvement Plan	Project to deliver surface upgrades to existing well used paths in the urban area.	Planned works to improve 2 further paths this year both affected by heavy usage and surface erosion/drainage issues - Bradley BW93 & East Ravendale BW137.
KA01 & KA03	Reinstatement of FP72	Ongoing legal issues to determine accurate line of FP72 requiring amendment to Definitive Map and reinstatement of path on the ground.	New diversion order has been advertised and objections received. Opposed order has now been referred to the Secretary of State for determination.
KA03, KA5	Unavailable Paths Project	To identify routes recorded on the Def Map that are blocked/obstructed and arrange for the necessary works/action to re-open them.	Appropriate legal action still being considered against landowner currently obstructing FP89 Ashby Cum Fenby in order to reinstate use, and resolve longstanding issues.

KA1, KA2, KA3 & KA4	Definitive Map Issues	Address legal deficiencies with a view to eventually producing an up to date Consolidation Map.	Process to produce new Consolidated Definitive Map for the North East Lincolnshire area is currently underway. Current Definitive Map has a relevant date of June 1953. Consolidating the Def Map will take into account recent resolution of over 110 Legal Orders during the last year.
KA4 & KA5	Policy Development	Produce & develop policies under which the Authority will deal with specific issues.	New PROW Enforcement Policy has now been formally adopted by NELC.



**Open Report on behalf of Richard Wills - Executive Director - Communities**

Report to: **Mid Lincolnshire and South Lincolnshire and Rutland Local Access Forums**  
Date: **15 and 16 April 2014**  
Subject: **The Draft Lincolnshire Rights of Way Improvement Plan 2014 - 2019**

**Summary:**

A report providing details of the Draft Lincolnshire Rights of Way Improvement Plan 2014 – 2019.

**Recommendation(s):**

i) That the forum provides comments on the Draft Lincolnshire Rights of Way Improvement Plan 2014 – 2019.

## **1. Background**

The purpose of the report is to provide forum members with details of the Draft Rights of Way Improvement Plan 2014 -2019 (RoWIP).

Under Section 60 of the Countryside and Rights of Way Act 2000, the County Council is required to produce a Rights of Way Improvement Plan. The production of the ROWIP follows a prescribed process set out in statutory guidance issued by the Department for the Environment, Food and Rural Affairs (DEFRA) in November 2002. Local Access Forums are required to provide input into the production of Rights of Way Improvement Plans.

The first Lincolnshire RoWIP, published in April 2007, established a strategic framework for the management of the public rights of way network from 2007 to 2012. A great deal has changed since the publication of the first RoWIP and the second RoWIP will have to take account of significant changes in national policy, the current economic climate and the resultant reduction in the level of funding available for public rights of way management.

This report introduces the second Lincolnshire Rights of Way Improvement Plan and comments are invited from forum members – the full document attached as Appendix A.

## **2. Summary**

### **The Statutory Duty**

Every highway authority in England has a statutory duty under the Countryside and Rights of Way (CRoW) Act 2000 to prepare a Rights of Way Improvement Plan (RoWIP). The plan is required to contain an assessment of the extent to which local public rights of way (PRoW) meet the present and likely future needs of the public, the opportunities provided by local rights of way for exercise and other forms of outdoor recreation and enjoyment of the area, and the accessibility of local rights of way to blind or partially sighted persons and those with mobility problems.

### **The First Lincolnshire RoWIP**

The first Lincolnshire RoWIP, published in April 2007, established a strategic framework for the management of the PRoW network from 2007 to 2012. Since the publication of the first RoWIP the County Council has implemented a diverse range of improvements by utilising both existing budgets and, where possible, partnership funding to translate the RoWIP into actions on the ground.

Stakeholder groups were asked to comment on the success of the first Lincolnshire RoWIP. The majority of respondents considered that the plan has been generally well delivered and that improvements in maintenance, enforcement and promotion have brought about significant improvements to the PRoW network.

However, it is widely accepted that the final year of RoWIP implementation was set against a backdrop of limited resources and this has ultimately affected the delivery of the plan. The reduction of funding in 2010/11 has had a significant impact on the PRoW service and in particular the County Council's ability to implement some of the aspirations within the first improvement plan.

### **The Second Lincolnshire RoWIP**

A great deal has changed since the publication of the first RoWIP and the second RoWIP will have to take account of significant changes in national policy, the current economic climate and the resultant reduction in the level of funding available for PRoW management.

Unfortunately, limited resources required the County Council to consider the benefits of undertaking a full round of public consultation or a detailed network assessment. However, the principles regarding public need which underpinned the first RoWIP and the network assessment made at that time, are all still considered to be relevant.

The process of developing the plan has been influenced by a number of factors including national policy, County Council priorities and the potential for a further reduction in funding in the coming years. Three broad themes have emerged for the future development of the Lincolnshire PRoW network.

**Theme 1** – Network Improvements

**Theme 2** – Improved Customer Service

**Theme 3** – Social Inclusion



The Assessment largely draws on the information gathered during the preparation of the first RoWIP and considers the current strengths and weaknesses of the access resource for walking, horse riding, cycling, horse drawn carriage driving and vehicular use, the accessibility of the network to people with visibility and mobility impairment, and the opportunities to develop and improve the access network to meet people's needs today and in the future. The Implementation Plan lists the actions and works required to develop an improved access network.

The draft Lincolnshire Rights of Way Improvement Plan 2014 – 2019 is attached to this report.

### **Implementation**

Whilst the County Council has a statutory duty to prepare and publish a Rights of Way Improvement Plan, there is no duty to implement the plan. However, developing and publishing the second RoWIP will provide a strategic framework for undertaking PRow improvements and provide opportunities to attract external funding.

Implementation of the second RoWIP will be dependent on identification of suitable funding and will be achieved in a variety of ways, for example, in partnership with stakeholder organisations or through actions identified in other relevant plans, and will rely on securing both internal and external funding. It is considered that funds will continue to be stretched during the implementation of the second RoWIP and that the plan will continue to be, to some degree, aspirational.

### **3. Consultation**

The Consultation and research undertaken during the preparation of the first RoWIP is still considered relevant, therefore consultation for the second improvement plan has been limited to stakeholder groups.

A range of organisations have been consulted including Parish Councils (Parish Paths Partnership members), Government organisations, District Councils, landowner representatives, user groups and other key agencies. The consultation has also been advertised on the Lincolnshire County Council website. The consultation took place over a 12 week period between 20<sup>th</sup> July 2012 and the 12<sup>th</sup> October 2012. The County Council received 31 responses.

Section 61(2) of the Countryside & Rights of Way Act 2000 states that the highway authority must publish a Draft Plan and recommends a minimum 12 weeks consultation period.

#### **Scrutiny Comments**

n/a

#### **Executive Councillor Comments**

n/a

#### **Local Member Comments**

n/a

## Policy Proofing Actions Required

n/a

### 4. Appendices

These are listed below and attached at the back of the report	
Appendix A	The Draft Lincolnshire Rights of Way Improvement Plan 2014 - 2019

### 5. Background papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Andy Savage - Senior Countryside Access Officer, who can be contacted on 01522 782070 or [andrew.savage@lincolnshire.gov.uk](mailto:andrew.savage@lincolnshire.gov.uk)



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**The Draft Lincolnshire  
Rights of Way  
Improvement Plan  
2014- 2019**

## Lincolnshire County Council 01522 782070

This information can be provided in another language or format.  
For all enquiries please contact the above number.

Ky informacion mund të sigurohet në një gjuhë apo format tjetër.  
Për çfarëdo pyetje, ju lutem kontaktoni numrin e mësipërm.

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Bu bilgiyi başka bir dilde veya formatta temin edebilirsiniz.  
Diğer sorularınız için lütfen yukarıdaki numarayı arayınız.

## Draft Foreword

Welcome to the second Lincolnshire Rights of Way Improvement Plan (RoWIP). This RoWIP is an important strategic document which sets out the County Council's future management and development of the public rights of way network over the course of the next five years.

The County Council recognises the importance of Lincolnshire's extensive public rights of way network and the opportunities it provides to access the countryside. In addition to enabling people to enjoy the countryside, the urbanised network provides sustainable options for travelling to school, to work and to local services. It also enables people to lead a healthy lifestyle and provides an important contribution to the county's rural economy.

It is clear that a great deal has changed since the publication of the first RoWIP and there is no doubt that the Council will continue to face a challenging economic climate in the coming years: finding new sources of funding will be one of the biggest tests we will face in the future.

Implementation of the second RoWIP will be dependent on the identification of suitable funding and will be achieved by maximising the opportunities for partnership working with a variety of organisations and enhancing opportunities for further volunteer involvement.

This plan shows Lincolnshire County Council's commitment to the protection and improvement of access to our countryside and we look forward to the continuing close working relationships that the Authority has with our partners, user groups, landowners, volunteers, and local access forum members to help us deliver the aims for the plan.

### **Councillor Richard Davies**

Executive Councillor for Highways & Transport

### **Councillor Colin Davie**

Executive Councillor for Economic Development,  
Tourism, Environment & Planning

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### **The Statutory Duty**

Every highway authority in England has a statutory duty under the Countryside and Rights of Way (CRoW) Act 2000 to prepare a Rights of Way Improvement Plan (RoWIP). The plan is required to contain an assessment of the extent to which local public rights of way (PRoW) meet the present and likely future needs of the public, the opportunities provided by local rights of way for exercise and other forms of outdoor recreation and enjoyment of the area, and the accessibility of local rights of way to blind or partially sighted persons and those with mobility problems.

### **The First Lincolnshire RoWIP**

The first Lincolnshire RoWIP, published in April 2007, established a strategic framework for the management of the PRoW network from 2007 to 2012. Since the publication of the first RoWIP the County Council has implemented a diverse range of improvements by utilising both existing budgets and, where possible, partnership funding to translate the RoWIP into actions on the ground.

Stakeholder groups were asked to comment on the success of the first Lincolnshire RoWIP. The majority of respondents considered that the plan has been generally well delivered and that improvements in maintenance, enforcement and promotion have brought about significant improvements to the PRoW network.

However, it is widely accepted that the final year of RoWIP implementation was set against a backdrop of limited resources and this has ultimately affected the delivery of the plan. The reduction of funding in 2010/11 has had a significant impact on the PProW service and in particular the County Council's ability to implement some of the aspirations within the first improvement plan.

## **The Second Lincolnshire RoWIP**

A great deal has changed since the publication of the first RoWIP and the second RoWIP will have to take account of significant changes in national policy and the current economic climate and the resultant reduction in the level of funding available for PProW management.

Unfortunately, limited resources required the County Council to consider the benefits of undertaking a full round of public consultation or a detailed network assessment, however, the principles regarding public need which underpinned the first RoWIP, and the network assessment made at that time, are all still considered to be relevant.

The process of developing the plan has been influenced by a number of factors including national policy, County Council priorities and the potential for a further reduction in funding in the coming years. Three broad themes have emerged for the future development of the Lincolnshire PProW network.

**Theme 1** – Network Improvements

**Theme 2** – Improved Customer Service

**Theme 3** – Social Inclusion

The Assessment largely draws on the information gathered during the preparation of the first RoWIP and considers the current strengths and weaknesses of the access resource for walking, horse riding, cycling, horse drawn carriage driving and vehicular use, the accessibility of the network to people with visibility and mobility impairment, and the opportunities to develop and improve the access network to meet people's needs today and in the future. The Implementation Plan lists the actions and works required to develop an improved access network.

## **Implementation**

Whilst the County Council has a statutory duty to prepare and publish a Rights of Way Improvement Plan, there is no duty to implement the plan. However, developing and publishing the second RoWIP will provide a strategic framework for undertaking PProW improvements and provide opportunities to attract external funding.

Implementation of the second RoWIP will be dependent on identification of suitable funding and will be achieved in a variety of ways, for example, in partnership with stakeholder organisations or through actions identified in other relevant plans, and will rely on securing both internal and external funding. It is considered that funds will continue to be stretched during the implementation of the second RoWIP and that the plan will continue to be, to some degree, aspirational.

# PART 1

- **Background**
- **Scope and Context**
- **Network Analysis and Assessment**
- **Overall Vision for RoWIP 2**

## Background



Lincolnshire is the fourth largest administrative area in England, covering an area of 5291 square km (2286 square miles), and is also the fourth most sparsely populated. Despite the county's rural nature, the city of Lincoln and towns of Grantham and Gainsborough have been identified as areas for population and housing growth. Over the 10 years from 2001 to 2011, the districts of Boston, North Kesteven and South Holland have all had an average annual population growth rate of at least double that of the national rate.

Geographically, Lincolnshire is on the periphery of the East Midlands region and has a long history of traditional industries based around agriculture, tourism, manufacturing and engineering. This situation is now beginning to change as the county recognises the need to diversify and make connections to regional, national and international networks.

The population is nearly 714,000, but the population density of just 1.1 people per hectare reflects the rural nature of the county. One third of the county's population lives in settlements of less than 3000 residents and this highly dispersed population creates fundamental difficulties in the provision and delivery of services.

Lincolnshire has also seen an increase in ethnic minority groups in recent years. The population of migrant workers is notable in the south east of the county, where employment in agriculture and food processing industries is strong.

## Population Data

Population: 713653

Population by age:	0-15	17.08%
	16-64	62.20%
	65 and over	20.72%

- Lincolnshire's population has increased by 10% between 2001 and 2011 and it is projected to rise by a further 11% by 2021.
- 27% of households in the county have at least one person in the household with long term health problems or a disability.
- 20% of the population have their day-to-day activities limited as a result of poor health.
- The county has an ageing population and it is projected that 24% of the population will be over 65 by 2021.
- 2.7% of the population does not speak English as a first language.
- 4.7% of the population was born in other EU countries.

Source: *Census 2011*

The county generally has low biodiversity and this is particularly evident in areas of intensive agriculture. There are also areas of high wildlife and landscape value though, from the saltmarshes and sand dunes of the coast to calcareous grassland and fenland. In particular, the Lincolnshire Wolds is a landscape of national importance and the only Area of Outstanding Natural Beauty (AONB) in the East Midlands region.

Lincolnshire also has five National Nature Reserves:

- The Wash Estuary
- Gibraltar Point
- Donna Nook
- Saltfleetby and Theddlethorpe Dunes
- Bardney Limewoods

Lincolnshire has 97 miles of coastline extending from Tetney in the north to the Wash in the south. The coast attracts large numbers of visitors each year and it is estimated that in 2012 over 8 million day trips were made to the East Lindsey area generating nearly £58 million.

## Visiting Lincolnshire – the key facts

### Activities undertaken in the countryside

walking without a dog	22%	walking with a dog	53%
off-road cycling	1%	road cycling	3%
running	4%	horse riding	1%

### Average number of visits in a 12 month period

every day	10%	several times a week	17%
once a week	19%	once or twice a month	23%
once every 2 or 3 months	12%	once or twice	9 %
Never	10%		

84% of people travel upto 5 miles to undertake outdoor activities.






The average spend per person is £5.69

*Source: Monitor of Engagement with the Natural Environment  
– March 2009 to February 2013 Natural England*

## What are Public Rights of Way?

All PRow are highways which the public are entitled to use at any time. There are four categories of PRow, classified according to the nature of their use (See Fig 1).

*Figure 1*  
**Public rights of way and who can use them**

Path	Used by	Total length in km in Lincs	% of PRow Network	Waymark used to indicate route
Public Footpath	Walkers	3033.08	75.7%	
Public Bridleway	Walkers, cyclists and horse riders	798.99	19.9%	
Restricted Byway	Walkers, cyclists, horse riders and carriage drivers	143.88	3.57%	
Byway Open To All Traffic (BOAT)	Walkers, cyclists, horse riders, carriage drivers and drivers of motor vehicles	32.98	0.83%	
<b>Total</b>		<b>4,008.93</b>	<b>100%</b>	
Unsurfaced Unclassified County Roads (UCR)	Walkers, cyclists, horse riders, carriage drivers and drivers of motor vehicles	355.45		

## Who Looks after Public Rights of Way and Access Land in Lincolnshire?

Lincolnshire County Council has responsibility for public rights of way and access as:

**The highway authority** – to protect and maintain public highways, including public rights of way.

**The surveying authority** – to maintain the legal record of public rights of way (known as the definitive map and statement).

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**The access authority** – powers to create access points to land mapped as open country and registered common land under the CROW Act 2000.

## **The Definitive Map and Statement**

The Definitive Map and Statement is the legal record of PRow and is held by each surveying authority in England and Wales. The map and statement provides conclusive evidence of the existence of a PRow. Other private rights may also exist, for example to property, but the County Council does not hold this type of information.

The County Council is required to keep the definitive map and statement up to date and ensure that it is accurate. The map can be changed by way of a Definitive Map Modification Order (DMMO). Applications supported by evidence to change the map can be made by the public, or can be initiated by the County Council. These are investigated and researched by the Definitive Map Team, based in Lincoln.

The public can also apply to permanently alter the path network. Applications are normally made by landowners who seek to change the legal line of a PRow running over their land. Changes can be made to divert, extinguish or create public rights of way, and are known as Public Path Orders (PPOs). The County Council also responds to consultations from other local authorities that may also make PPOs affecting routes in Lincolnshire, particularly where paths need to be diverted to enable development to take place.

## **Maintenance and Enforcement**

The maintenance and enforcement of PRow is also the responsibility of the County Council. The four highway divisions have rights of way teams to undertake inspections, implement maintenance work and carry out enforcement action.

The County Council is responsible for maintaining the surface of PRow in a reasonable condition for their intended public access. Each year the Council carries out a programme of vegetation clearance on the network and also undertakes surfacing on some PRow, particularly on well-used paths running through urban areas and in popular areas of the countryside.

Lincolnshire has a wide network of unclassified county roads (UCRs) and minor roads. Some of these routes are unsurfaced and are commonly referred to as "green lanes". The maintenance of these routes is the responsibility of the County Council's highway divisions, although the level of maintenance varies depending on the level of available resources.

## **Network Infrastructure**

In the main, gates and stiles are the responsibility of the landowner, and a proportion of their upkeep can be reclaimed from the highway authority. When it comes to the replacement and repair of stiles and gates on the network, the County Council

promotes the principle of "least restrictive access". The hierarchy used is a gap, followed by a gate or kissing gate, and stiles only erected on footpaths as a last resort, and only where a gap or gate is not practical or the landowner requires legitimate *authorised* stiles to be replaced.

We cannot force landowners to accept gates instead of legitimate authorised stiles, but we do work with land managers to reduce the number of stiles on the network and make "reasonable adjustments" where practicable, thus increasing accessibility for those with mobility problems.

The PRoW network also comprises over 950 bridges of varying sizes from small ditch bridges to bridges over main watercourses and rivers which can vary in size from 10m to 40m. The responsibility for the provision, repair and maintenance of bridges and culverts usually rests with the County Council although in some instances it may lie with a landowner.

PRoW signs are used to indicate the direction and status of a route and some signs also include destination information e.g. routes in the Limewoods project area. The majority of signs are of metal construction whilst timber posts are used to replace metal signs within the Wolds AONB, and on request to parishes within the Parish Paths Partnership Scheme (P3). Waymarking is used to indicate the line of a path and make following the route easier for users. Advisory signs are supplied at the request of farmers and landowners where land management issues are a concern.

## **Access Land**

The Countryside and Rights of Way Act 2000 (CRoW) created a new right of access on foot to areas of countryside mapped as mountain, moor, heath, down and registered common land and any other land dedicated specifically for this form of access by a landowner. The County Council has powers under the Act to create access points, provide on-site information for visitors and appoint wardens. The CRoW Act also enables landowners to dedicate land in their ownership as access land.

## **The Marine and Coastal Act 2009**

Local authorities will be important partners in the coastal access project and will be extensively involved in the implementation and establishment of the coastal path on the ground. The County Council and Natural England will be jointly responsible for the maintenance of the route.

## Scope and Context



### The Scope of the Plan

In preparing the RoWIP, the County Council is required to look at the relevance of the access network and identify where changes should be made to meet current and likely future needs. In doing so, we have followed the statutory guidance issued by the Department of the Environment, Food and Rural Affairs (DEFRA). The guidance states that the RoWIP should be a strategic document setting out how the County Council intends to deliver improvements to the management and development of the PRow network. The guidance also states that proposals contained in RoWIPs should be made in broad terms and not contain site or path specific assessments or actions.

### Legislative Framework

Section 60 of the Countryside and Rights of Way Act 2000 requires local authorities to publish a RoWIP. In drawing up the plan, authorities are required to make an assessment of:

- the extent to which the PRow network meets the present and likely future needs of the public;

- the opportunities provided by local PRoW for exercise and other forms of open-air recreation and the enjoyment of the local authority's area; and,
- the accessibility of local PRoW for blind or partially sighted persons and those with mobility problems.

RoWIP should also include a statement of actions which local highway authorities propose to take in the management of local PRoW and for securing an improved network, with particular regard to the matters dealt with in these assessments.

## Regional and National policy

There are a number of national documents which relate to the PRoW and the recreational highway network. These include:

- Rights of Way Improvement Plans - Statutory Guidance to Local Highway Authorities in England (DEFRA Nov 2002)
- Local Transport Plan (LTP) and RoWIP Integration (Natural England 2009)
- Guidance on LTP (DfT 2009)
- Guidance on LTP and the Natural Environment (Natural England 2009)
- National Planning Policy Framework (Department for Communities and Local Government 2012)

## Lincolnshire County Council Organisational Strategy 2012-15

The Organisational Strategy provides the framework for the County Council's operations and organisational development.

In 2008 the County Council adopted a vision for the county of Lincolnshire that had been agreed by a wide range of partner organisations. Whilst this plan is still relevant as a long-term statement, the Council has decided to set out a shorter organisational vision together with a statement of purpose. The new vision and purpose were formally adopted by the County Council in December 2011.

The Organisational Strategy 2012-15 provides details of how the Council will need to change in order to respond to the economic, political, social and technological influences which will have an impact upon the Council's development.

The County Council's vision and purpose is:

Lincolnshire County Council: *working better for you*

- Building on our strengths
- Protecting your lifestyle
- Ambitious for the future

The County Council's purpose is:

- Making the best use of all of our resources

- Investing in infrastructure and the provision of services
- Commissioning for outcomes based on our communities' needs
- Promoting community wellbeing and resilience
- Influencing, coordinating and supporting other organisations that contribute to the life of Lincolnshire

## **Lincolnshire's 4<sup>th</sup> Local Transport Plan**

The 4<sup>th</sup> Lincolnshire Local Transport Plan (LTP4) covers the 10-year period 2013/14 to 2022/23. It builds on the strategies and policies adopted during the first three LTPs. A key objective of Local Transport Plan 4 is to support economic growth within the county. The role that transport has in supporting the local economy has been highlighted in the previous LTPs, but in the current economic climate this has assumed even greater importance.

A set of specific transport objectives has been formulated to help deliver the longer-term vision. They are set out below:

- to assist in the sustainable economic growth of Lincolnshire, and the wider region, through improvements to the transport network
- to improve access to employment and key services by widening travel choices, especially for those without access to a car
- to make travel for all modes safer and, in particular, reduce the number and severity of road casualties
- to maintain the transport system to standards which allow safe and efficient movement of people and goods
- to improve the quality of public spaces for residents, workers and visitors by creating a safe, attractive and accessible environment
- to improve the quality of life and health of residents and visitors by encouraging active travel and tackling air quality and noise problems
- to minimise carbon emissions from transport across the county

Walking and cycling have a key role to play in helping to tackle congestion in the larger urban areas, particularly for shorter trips. During the previous LTP period, schemes to improve facilities for cyclists and pedestrians were rolled out through the Community Travel Zone initiative. Where possible, advantage has also been taken of funding sources through other partners such as the charity Sustrans' Links2School and Connect2 funding.

In addition, the PRoW network has a role to play where routes link outlying villages to larger urban areas, and opportunities to strengthen this role are being explored.

During the LTP4 period, improvements to encourage walking and cycling in the larger urban areas will continue to be pursued as resources allow. The County Council will particularly look to work with other partners in securing funding opportunities for such schemes.

## **Lincolnshire Destination Management Plan**

A large area such as Lincolnshire contains many separate destinations within it, such as the city, coast, resorts, market towns and defined rural areas. The Lincolnshire Destination Management Plan provides guidance to a range of partners and partnerships to ensure that an impact is achieved which is greater than the sum of the parts.

Countryside access forms an important part of Lincolnshire's tourism offer and the management plan recognises the important contribution that walking, cycling, horse riding and carriage driving make to the rural economy. The Second RoWIP will aim to meet the objectives of the Lincolnshire Destination Management Plan.

## **Green Infrastructure Plans and Strategies**

There are a range of green infrastructure plans and strategies which are having an increasing influence on the delivery and management of PRow and countryside access in Lincolnshire. These have been considered during the development of RoWIP 2 and many of them have been included in Figure 2.



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Figure 2 Links between Green Infrastructure Strategies and the RoWIP

Green Infrastructure Area	Geographical Coverage	Links to RoWIP
Lincolnshire Wolds AONB Management Plan 2012- 17	Lincolnshire Wolds AONB and associated landscape character area.	To develop and promote a wide range of sustainable access, recreation and tourism initiatives appropriate to the Wolds AONB.
Witham Valley Country Park	Witham Valley extending in a south westerly direction from Lincoln to the A17	To improve and increase the connections between green spaces to give more opportunities to enjoy walking, cycling, and horse riding.
Lincolnshire Coastal Country Park	The coastal strip between Sandilands and Chapel Point and extending inland as far as Mumby.	The Coastal Country Park aims to facilitate: <ul style="list-style-type: none"> <li>• a more sustainable, varied and attractive coastal landscape, rich in wildlife and attractive to visitors and residents in every season.</li> <li>• a new green tourism destination with high quality accessible natural green space and opportunities to experience the area's cultural and natural heritage.</li> </ul>
Coastal Grazing Marshes Project	The project focuses on three target areas in East Lindsey around Burgh-le-Marsh, Saltfleetby and Anderby/Huttoft.	To improve the local environment for the benefit of all through enhanced access and recreational opportunities.
The Wash and Fens Green Infrastructure Plan	The Wash coastline from Chapel St Leonards to North Norfolk and extending inland to incorporate Market Deeping, Bourne and Billinghay.	To develop or create accessible green infrastructure features in one of three categories: <ul style="list-style-type: none"> <li>• Linear public access</li> <li>• Site-specific public access</li> </ul>

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		<ul style="list-style-type: none"> <li>• Restricted public access.</li> </ul>
South Lincolnshire Fenlands Project	An area centred on Baston and Thurlby Fens and extending towards Bourne, Spalding and Market Deeping.	To create a new, large fenland landscape for people and wildlife in southern Lincolnshire.
Central Lincolnshire Core Strategy	City of Lincoln, North Kesteven and West Lindsey within a planning context.	The overall objective is to improve and provide new green infrastructure in Central Lincolnshire by enhancing, developing and providing a multi-functional network of greenspaces, parks, rivers and other corridors within and around settlements that connect them to each other and the wider countryside, improving access, environmental quality and biodiversity.





### Different Users and their Needs

A detailed public consultation was carried out during the preparation of the first RoWIP in order to establish the needs of different users. This information can be viewed in Part 1 – Analysis and Summary of Assessments of the [Lincolnshire Countryside Access and Rights of Way Improvement Plan 2007 – 2012](#). It is considered that this information is still relevant extending into the period 2014-19 for RoWIP2.

This section contains a summary of the assessment contained in the first RoWIP.

### Walkers

Walking is the most popular activity undertaken on the PRoW network. Walkers tend to undertake short recreational or dog walking trips directly from home, as well as more functional journeys on foot to local shops and services.

Walking and cycling to school is less common in Lincolnshire than nationally, probably reflecting the rural nature of the county and the relatively lengthy journeys to school. The off-road network of PRoW is seen primarily as a recreational resource, with a higher proportion of walking taking place at the weekend. Walkers are entitled to use all types of PRoW, roads, access land and some other areas of public open space.

There are two main sub-groups of walkers:

**Casual Walkers** – which can include family groups and dog walkers, who typically walk between 2 and 5 miles. They often walk routes close to their home but may travel further afield for longer walks.

**Serious Walkers** – more experienced users looking for a more challenging experience. Walks can be close to home but they are much more prepared to travel further. Walk lengths tend to be longer than those undertaken by casual walkers.

There is a certain amount of cross-over between the groups identified.

## **Cyclists**

Cycling is the second most popular activity after walking. Cycling can be a convenient form of transport, certainly for journeys less than 5 miles to reach places of employment, schools, shops and local services. Cyclists are entitled to use public bridleways, restricted byways, byways open to all traffic (BOATs), cycleways and Unclassified County Roads.

The overall picture is that in recent years utility cycling on busy roads to work, shops and services has declined in favour of the car, with recreational cycling growing in popularity. Most cycling is undertaken to travel to and from work, using the road network. There have been successes such as the creation of off-road Sustrans routes and carriageway improvements for cyclists which have been developed on commuter routes. Commuter cycling takes place on parts of the PRow network, mostly where surface improvements have been carried out.

The increase in sales of mountain bikes has enabled the countryside network to become more accessible to cyclists. However, cycling on the off road network can often be difficult due to unsuitable surfaces and vegetation. Over a third of all cycling takes place on roads and cycle tracks.

Recreational cyclists tend to favour circular routes close to home, but they are prepared to travel to points from which they can access the network. Once there, they tend to travel further than walkers typically covering distances of between 2 and 10 miles.

Constraints to cyclists accessing the network include fragmented networks, dangerous road crossings, lack of information regarding circular routes and the surface condition of off-road routes.

## **Horse Riders**

Participation in horse riding is generally for leisure purposes, although almost a third of riders also have a professional interest. Horse riders are entitled to use public bridleways, restricted byways, BOATs and UCRs. They also access private land through agreements with landowners.

The majority of horse riders regularly use local routes in order to exercise their horses. Around 80% of equestrians transport their horses to other areas where the countryside access network presents a greater range of opportunities.

The network of bridleways and byways is fragmented and poorly connected, with a number of busy road crossings effectively causing severance and deterring users. Horse riders are often forced onto the road network in order to gain access to routes, or complete circular rides. Many riders use public footpaths or pavements in order to avoid traffic.

It is often difficult for riders to find suitable circular routes and they are often restricted to using linear "there and back" routes. Similarly to walkers, equestrians have a preference for the provision of circular routes, close to where their horses are kept.

## **Carriage Drivers**

Carriage drivers are able to use approximately 5% of the PRow network in addition to unclassified county roads. Efforts have been made to improve the provision for carriage drivers with the development of the Lindsey Carriage Trail, which was opened in 2012.

Carriage drivers face many of the constraints which are experienced by horse riders, including a fragmented network, busy road crossings and inappropriately surfaced routes. Other issues which limit access to carriage drivers include inaccessible gates and overhanging vegetation.

## **Motor Vehicle Users**

Motor Vehicle users are able to use BOATs and also the majority of the county's wide network of UCRs. Many of these routes are unsurfaced and commonly referred to as "green lanes". UCRs and minor roads can form a useful addition to the access network and can be used to link other PRow.

The Natural Environment and Rural Communities Act 2006 (NERC) is an important piece of legislation which has had an impact on the public's right to use routes with MPVs. The Act effectively extinguished motorised rights on routes that remained unrecorded on the Definitive Map and Statement unless the routes were depicted on the current List of Streets

There are exceptions to these extinguishments, in particular where existing Definitive Map Modification Order (DMMO) applications to record BOATs were submitted before 20 January 2005. These may still be added, on confirmation a legal order, as vehicular routes. Rights may also be saved if a route has been lawfully used more by motor vehicles than by other users in the five years preceding commencement of the Act on 2 May 2006.

Motor vehicle users will tend to travel to find circular routes which can be difficult in localised areas. Users also believe that better management of the unsurfaced UCRs is required to enable a better network to be used.

## **Mobility and Visually Impaired**

The Countryside and Rights of Way Act 2000 requires the authority to make an assessment of the "accessibility of the local rights of way network to blind and partially sighted persons and others with mobility problems".

The Equality Act 2010, formerly the Disability Discrimination Act 1995, requires public authorities to make reasonable adjustments to ensure that it is not unreasonably difficult for people with disabilities to benefit from their functions as others would do, or to show that there are good reasons for not doing so.

There is no specific reference in the Equalities Act to any aspect of PRow management and, as yet, there is no case law that can be referred to in the application of either Act to public rights of way. Nonetheless, it is clear that authorities are required to have regard to their obligations under the Acts wherever changes or additions to the PRow network are proposed, and are encouraged to make improvements to structures wherever appropriate opportunities arise.

The main difficulties encountered by people with mobility problems are:

- Poor surface conditions
- Unsuitable terrain
- Difficulty in reaching suitable access
- Stiles and other barriers restricting access
- Lack of toilets and other visitor facilities
- Lack of information
- Lack of benches and rest areas

The Countryside Access Survey undertaken for the first RoWIP concluded that the range of disabilities is considerable and that people with mobility problems should not be considered as a single entity. The survey also concluded that people with mobility problems will plan ahead and often arrange for a helper to accompany them.

## **Network Analysis**

Lincolnshire is predominantly a rural county, and in comparison with other counties in the East Midlands region, has a relatively low and widely dispersed population across many small communities. The 4000km network of PRow is the prime means to gain access to the countryside in the county and is used mainly for recreational trips. The urban network can provide links to the wider countryside, and is more likely to be used for local trips to reach shops and services.

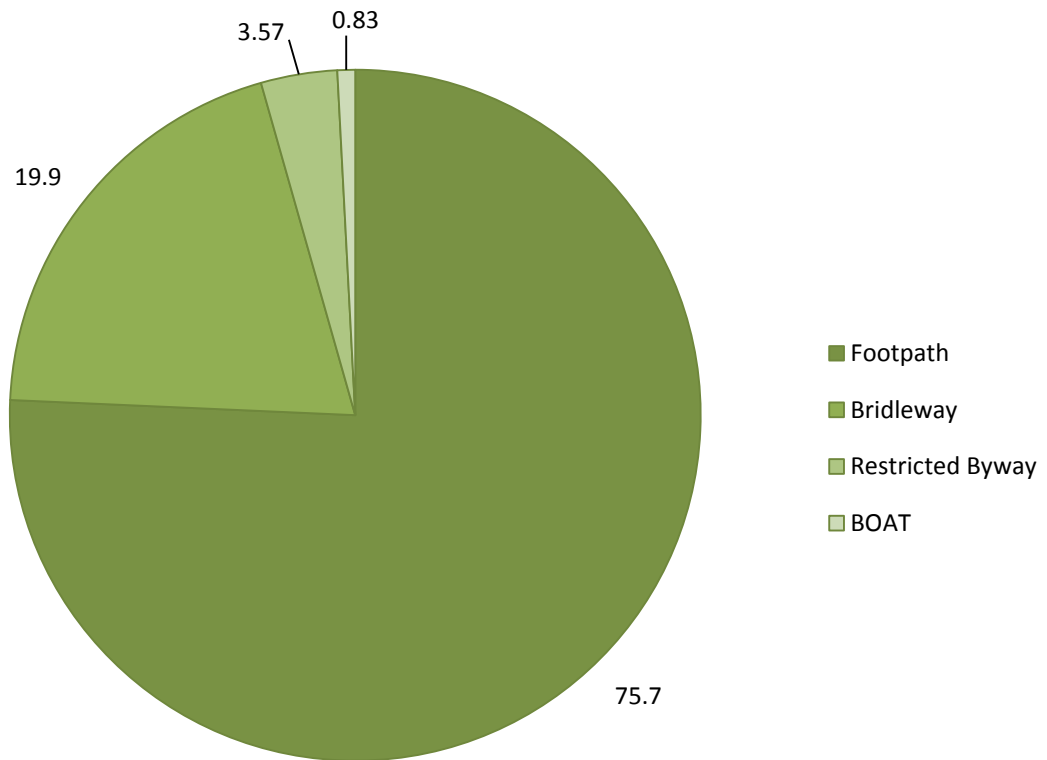
The PRow network is not evenly spread across the County. However, assessing the relative distribution of the network alone is unlikely to give a true picture of

countryside access within a given area. For example, an area with a high network density may still be poorly connected with other routes and may therefore be of limited value to users.

There are 4 categories of PRow:

- Public Footpath
- Public Bridleway
- Restricted Byway
- Byway Open to All Traffic (BOAT)

Figure 3 - Proportion of PRow by category



# The Public Highway Network in Lincolnshire

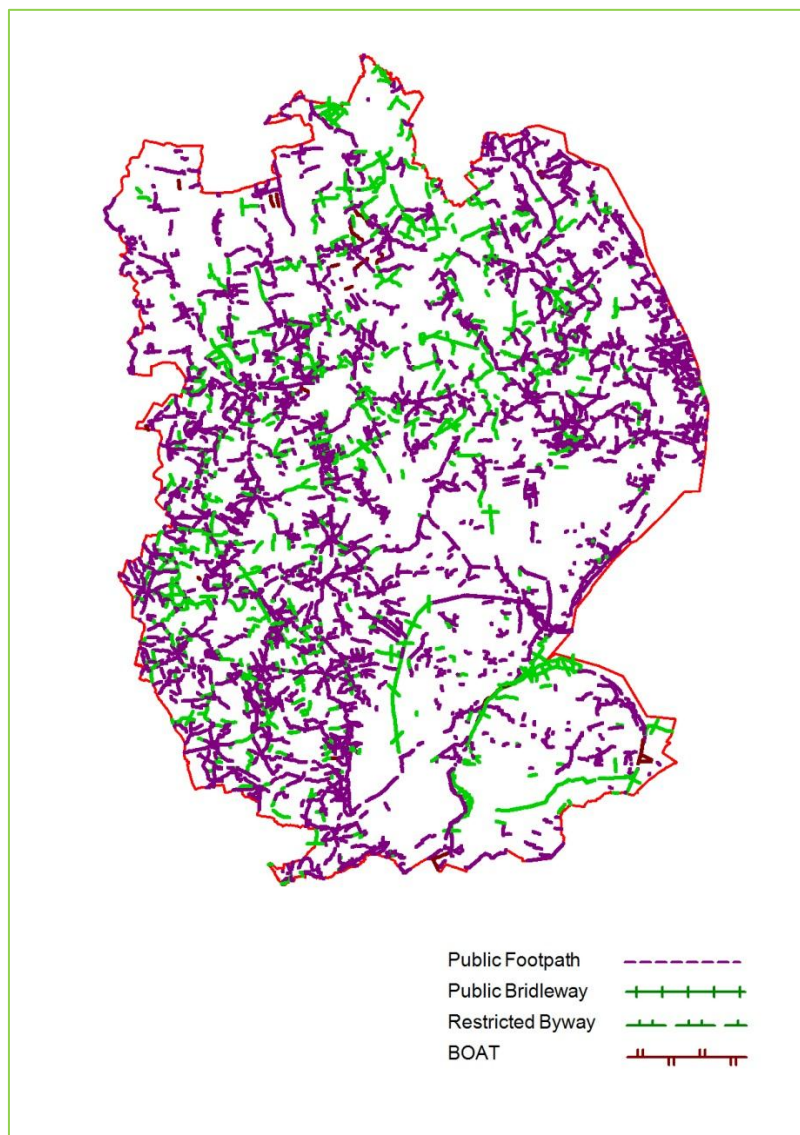
## Walking Routes

(Footpaths, Bridleways, Restricted Byways, and BOATs)

- Walkers are able to use the entire PRow network
- Walkers are generally well catered for
- There is a localised fragmentation of the network

*Map 1*

*Network distribution of walking routes*



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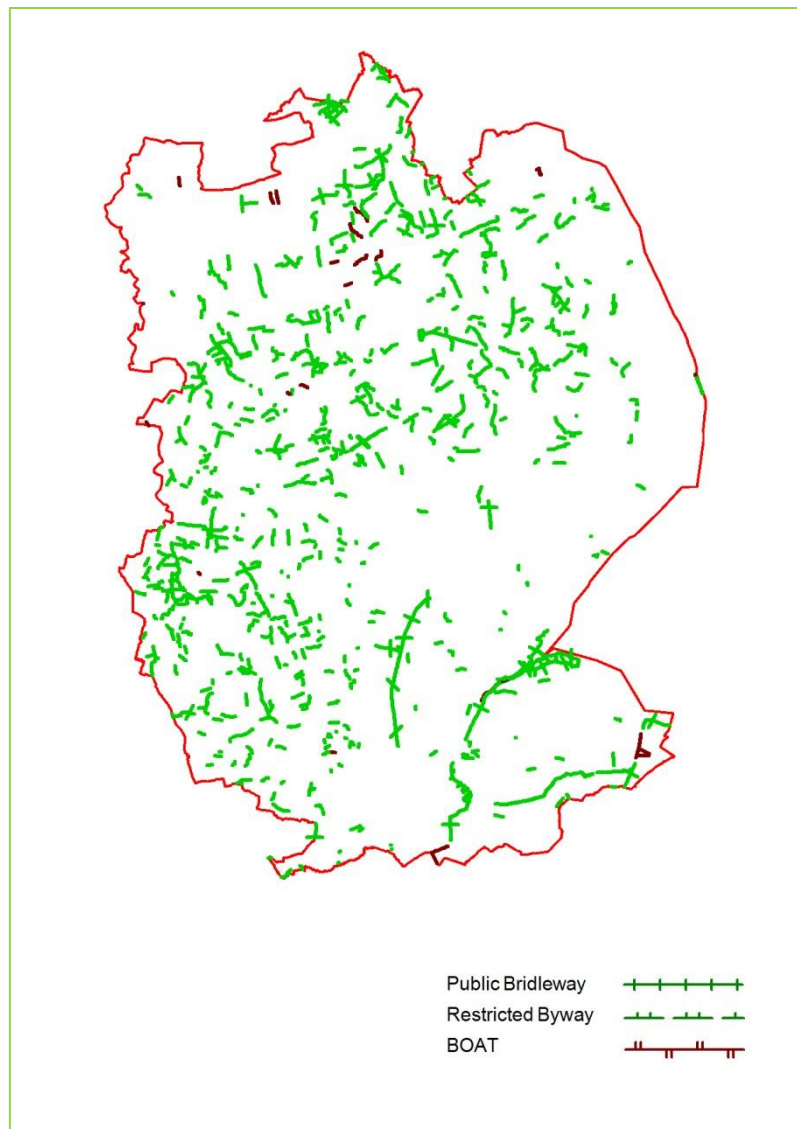
## Cycling and Horse Riding Routes

### Bridleways, Restricted Byways and BOATs

- Cyclists and horse riders can use 24% of the network
- The network for equestrians and cyclists is much more fragmented
- Some areas have little or no off-road provision
- The potential for riding off-road circular routes is limited

#### Map 2

#### Network distribution of cycling and riding routes



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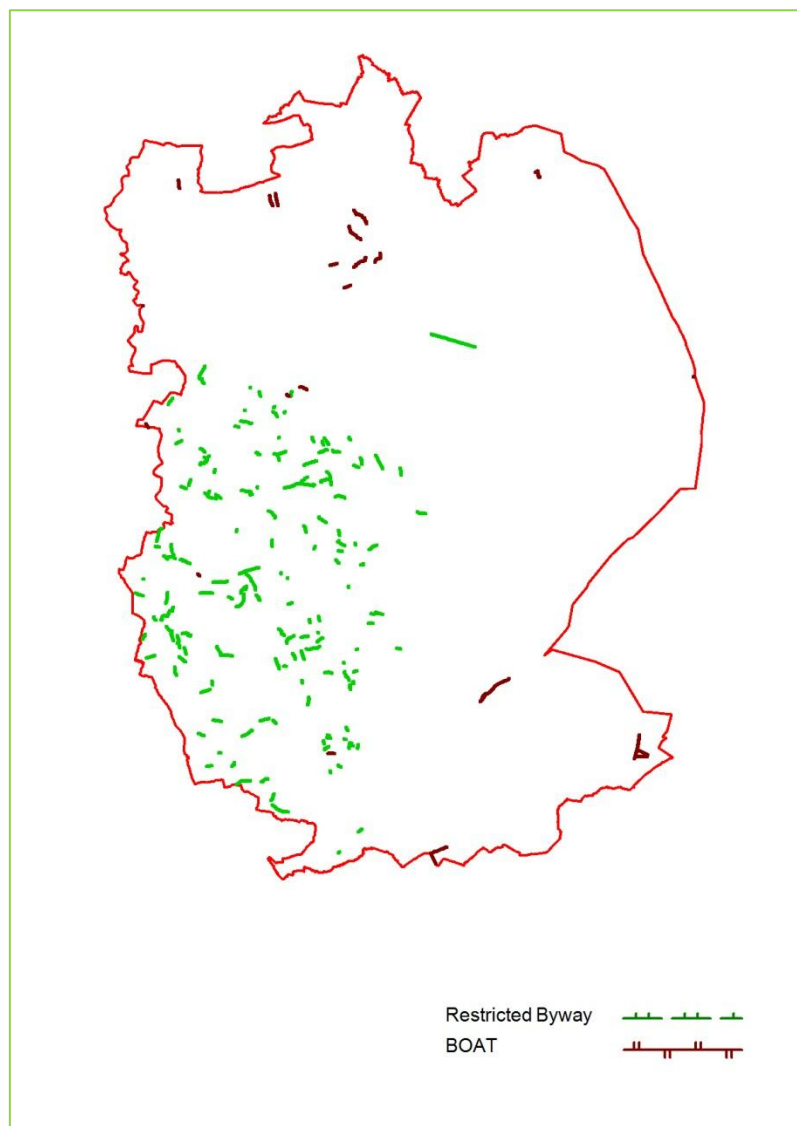
## Carriage Drivers

### Restricted Byways and BOATs

- Carriage drivers can use nearly 4.5% of the PRow network
- The off-road network available to carriage drivers is highly fragmented

#### Map 3

#### Network distribution of carriage driving routes



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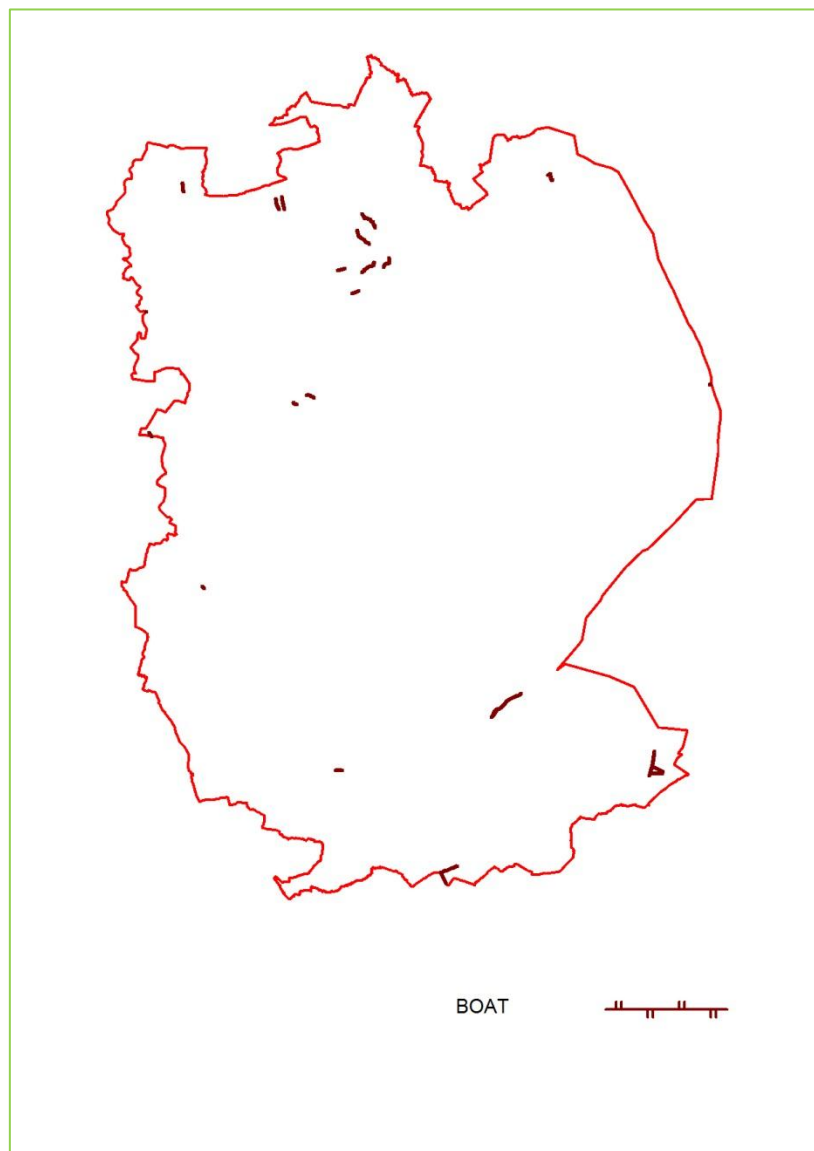
## Mechanically Propelled Vehicle (MPV) Users

### BOATs

- MPV users can use less than 1% of the PRow network
- The off-road network available to motorised users is highly fragmented

#### Map 4

#### Network distribution of MPV user routes



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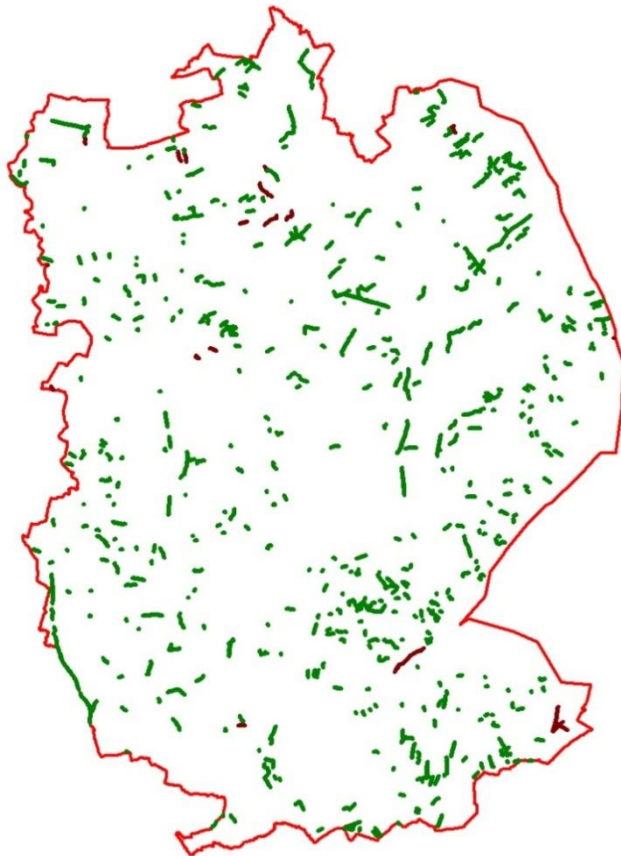
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## Unclassified County Roads (UCRs)

- All users including carriage drivers and MPV users can use the UCR network
- There is some uncertainty over the legal status of some UCRs where the right to use a vehicle can be unclear

### Map 5

#### Network distribution of unclassified county roads



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## Other Types of Access in Lincolnshire

### Permissive Access

Landowners may allow access over their land without dedicating a PRow. These routes are called permissive paths. Permissive paths make an vital contribution to public access, often making important connections in the network where gaps would otherwise exist.

### Access Land

The Countryside and Rights of Way Act 2000 (CroW) grants a right of access to defined areas of open country (mountain, moor, heath and down) and registered common land. Lincolnshire has 9 areas of mapped open country and 90 sites recorded as registered common land.

### Woodland and Forest Access

The Forestry Commission has designated most of their woodlands and forests as access land under CroW. This provides an opportunity for the public to explore 45 areas of woodland in Lincolnshire on foot.

### Country Parks and Countryside Sites

There is a range of countryside sites across Lincolnshire including country parks, picnic sites and nature reserves with public access. However, for the size of the county, Lincolnshire has very few country parks and this creates a greater reliance on the PRow network to gain access to the countryside.

### National Nature Reserves (NNR)

There are 5 NNRs in Lincolnshire and Natural England is embarking on a project to dedicate all of its National Nature Reserves (NNRs) for permanent public access unless there are compelling reasons on particular sites not to do so. Theddlethorpe and Saltfleetby Dunes NNR will be dedicated for public access in 2014.

### Coastal Access

The Marine and Coastal Access Act 2009 places a duty on Natural England to create a long-distance coastal path around England and an associated margin for recreation. The legislation will be implemented by Natural England over the coming years: the section from North Norfolk to Skegness has been provisionally programmed to be created between 2017 and 2018.

Summary of existing access to the Lincolnshire coast:

- Length of coast - 156 kilometres (97 miles)
- 61% of the coast has an existing satisfactory, legally secure path

Breakdown of the current satisfactory legally secure path:

- 17% of the coastal trail follows existing coastal promoted routes
- 22% of the satisfactory, legally secure path is on existing public road or promenade, often through urban areas
- 54% of the coastal trail follows existing coastal footpaths and 21% follows existing coastal bridleways

- The remaining 39% of the coast has no satisfactory, legally secure path, although some of this will be an existing unofficial or permissive route.

### **Access to Waterways, River Banks and Canal Towpaths**

Access to Lincolnshire's rivers and waterways is variable across the county. The Lincolnshire Waterways Partnership was formed by Lincolnshire County Council, the Environment Agency and the Canal and Rivers Trust to improve infrastructure for tourism and recreation. A variety of projects have been delivered since 2003 including the Water Rail Way, a multi-user trail extending from Lincoln to Boston.

**The Water Rail Way** is a 33-mile route developed in conjunction with Sustrans, linking Lincoln and Boston. The route, which is suitable for walking, cycling and horse riding, runs for much of its length on a disused railway.



### **Long-Distance Routes**

There are a number of actively promoted long distance recreational routes in Lincolnshire and most notably includes the Viking Way which extends between Barton-upon-Humber and Oakham. Others include:

- The Spires and Steeples Trail
- Macmillan Way
- Lindsey Carriage Trail
- The Water Rail Way
- The Spa Trail
- Lindsey Loop

## Review of the first RoWIP

Since the publication of the first RoWIP in 2007, it is considered that the County Council has implemented as much of the action plan as resources allowed. Improvement works have been implemented by utilising existing internal budgets and, where possible, other partnership funding has been used to translate the RoWIP into actions on the ground.

The diverse range of Statements of Action has allowed the Council some flexibility in the improvements it has been able to deliver as it was not prescriptive, or reliant on funding for a few specific projects; instead it covered a wide range of actions which have been prioritised and acted on when funding became available.

One of the main themes of the first RoWIP was the development and review of policies and this has enabled a more planned and strategic approach to be adopted in the day to day management of the PRow network. Four policies have been published or revised during the implementation of the first RoWIP.

### **Policies published or revised during the implementation of the first Lincolnshire RoWIP**

- Definitive Map Modification Order Priority Policy
- Enforcement Policy and Guidance Manual
- Countryside Accessibility Policy
- Path Prioritisation and Estimated Work Timescales Policy

A wide variety of improvements has been undertaken throughout the life of the plan, focussing on the existing network. In particular, considerable progress has been made in the improvement of path furniture, which has allowed for greater access to the network.



An extensive programme of surface improvement works has focussed on routes linking communities with schools, employment centres and local services and routes in the region of countryside heritage sites. A total of 5.4km of paths has been improved during the implementation period.

The Lincolnshire Primary Care Trust also provided funding to develop the Walking for Health network. A programme of improvement works has been implemented

which has improved the accessibility of the health walking network, including upgrading furniture, surface improvements and the creation of additional routes.

Promotion and publicity featured heavily in the first RoWIP and is considered to be the most successful area of implementation. During the life of the plan over 60 walking and cycling leaflets have been published and assistance has been provided to partner organisations to develop three new long-distance trails.

The first RoWIP assessment recognised the potential benefits of linking tourism and countryside access. Work has been undertaken with Lincolnshire Tourism to promote Lincolnshire as a short break destination for walking and cycling and 15 Walks Discovery Packs have been published covering all areas of the county.

A disability access audit has been undertaken on all the routes included in the Lincolnshire walks series of leaflets to identify accessibility improvements. In addition, path furniture is now shown on the Countryside Access Map, enabling path users to make informed decisions about the suitability of a route whilst planning a journey.

Other publicity and promotional improvements include:

- Redesigning the Countryside section of the County Council website
- Publishing a Countryside For All pack
- The provision of an online searchable walks database
- The publication of a countryside education pack for schools
- Providing assistance to Market Rasen, Caistor and Horncastle to gain membership to the 'Walkers are Welcome' scheme.

The decrease in funding in 2010/11 led to a significant reduction in the PRow service and in particular the County Council's ability to implement parts of the first RoWIP. A number of planned tasks have been scaled back and in some cases stopped altogether. In particular, limited resources have delayed progress on the review of the Viking Way, the implementation of the Quiet Lanes project and the full implementation of the capital bridges programme.

## RoWIP 2 Stakeholder Consultation

Stakeholders have been contacted to establish their views on the success of the first RoWIP and invite suggestions for inclusion in the second plan.

It is clear from the responses received that the PRow network is valued and has a multitude of uses. The majority of respondents consider that the scope of the first RoWIP was sufficient and that the plan has been well delivered. In particular, most respondents believe that better maintenance, enforcement and promotion have brought about significant improvements to some parts of the network.

It is widely understood that the final year of RoWIP implementation was set against a backdrop of limited resources and this has ultimately affected the delivery of the plan. Some respondents also considered that the first RoWIP may have been too ambitious and care should be taken to ensure that the second plan is realistic and deliverable.

Whilst the majority of consultation responses acknowledged that significant improvements have been made in the delivery of maintenance and enforcement during the initial stages of RoWIP implementation, it was recognised that the reduction in resources led to a deterioration in the standard of maintenance and enforcement in some areas.



*There are many actions where costs have become an issue, particularly following budget cuts. Understandably, because it is probably the biggest expense, path maintenance, particularly mowing has fallen below standard.*

**Ramblers**

The Rural Economy and Tourism section of the first RoWIP aimed to identify and develop circular and linear routes to and from the countryside. Whilst improved access has been achieved in some areas, a number of respondents considered that the level of implementation had not been as extensive as anticipated.

The consultees provided a wide variety of suggestions for inclusion in the second RoWIP. Again, there is a general acceptance that RoWIP2 should provide a realistic reflection of what can be delivered within the available resources and place a strong emphasis on community involvement in order to make the most of the voluntary sector.

*There is a need to utilise different volunteer skills for different activities in order to make the most of the volunteer effort.*

**Ramblers**

The South Lincolnshire and Rutland Local Access Forum was keen to "continue the present course of action in RoWIP 2". Whilst the forum considers it essential that the standard of maintenance on long-distance trails is of a high quality, they are keen to ensure that the budget for the rest of the network should not suffer as a consequence.

The consultation also highlighted a continued high demand for developments in horse riding and cycling facilities. In particular, horse riders and cyclists are looking for more off-road routes, road safety enhancements and surface improvements.

A number of respondents also commented that the PRow network should not be considered in isolation and is interlinked with other green infrastructure plans and the LTP4.



## Overall Vision for RoWIP 2



The second Lincolnshire Rights of Way Improvement Plan has been developed around 3 broad themes.

**Theme 1** – Network Improvements

**Theme 2** – Improved Customer Service

**Theme 3** – Social Inclusion

It is acknowledged that some Statements of Action (SOAs) may cover more than one theme.

## Theme 1 – Network Improvements

### Infrastructure Improvements

Path improvements in carefully chosen locations can make a significant difference to people who use, or who would like to use, their local PRow. Partnership work between the County Council and community groups has many benefits. Local communities and user groups are often best placed to identify improvements which benefit a large proportion of the local population and bring together some of the elements necessary for an improvement to be achieved. In addition, the County Council has access to a broad range of expertise regarding path infrastructure and surfacing materials, public path orders and obtaining funding.

Efforts will be made to prioritise small-scale improvements which have been identified at a community level and which may be capable of being implemented at a relatively low cost. Small-scale improvements might include the removal of stiles and gates, improved destination wording on fingerposts and creating short sections of path to link with others to form more useful routes. Larger scale projects may involve surfacing paths and making legal orders to create, divert or upgrade public paths.



<b>NI 1</b>	The County Council will work with parish councils and community groups to deliver community-led schemes which can meet local demand and lead to greater use.
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In improving infrastructure on the public rights of way network the County Council will adopt the principle of ‘least restrictive access’. Least restrictive access means that:

- A gap is the preferred option.
- **Where a gap is not practicable for stock control, then a field gate, hand gate** or kissing gate will be used.
- Stiles will only be considered in exceptional circumstances.

<b>NI 2</b>	Reduce the number of unnecessary barriers – remove stiles where practical and replace with gaps, gates or kissing gates to increase accessibility.
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A number of organisations have made direct use of the RoWIP when developing local community plans and green infrastructure plans. Community plans often

contain proposals for improved local access and this enables proposals with a proven evidence base to be prioritised. The County Council will aim to prioritise improvement works which are identified in community plans and green infrastructure plans.

**NI 3**

The County Council will aim to prioritise and implement improvement suggestions included in community and village plans.

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## Enforcement

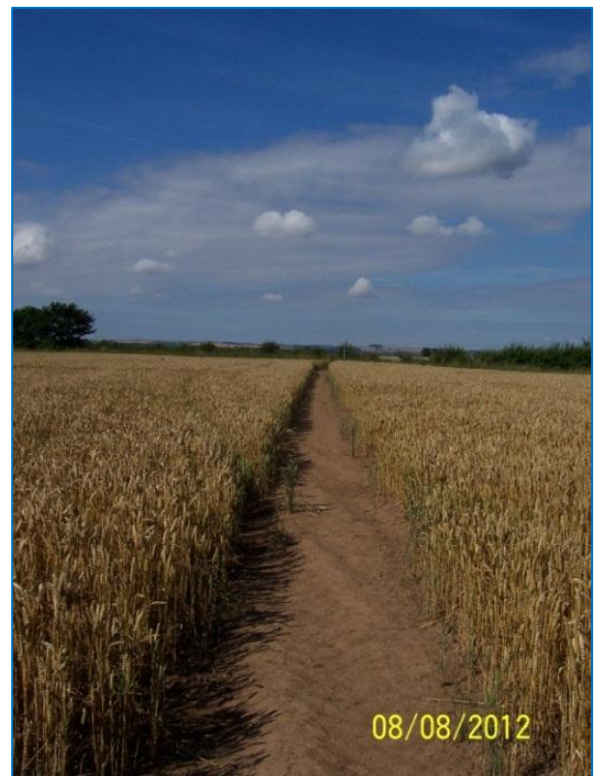
As the highway authority, Lincolnshire County Council has a duty under the Highways Act 1980 to assert and protect the rights of the public to the use and enjoyment of any highway. The highway authority is also placed under a statutory duty to prevent, as far as possible, the stopping up or obstruction of a public highway.

Enforcement of the PRow network can be undertaken in a variety of different ways and the County Council selects the most appropriate method depending on the nature of the offence.

The County Council has a published enforcement policy to assist officers in undertaking effective and efficient enforcement action on the PRow network. The enforcement policy is available to view on the Council's [website](#).

The main objectives of the enforcement policy are:

- To provide a high level of service to the public to ensure that PRow remain open and available for public usage.
- To ensure that complaints from the public are dealt with promptly and effectively and in line with the existing prioritisation guidelines.
- To promote proactive compliance with the relevant legislation whilst retaining the ability to undertake appropriate enforcement action where necessary.



The County Council has formally adopted the Enforcement Concordat, which provides an overarching policy document regarding powers of enforcement which applies to all Council services.

Increasingly the County Council has to balance its duty to protect and assert the rights of the public with the limited level of resources available for PRow enforcement. Whilst proactive inspection regimes and landowner education have led to significant advances during the initial stages of RoWIP implementation, the reduction in resources in 2010 resulted in the loss of the divisional enforcement officers, which has limited our ability to maintain a pro-active approach.

The County Council will continue to investigate reports received in respect of alleged offences on PRow. The revised path priority service standard will be used as a guide to prioritise enforcement issues. The path priority timescales can be viewed in the Reporting section on [Page 46 and 47](#).

<b>NI 4</b>	The County Council will provide effective enforcement on the public rights of way network by prioritising customer reports.
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## Safety

### Road Safety-

The PRow network is affected by increasingly busy roads. Path users are often forced to negotiate hazardous carriageway crossings or walk along the carriageway itself in order to make use of the PRow network. Perceived road safety issues can be a significant barrier to countryside access and have the effect of deterring some users from undertaking journeys.



The grass verges beside many rural roads can provide safe and convenient places for walking and riding and are recognised as being an essential element of the countryside access network. Despite this fact and the increasing demand for a traffic free environment highway margins are very rarely maintained with countryside access in mind.

The first RoWIP hoped to achieve a safer network for all users by improving road crossings and increasing driver awareness of vulnerable users. The County Council has conducted a survey at over 140 locations where public rights of way

meet and cross A roads, trunk roads and railways.

Whilst it is acknowledged that any road crossing is potentially hazardous, the audit identified a number of locations requiring further consideration. The Lincolnshire Road Safety Partnership undertook a secondary audit at 27 locations on Lincolnshire's A road network. In addition, the Highways Agency has been asked to examine 33 crossing locations on the Lincolnshire section of the A1. Unfortunately the reduction in resources has prevented the implementation of any safety improvement schemes and as a result there is still a great deal of scope to improve safety at the identified locations for all users.

The County Council will consider appropriate solutions to improve the safety of non-motorised users, including the use of the roadside verge, behind the hedge routes, highway signage and public path diversions. Solutions for routes which form part of a recognised promoted route will take priority.

Where diversions are proposed as part of a new road scheme, efforts will be made to ensure that enhanced safety is built into all road layouts.

<b>NI 5</b>	Examine opportunities to improve road safety on the public rights of way network and implement appropriate schemes depending on the availability of resources.
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<b>NI 6</b>	The County Council will work with the Highways Agency to identify and implement safety improvements at locations where the public rights of way network intersects with the A1.
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Some drivers show little awareness of and consideration to non-motorised users and fail to slow down or leave sufficient space when passing walkers and riders. The first RoWiP identified that driver attitude and awareness could be improved and Lincolnshire Road Safety Partnership has distributed information as part of its Driver Improvement Programme. The PRow team will continue to work with stakeholder groups to encourage courteous road use by motorists and all users to ensure they are acting responsibly on the road network.

<b>NI 7</b>	Continue to seek opportunities to encourage responsible, safe and courteous road use by drivers and all users.
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### **Rail Safety –**

Network Rail manages approximately 9000 level crossings across the country. Approximately 1500 level crossings are on public vehicular roads and the rest are in locations where public footpaths, bridleways and private roads and tracks cross the railway. The RoWiP rail crossing audit identified over 93 locations in Lincolnshire where PRow cross the rail network. Some of these are provided for by grade separated crossings such as a bridge or underpass, however a significant majority

are at level crossings with no control measures other than a stile/gate at the line side and infill boarding between rails to avoid trip hazards.

A level crossing may take many forms depending on whether it is on a public or private road and whether it is for vehicles, pedestrians, cyclists or equestrian use. The layout, configuration and use of level crossings vary from location to location, so each location is essentially unique.

Level crossings, whether used mainly by motorists in built-up areas or by pedestrians in the countryside, are designed to look similar to the user. This is to help users understand what they need to do at a given crossing and to prevent conflicting messages. Users are always warned whenever they are approaching a level crossing.

In 2011 the Office of Rail Regulation (ORR) published *Managing Level Crossings: A Guide for Users, Designers and Operators*. The document provides guidance for both users and railway infrastructure managers on the safe management, operation, modification and use of Britain's crossings



The ORR policy on level crossings is to seek to reduce risk through a variety of means and, where practicable, reduce risk as far as possible through the elimination of level crossings in favour of bridges, underpasses or diversions. Where elimination is not possible, the ORR aims to ensure that Network Rail and other duty holders introduce measures to reduce risk so far as is reasonably practicable. Network Rail is continuing to identify ways of improving safety on Lincolnshire's PRow way crossings and has commenced negotiations regarding the diversion of a number of public paths.

<b>NI 8</b>	The County Council will continue to work with Network Rail to improve public safety at level crossings on Lincolnshire's public rights of way network.
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## Green Infrastructure

Green Infrastructure is defined as "a strategically planned and delivered network of high quality greenspaces and other environmental features which are designed and managed as a multi-functional resource capable of delivering a wide range of

Rights of Way Improvement Plan 2014 -19

environmental and quality of life benefits for local communities". Green infrastructure includes open spaces, playing fields, woodlands, public rights of way, access links and other areas of accessible green spaces. The PRoW network represents a major component of the green infrastructure network.

Green infrastructure is especially relevant to housing and economic growth. It is considered vital that as the population grows green infrastructure provision should increase accordingly. Further work is required to ensure that non-motorised users are fully considered during the planning and highway design process.

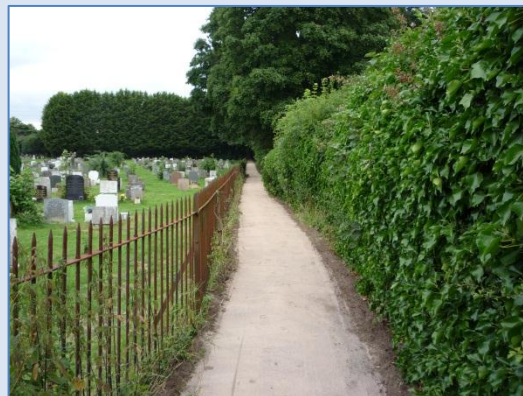
### Improving Local Connections - Case Study

Local PRoW can be a convenient means for travelling in both urban and rural areas to take children to school, travel to work or to reach shops and services.

Throughout the life of the first RoWIP, the county council has undertaken an extensive programme of surfacing works to improve routes linking communities with schools, employment centres and other local facilities. Over 5km of paths have been surfaced and additional small scale works have also been undertaken to improve path furniture and signage on identified routes.



*Before*



*After*

The pictures above show Surface improvements on Grantham Public Footpath No. 12: A well-used urban footpath connecting Harrowby Road, Grantham Cemetery and linking into the surrounding countryside.

**NI 9** Identify and Improve of-road routes linking communities with schools, employment centres and local services.

**NI 10** Seek improvements for non-motorised travel in proposals for new developments. Schemes funded through developer contribution.



*Spa Trail*

Green infrastructure also relates to the rural environment. In the wider countryside, green infrastructure is often viewed on a larger scale, encompassing accessible countryside sites, villages and major landscape features such as river corridors. Green infrastructure at this scale can provide the wider framework for planning at a more local level. It is clear from the stakeholder consultation that a significant increase in countryside access will not be achieved without the development of additional suitable routes.

<b>NI 11</b>	identify and develop circular and linear recreational routes to and from the countryside and tourism sites with appropriate green infrastructure partners
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There is a range of green infrastructure plans and strategies in Lincolnshire which are having an increasing influence on the delivery and management of the PRoW network. Whilst the RoWIP will consider improvement across the whole PRoW and countryside access network, the County Council will prioritise areas which are covered by other green infrastructure plans and strategies e.g. the Coastal Country Park, the Wash Green Infrastructure Plan and the Witham Valley Country Park.

The creation of the green infrastructure project areas represents a significant opportunity to improve countryside access for residents and visitors. Concentrating efforts in defined areas will enable the countryside access network to be developed and improved within a strategic framework and improvements which have a proven evidence base to be prioritised. This approach will also enable a more efficient use of resources and increase the opportunities for gaining funding.

The PRoW team will work in conjunction with the green infrastructure project teams to maintain and improve the connectivity of the network and accessibility for all users, including those with a disability.



Improvements will range from smaller-scale projects such as the replacement of stiles with gates, improved signage and surface improvements to the amendment of the existing countryside access network. In undertaking improvements priority will be given to those schemes that can demonstrate local demand and lead to greater use.

**NI 12** Improve access to, and within, green infrastructure areas for all members of society, including disabled users.

The development of the Lincolnshire section of the coastal trail will provide the public with numerous opportunities to access the county's coast and it will also make an important contribution to the tourism economy. The coastal trail will link a number of green infrastructure areas and tourist destinations along Lincolnshire's coast, improving existing coastal access and creating additional access where it does not currently exist.

Natural England is initially planning to develop the North Norfolk to Skegness section of the coastal trail between 2017 and 2018. In the longer term the coastal trail will extend northwards and connect up with the trail in North East Lincolnshire. Whilst the Marine and Coastal Access Act 2009 places Natural England under a duty to implement the coastal trail, the County Council will make an important contribution in the development and subsequent management of the route.

**NI 13** Assist in the development of the Lincolnshire section of the National Coastal Trail.

Theddlethorpe and Saltfleetby Dunes National Nature Reserve (NNR) lies at the heart of the Coastal Grazing Marshes area and is a popular destination for visitors. There is a long history of de facto access on the NNR; in addition, horse riders may access the open beach by permit and there is an access for all route at Rimac to the south of Saltfleetby. The dedication of the site for public access towards the end of 2014 will provide significant opportunities to formalise existing access and offer additional access opportunities.

**NI 14** To work with Natural England and the Coastal Grazing Marshes Project to maximise the access opportunities on Theddlethorpe and Saltfleetby Dunes NNR.

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## Unclassified County Roads (UCR)

There is an extensive network of UCRs, or minor roads, in Lincolnshire. The UCR network is a mixture of metalled and unsurfaced lanes which often display the physical characteristics of green lanes. These routes are included on the County Council's "list of streets" as highways which are publicly maintainable.

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Unclassified county roads can form useful links in the countryside access network and are particularly important to horse riders and cyclists, who rely on them to help create circular routes which minimise the use of busy or potentially hazardous stretches of roads. The network is also useful to disabled users as it often provides easy access to the countryside.

The UCR network is the main resource available to recreational motorists, with certain routes being very well-used. Many UCRs are also subject to legitimate private vehicular use by agricultural vehicles and to gain access to rural properties. Due to the unsealed nature of many green lanes the use by motor vehicles can lead to maintenance challenges.



The Natural Environment and Rural Communities Act 2006 introduced legislation which has significantly affected the public's right to use some UCRs with a mechanically propelled vehicle.

The research undertaken during the preparation of the first RoWIP concluded that better management of the UCR network is required. The majority of routes are still not regularly inspected or benefit from regular vegetation clearance or maintenance and it remains important to assess the condition of the UCR network when determining appropriate maintenance and repair options. Surveys provide current information on condition and are important to assess changes over time.

An extensive condition survey has been undertaken on over 400 UCRs throughout the County. The survey was used to record details such as surface condition, drainage, signage and enforcement issues and the gathered data has been used to produce a UCR management plan. It is now important to establish an inspection regime to monitor the condition of the UCR network and identify maintenance and enforcement issues.

**NI 15** Utilising the volunteer network, establish an inspection regime of the recreational UCR network.

The initial network assessment has identified that there is a lack of integration with the PRow network which prevents users from taking full advantage of the unsurfaced road network. In order to address this situation the County Council has undertaken an extensive programme of signage on all UCRs in the county which are considered to have the highest network value.

NI 16

Complete the programme of UCR signage on UCRs with recreational value.

The County Council does not currently possess a single record of all recreational UCRs in the County and has to rely on information which is compiled using a number of sources. Attempts to include UCR mapping information on the Countryside Access Map have so far been unsuccessful and caused confusion amongst some users. The provision of clear mapping information is essential in order to provide users with certainty over the routes which they can use, reducing conflict with landowners and enabling the County Council to manage the network more efficiently.

NI 17

Produce a digital layer of UCRs considered to be important recreational highways.

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## Planning Context

The National Planning Policy Framework sets out the Government's planning policies for England and how these are expected to be applied. The framework outlines the role that the planning system ought to play in both the plan-making and decision-taking, process including actively managing patterns of growth to make the fullest possible use of walking and cycling. Planning policies should protect and enhance PRoW and access and local authorities should seek opportunities to provide better facilities for users by adding links to existing PRoW networks improving access to and enjoyment of the coast.

The planning policy also outlines how local plans should protect and exploit opportunities for the use of sustainable transport. In particular, developments should be located and designed where practical to give priority to pedestrian and cycle movements, create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, and consider the needs of people with disabilities by all modes of transport.

The Green Infrastructure Study for Central Lincolnshire aims to provide a strategic framework for guiding the planning and delivery of green infrastructure across Central Lincolnshire. It provides a broad assessment of the quantity, quality and accessibility of green infrastructure in 2011, and identifies opportunities for addressing deficiencies. The study sets out recommendations on priorities for green infrastructure delivery to support growth and development in the next 15-20 years. It is not intended to be a statement of Council policy.

Central Lincolnshire's green infrastructure comprises both greenspaces within urban areas, such as Hartsholme Country Park and the historic commons in Lincoln, and larger greenspaces in the countryside such as Laughton Wood. Major green corridors, such as the Witham Valley and Trent Valley, are particularly significant assets within Central Lincolnshire.

The overall objective is to improve and provide new green infrastructure in Central Lincolnshire by enhancing, developing and providing a multi-functional network of greenspaces, parks, rivers and other corridors within and around settlements that connect them to each other and the wider countryside, improving access, environmental quality and biodiversity.

The proposed green infrastructure network identifies broadly defined landscape scale corridors where targeting investment in green infrastructure is most likely to deliver multiple benefits across a range of key environmental, social and economic policy areas. The identified corridors provide key strategic linkages with green infrastructure networks in adjoining areas at the district and sub-regional level. The following strategic green corridors are proposed:

- Trent Green Corridor.
- Ancholme Green Corridor.
- Lincolnshire Wolds Green Corridor.
- Upper Witham Green Corridor.
- Lower Witham & Fens Green Corridor.
- Sleaford Green Corridor.
- Fossdyke Green Corridor.

Further information on the provision and enhancement of green infrastructure through the development process can be found in the Green Infrastructure section on [Page 39-42](#).

<b>NI 18</b>	To work with planning authorities and developers to identify and promote opportunities for sustainable access, recreation and movement to encourage healthy lifestyles and wellbeing for communities in Lincolnshire.
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<b>NI 19</b>	To work with planning authorities and developers to enhance rights of way and cycling networks across Lincolnshire to encourage a modal shift to walking and cycling.
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## Theme 2 – Improved Customer Service

### Reporting

The public's help in reporting issues is invaluable in managing the PRow network as it enables problems to be identified and dealt with outside the inspection regime. The information provided assists in the preparation and prioritisation of works, targeting enforcement, and in the management of the Countryside Access Volunteers.



Members of the public are able to report issues on Lincolnshire's public rights of way network using a variety of methods including-

- letter
- using the online reporting form
- telephoning the County Council's Customer Service Centre
- email
- through the corporate complaint procedure

All issues are logged as service requests and managed on Confirm, the County Council's highways asset management system.

In order to manage the service requests efficiently, works are also prioritised using the County Council's path priority system (revised 2013).

*Figure 4 Path Priority System*

<b>Priority 1</b>	Routes actively promoted by Lincolnshire County Council (e.g. Viking Way, bridle trails, recreational walk routes).
<b>Priority 2</b>	Routes that are known to be well used, predominantly close to settlements or routes promoted by other bodies and specifically endorsed by Lincolnshire County Council.
<b>Priority 3</b>	All other available routes.
<b>Priority 4</b>	Routes that can only be made available by the significant investment of capital resources or require extensive legal work to resolve alignments and obstructions.

**Figure 5 Path Priority Service Standards**

Priority	Ploughing and Cropping Infringements	Grass Cutting & Vegetation Clearance (Subject to cyclic programme)	Path Furniture out of repair and minor obstructions	New or replacement bridges	Surfacing Works
1	3 months	2 months	3 months	Subject to size, location and resource availability	Works subject to finance and availability of workforce
2	4 months	2 months	6 months		
3	Works subject to finance and availability of workforce.				
4	Works only to be undertaken when major issues are resolved.				

The timescales provided by the path priority system are for guidance only and there may be times when it is not possible to meet the service standards. In such cases the County Council will inform respondents of the reasons why and what action is being taken. Any report with health and safety considerations will be dealt with in a timescale dependent on an appropriate risk analysis.

Issues requiring enforcement action will be dealt with in accordance with the County Council’s PRow enforcement policy. This will enable effective and efficient enforcement action against those who interfere with the PRow network in a consistent, fair and balanced manner across the county.

Formal complaints are also processed within the timescales set out in the County Council’s Customer Service Charter. Complaints are acknowledged within 5 working days and the complainant is also notified after the issue has been resolved.

Whilst the path priority system and Confirm are used to manage the complaints system, complainants do not often receive a standard level of service across all 4 highways divisions and some complainants say they would have liked more feedback from the County Council.

The standardisation of the public rights of way complaints procedure would provide greater clarity to the public and other stakeholder groups on what they can expect and in what timescale. It is therefore proposed to publish a PRow Customer Service Charter in order to improve the customer experience.

**CS 1** Publish a Public Rights of Way Customer Service Charter

## Mapping of Public Rights of Way

The definitive map and statement is the legal record of all known PRow and provides conclusive evidence of the existence of a public path.

As surveying authority the County Council has a statutory duty to keep Lincolnshire's Definitive Map and Statement under continuous review and to make orders to take account of events requiring the map to be modified. This is carried out by the processing of Definitive Map Modification Orders (DMMOs) which are either applied for by the public or initiated by the authority on the discovery of evidence.

The County Council also has the power to make public path orders to create, divert or extinguish public footpaths, bridleways and restricted byways. Applications are normally made by landowners who seek to change the legal line of a path running over their land, although the County Council may initiate diversion and extinguishment orders itself.

In addition, public path orders may also be made to divert or extinguish a path to enable development to take place following planning consent. These orders are generally processed by the District / Borough Council which granted planning permission.



The existence of an accurate legal record of PRow is fundamental to the public's use of the network. As the definitive map is used by the Ordnance Survey to obtain PRow information for its Landranger and Explorer maps, it is important that the record is kept as accurate and up to date as possible.

In January 2014, there were 150 outstanding definitive map modification orders requiring determination. Continued work is needed to ensure that PRow are properly recorded and legally available to use. In addition, the County Council will continue to prioritise its work to ensure that the current backlog of claims is processed whilst making best use of the authority's resources.

The number of applications for modification orders may increase over the next few years due to the introduction of a statutory "cut-off" date for 2026, after which no applications based solely on historical evidence from before 1949 can be made. It will still be possible to submit user evidence based claims for routes dedicated after 1949.

At the time of writing this plan, the Deregulation Bill, which contains certain provisions relating to PRow, has not received Royal Assent and it is not possible to judge its impact.

**CS 2** Continue to prioritise and address the current backlog of applications for Definitive Map Modification Orders.

In order to assist in the effective management of the backlog of applications, each application for a DMMO is processed on a “date received” basis unless it is considered that the case should be given a higher priority i.e. the issue is causing disruption to the life of the community or there is a significant threat to the route itself. Highways & Traffic Guidance Note HAT33/3/11 sets out the full policy and "exception criteria" for the processing of DMMO applications.

**CS 3** Ensure new applications for Definitive Map Modification Orders are given higher priority where they result in the enhancement of the existing rights of way network.

In addition to the various mapping anomalies within the county, there is also a range of definitive map issues affecting cross-boundary routes, such as changes in path status and dead-end routes. Discussions are required with neighbouring counties to seek resolution of these issues.

**CS 4** Seek resolution of cross-boundary issues and anomalies concerning the recorded status of public rights of way.

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## Technology

The Internet has transformed the means by which data can be provided and shared, and a growing number of people use it to access information. This not only allows the public to access information whilst at home but also enables information to be accessed using mobile devices in the countryside. The use of social media and mobile devices also provides opportunities to engage with a broader range of society to promote countryside access.

**CS 5** Maximise the potential of the Internet and other media to provide information about the public rights of way network and countryside access.

The Lincolnshire County Council website is often the first point of contact for members of the public hoping to obtain information on access to the county’s countryside. Between October 2012 and October 2013 there were on average over 8000 individual page hits per month on the Countryside microsite. The website contains a comprehensive range of material including general information, policies,



downloadable forms, promoted route information and an online problem reporting form.

The Countryside microsite was extensively revised during the implementation of the first PRoWIP and a number of new features have been incorporated in the website. It is considered that there is still scope to develop the Countryside microsite to meet the changing needs of the public in using PRoW and countryside sites.

The Lincolnshire County Council Countryside microsite can be viewed at:

[www.lincolnshire.gov.uk/countryside](http://www.lincolnshire.gov.uk/countryside)

All PRoW in the county have been digitised and are recorded on the Countryside Access Map, the County Council's Geographical Information System (GIS), and this information is available to members of the public on the Countryside microsite. This has provided opportunities to deliver detailed information to a broad range of people and enables users to discover new routes. The Countryside Access Map also enables potential path users to access path infrastructure information and photographs illustrating the conditions on individual paths. In this way, users with particular requirements could, for example, identify routes that are stile free. Further work is required to develop the functionality and reliability of the Countryside Access Map.

**CS 6** Develop the Countryside Access Map to incorporate greater functionality and reliability.

The accurate recording of highways data in GIS systems allows a variety of linked data to be recorded. These include customer reports, assets along the network and legal changes. Other agencies and stakeholder groups also use and, in some cases, display the County Council's public rights of way data set including developers, user groups and adjacent authorities.

**CS 7** The authority will co-ordinate with other agencies to provide access data, including the exchange of information.

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## Customer-Focussed Policies and Working Practices

The stakeholder consultation highlighted a desire to develop a more customer focused approach in the management of the PRoW network and emphasised the need to develop suitable policies to help deliver improvements.

Policies are an increasingly important management tool which not only provide clarity to the public on the level of service which they are likely to receive, but are also important at a time when limited resources must be carefully targeted.

*'It is more important than ever to have policies as this enables limited resources to be more carefully targeted and enables budgetary and service provision decisions to be justified.'*

**South Lincolnshire and Rutland Local Access Forum**

It is a basic requirement that any local authority service should be easily accessible to the public. Policies and procedures should be clear, accurate and contain easily understandable information about the PRow function. This will also enable the public to understand what they can and cannot expect of the County Council. Whilst policies may provide a framework for the management of the PRow network, it is important to ensure that they are effectively implemented.

One of the main themes of the first RoWIP has been the development and review of policies and this has enabled a more planned and strategic approach to be adopted in the management of the PRow network. Four policies have been published or revised during the implementation of the first RoWIP to reflect changes in legislation and reduced funding.

These policies are:

- Definitive Map Modification Order Priority Policy
- Enforcement Policy and Guidance Manual
- Countryside Accessibility Policy
- Path Prioritisation and Estimated Work Timescales Policy

The Countryside Access Policy outlines the legal framework in relation to disabled countryside access and provides a desired standard for the provision and maintenance of path furniture and surface improvement works.

It will be necessary to develop additional customer and service-focused policies in the coming years in order to reflect changes in legislation, funding regimes and County Council priorities.

*'Further issues which are identified in the future concerning PRow should also be documented as a policy. All PRow policy documents should have input from the Forum and other user bodies to ensure all concerned understand the relevant policy.'*

**South Lincolnshire and Rutland Local Access Forum**

**CS 8**

Produce relevant policies which are clear and contain understandable information about the public rights of way function.

The draft Deregulation Bill, published in July 2013, aims to reduce the burden of excessive regulation on businesses, individuals and civil society. It contains a number of proposals that are important for local authorities, some of which have implications for the management of the PRoW network.

Proposals in the Bill include:

- Changes to the processes involved in modifying the Definitive Map and Statement and the extinguishment of all unrecorded rights after 2026.
- Rights of access to land which were reliant on previously unrecorded public rights will be converted to private rights.
- Proposals regarding the right to apply for public path orders.
- Authorisation of gates on restricted byways and byways for stock control purposes on agricultural land.
- New powers to modify the definitive map on discovery of obvious errors.

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## Information Provision

The County Council recognises that the effective provision of information is essential in the management of a successful PRoW network. Information is provided in a variety of formats in order to access the widest possible audience. As previously outlined in the Technology section, the County Council website is often the first place visited to obtain public rights of way information.

Other sources of information include:

- walking and cycling leaflets
- letters and reports
- signage and on-site interpretation
- information leaflets
- attendance at shows

People also obtain information about recreational opportunities in the countryside from external sources such as published guides and Ordnance Survey maps. This material helps to promote the work of the County Council and develop public support.

Promotional material increases the public's enjoyment of the countryside by helping people to understand the natural and historic environment, and helps to ensure that the public is aware of the need to protect this environment. Information also ensures that both users and landowners are aware of their rights and responsibilities, so that conflict can be minimised and the Council's resources used more effectively.

### CS 9

The County Council will help people to understand the public rights of way network and the use of the countryside.

The provision of information enables users to make their own decisions on whether routes are suitable for them. Knowing what to expect from a route can offer a degree of confidence which users may not otherwise experience. The provision of information is also an important link that enables a person deciding whether to visit a route to successfully complete a visit.

The value of the public rights of way network and countryside access to the visitor economy has already been recognised in the first Lincolnshire RoWIP. Local businesses such as tea shops, public houses and bike hire companies rely on visitors to the countryside for valuable custom. A wider range of businesses also benefit from the custom of visitors and residents when purchasing equipment and supplies.

The Lincolnshire Wolds Walking Festival was launched in 2005 and has now established itself as one of the largest festivals in the Country. The walking festival is a partnership between voluntary walk leaders from a range of organisations and the local authorities situated within the Lincolnshire Wolds Area of Outstanding Natural Beauty. The 2013 event was the biggest festival to date, with walkers taking part in other 100 walks from gentle strolls on flat terrain to energetic day-long treks of up to 20 miles in length.

The County Council will continue to work in partnership with a range of organisations to develop promoted walks and rides in green infrastructure project areas such as the Coastal Grazing Marshes Project and Coastal Country Park.

**CS 10** The County Council will work with partner organisations to create promoted walks and rides in green infrastructure areas.

The Viking Way is a long-distance footpath which starts on the banks of the River Humber at Barton-upon-Humber and winds its way through Lincolnshire, finishing on the shores of Rutland Water at Oakham. The reduction in available resources has prevented a review of the Viking Way during the life of the first RoWIP. It is now proposed to undertake a full review of the trail to coincide with the 40<sup>th</sup> anniversary of the trail in 2016.

**CS 11** Undertake a full review of the Viking Way.

The public requires comprehensive web-based information concerning the full range of opportunities. In addition to general countryside access information, users also require links to tourism web sites which provide accommodation and transport information.

Despite the diverse range of communication with our customers, the stakeholder consultation revealed that there is still scope to provide more effective communication.

*'We need better engagement with local communities through improved information about what the County Council do and assisting those who want to take a more active role in helping to maintain and develop the access network'.*

**Colsterworth and District Parish Council**

In providing greater information about the location of routes, how to get to them and what to expect whilst enjoying them, we will encourage more people to access and enjoy the countryside for a variety of purposes. To make sure that resources are used efficiently it is important to monitor the effectiveness of the information we produce and its distribution. This ensures that the right information is reaching the right people in the right locations.



There is also an opportunity to examine ways of producing material in a wider range of formats so that it appeals to a broader range of interests and needs. Such information would assist in meeting the needs of various groups, for example young people, families, the elderly and disabled people.

**CS 12**

Examine ways of producing material in a wider range of formats so that it appeals to a broader range of interests and needs.

### Equality and Diversity

The RoWIP must have particular regard to the accessibility of PRow to blind or partially sighted persons and others with mobility impairment. RoWIP guidance defines “mobility impairment” in its broadest sense and includes people with either temporary or permanent mobility impairment which includes older people, younger people, pregnant women, people experiencing ill health, carers of people with visibility and mobility impairment, people who use wheelchairs and people who use pushchairs to carry young children.



The Equality Act 2010 states that there is a need to take “reasonable” measures to avoid discrimination. Circumstances such as costs, potential benefits to other customers, resources available and practicalities will need to be taken into consideration. The implementation of actual accessibility improvements will depend on various issues, and vary from location to location and result in different levels of accessibility and types of improvements.

The Countryside and Rights of Way Act 2000 places a legal duty on highway authorities to consider people with mobility problems and visual impairment when authorising structures on public footpaths and bridleways. The Act also allows authorities to enter into agreements with landowners to improve stiles, gates or other structures that will benefit disabled users on the PRow network.

The 2011 Census showed that 27% of households in the county have at least one person with long-term health problems or a disability. However, only 4% of people registered as disabled are wheelchair users and relatively minor improvement to public rights of way such as the replacement of stiles with gates, better maintenance and promotion could potentially open up much of the countryside access network to a wider range of people.

#### SI 1

Develop a range of key routes that meet the needs of restricted mobility users and publicise these with disability groups.

Lincolnshire has a small and diverse ethnic population. The 2011 Census showed that 2.7% of the population does not speak English as a first language and 4.7% of the population was born in other EU countries. Research suggests that people from ethnic minority groups can lack confidence using the countryside for recreation and

have different cultural and language needs. The lack of appropriate publicity and information can act as a barrier to some sections of the population enjoying the countryside.

Social exclusion exists in both rural and urban communities, including prosperous and less well-off areas. Measures of social exclusion and deprivation based on income, employment, health, education, housing, crime and living environment tend to show that rural areas are generally more prosperous than urban areas.

Deprivation in urban areas tends to be concentrated in particular neighbourhoods, whereas rural social exclusion tends to be more dispersed and therefore harder to identify. The situation is most acute in East Lindsey, which reports higher levels of multiple deprivation. Households on low incomes, and without access to their own transport, can find it difficult to gain access to services. The accessibility of PRoW way in urban areas can assist in achieving improved accessibility to jobs and services.

Over the 10 years from 2001 to 2011, the population of Lincolnshire has had an average annual percentage increase exceeding that of the East Midlands and the national average. Over this period the districts of Boston, North Kesteven and South Holland have all had an average annual population growth rate of at least double the national average. By 2021 Lincolnshire's population is projected to increase by 11% compared to 9% nationally. This growth is largely due to people moving to the county to live and work. The increasing population is also an ageing one, with over 20% of the county's and 26% of East Lindsey's population over 65.

Research for the first RoWIP highlighted that people under the age of 25 do not regard the countryside as a place to visit and enjoy. This, coupled with the increasing popularity and availability of technology, can contribute to a lack of physical exercise in younger people, leading to obesity and associated health problems.

**SI 2** Continue to work towards promoting the countryside and rights of way access to the widest possible audience.

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## Community Involvement

The reduction of resources, and changes to national and county council policy, have led to an increase in the number of volunteers involved in the delivery of the PRoW function. The stakeholder consultation highlighted that the network is highly valued and that there is a clear desire by many people to become involved in the management of the network.

The work of the PRoW team is greatly enhanced by the help and support of numerous volunteers. In addition to their assistance in the management of the network, using volunteers presents a valuable opportunity to engage with the community. Volunteers are involved in a diverse range of activities on the county's

network, from surveys to involvement in the countryside access volunteer scheme and path users who report issues on the network.

In addition to physically assisting in the management of public rights of way, volunteer effort presents other benefits. Increased involvement provides volunteers with a valuable insight into the issues which the County Council faces in the management of PRoW and provides the public with greater ownership of their local paths.

The County Council's vision is to "engage with the community, to promote the opportunities for volunteering, to improve our services and to develop capacity within the third sector by providing opportunities for volunteers to work within services throughout LCC." [Source: Lincolnshire County Council Use of Volunteers Policy and Guidance, July 2010].

Lincolnshire has a significant population of older, retired people, which is projected to increase. By involving volunteers the County Council is able to benefit from a wealth of local knowledge and information associated with issues at specific locations. Volunteering experience can also potentially provide training and experience for younger people in preparation for employment.

*'Different volunteer skills will be required for different activities. Those who walk as a pastime will probably be better for survey work than local dog walkers. For maintenance work the problem may be finding volunteers willing to commit their time on a regular basis.'*

**The Ramblers**

**Local Access Forums (LAFs)** - The Lincolnshire Local Access Forums are statutory bodies set up to advise on the improvement of public access for the purpose of outdoor recreation and enjoyment of the area. Two LAFs were established in 2003, covering Lincolnshire, North East Lincolnshire and Rutland. The Mid Lincolnshire LAF is a joint forum between Lincolnshire County Council and North East Lincolnshire Council. The South Lincolnshire and Rutland LAF (South Lincs Forum) is a joint forum between Lincolnshire County Council and Rutland County Council.

Each LAF consists of up to 18 members representing a wide range of interests, including PRoW users, land managers and farmers, rural businesses, health, heritage, nature conservation, tourism, transport, disability groups and minority groups. Both forums have provided advice and assistance on a number of issues during the implementation of the first Lincolnshire RoWIP.

The County Council has developed a number of initiatives aimed at increasing opportunities for volunteers to become involved in PRoW work. These include the Ease of Use Survey and Countryside Access Wardens.



**Ease of Use Survey:** The County Council now undertakes the twice-yearly 'Ease of Use Survey' using volunteers from the Ramblers Association. The survey is used to establish the overall accessibility, or ease of use, of the definitive PRoW network in the county. 10% of the entire network is surveyed each year: 5% in May and 5% in November. Completing the survey in two parts takes account of seasonal variations in the network e.g. vegetation clearance in May and surface condition in November.

**SI 3** Continue to utilise volunteer effort for the undertaking of public rights of way condition surveys.

**Countryside Access Volunteers:** The County Council has developed this scheme to assist in the management of the PRoW network. Volunteers are expected to regularly walk a network of PRoW, cut back localised overgrowth and report problems. The scheme, which started in 2012, has led to volunteers taking responsibility for PRoW throughout Lincolnshire. There are now over 100 volunteers.

**SI 4** Continue to support and develop the Countryside Access Volunteer scheme.

Work is also underway to develop partnerships with a variety of community groups to undertake regular tasks such as the installation of gates and vegetation clearance.

**SI 5** Explore additional opportunities to utilise volunteer work groups to undertake practical public rights of way maintenance and improvement tasks.

**SI 6** Seek further opportunities to expand the contribution which volunteers make to the management of the public rights of way network e.g. undertaking historical route research.

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## Parish Councils

Local people value the role countryside access plays in improving their quality of life and have a wealth of local knowledge and ideas concerning how their path network should be managed and developed. A number of parish councils have highlighted the need to work more closely with the County Council in the management of the network. Whilst parish councils have no specific statutory duties for PRoW they can make a significant contribution to public path management. Parish Councils have powers to undertake a broad range of tasks which can greatly improve the public's

enjoyment of the countryside network, including undertaking surface repairs and cutting back surface vegetation.

The Parish Paths Partnership Scheme (P3) was introduced in Lincolnshire in 1994. The Countryside Agency (now Natural England) originally provided financial support in partnership with Lincolnshire County Council to enable local communities to improve and promote their own PRow network. However, since April 2000 the scheme has been wholly supported and funded by the County Council. The County Council has local agreements with over 90 Parish Councils.

A review of the P3 scheme indicated that 82% of the groups consider the scheme to be a success. Some of the parish councils remarked that the scheme has allowed them to have greater control of their local rights of way network and prioritise vegetation clearance and other improvements to meet the needs of the local community.

The review also revealed that only 40% of the participating parishes were active over a 3-year period and the vast majority of the implemented schemes had involved vegetation clearance works. Whilst the demand for undertaking vegetation clearance works through the P3 scheme is likely to be linked to the reduction in the County Council's cyclic mowing schedule, there is a need to encourage parish councils to implement a broader range of projects, including PRow improvement schemes.

**SI 7** Seek opportunities to develop the Parish Paths Partnership scheme to enhance its community benefit.

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## Health Agenda

The PRow network provides opportunities for daily exercise in natural green spaces, which can enhance quality of life and improve health. A network of improved PRow and countryside sites can positively contribute towards healthier lifestyles.

There is a wealth of evidence to show the benefits of activity in the outdoors to both physical and mental health. Physical inactivity is an increasing problem and is directly linked to the continuing rise in obesity. It is recognised that a sedentary lifestyle can lead to a greater risk of disease including coronary heart disease, stroke, obesity, diabetes, raised blood pressure levels, anxiety and stress.

Stress and mental ill health are becoming more common and the World Health Organisation estimates that by 2020, depression and depression-related illness will become the greatest source of ill health. Depression and mental ill health is one of the fastest growing conditions in England.

The PRow network provides opportunities for walking, cycling and horse riding to access the countryside and enjoy outdoor recreation. In urban areas, using PRow

can be a viable alternative to using a car for short journeys to shops and local services, and can get people into the routine of taking regular exercise for utility trips as well as recreational visits to the wider countryside.

The main health benefits of using the PRow network are:

- Opportunity to take part in physical exercise,
- Contribution to maintaining good health and recovery from illness,
- Reducing stress,
- Social activity: reducing loneliness through social interaction.

Lincolnshire is a large, sparsely populated rural county and the proportion of elderly people is increasing, with over 20% of the population of retirement age. The urban wards generally report higher levels of health deprivation than rural wards. Increasing levels of participation in physical activity can make a notable contribution to the prevention and treatment of disease, and reduce health inequalities. There is growing concern about falling levels of physical activity in children, and regular exercise is seen as an important activity to maintain health and prevent obesity. It is recommended that adults are physically active for at least 30 minutes a day and young people for approximately one hour a day.

The provision of accessible path networks within and between settlements and into the surrounding countryside provides an incentive for people to walk and cycle. These networks also enable people to take up a more regular exercise routine.

Walking is the most cost-effective way of getting people to become, and stay, active. The Walking for Health scheme was established in 2000 and now has over 600 local schemes and 75000 regular walkers nationwide. The Walking for Health network supports the largest network of health walk schemes across England, offering regular short walks over easy terrain with trained walk leaders. Walking for Health has been particularly successful in Lincolnshire and the number of participants has significantly grown since its introduction. In Lincolnshire the Health Walks programme is delivered by the district councils and coordinated by the Lincolnshire Sports Partnership using funding from the County Council's Department for Public Health. The network relies heavily on volunteer effort and this has enabled the established groups to continue growing and become sustainable.

### Health Walking in Lincolnshire

#### Key Facts:



- Walker numbers have increased from 517 in March 09 to 1694 in March 12.
- There were 2555 individual active walkers in 2011/12.
- An average of 14 people attend each walk.
- 72% of walkers are female.
- Many of the participants are older people.
- The scheme has proved an effective method of reaching people in deprived wards

## Improving Lincolnshire's Walking for Health Network – Case Study

The County Council worked with the Lincolnshire Primary Care Trust during the implementation of the first RoWIP to develop the county's walking for health network. During 2008/09 nearly 500 miles of routes were surveyed throughout the county to identify areas for improvement. This enabled the implementation of a targeted programme of works designed at improving the accessibility of the network.

The network improvements included;

- 52 stiles replaced with kissing gates,
- 1km of surface improvement works undertaken,
- 4 bridges replaced,
- 3 bridges upgraded,
- 2 boardwalks installed,
- Funding provided to the Boston Woods Trust to enable improved access to the Westgate Wood extension,



**SI 8** Encourage the use of the public rights of way network to enhance health and well-being.

**SI 9** Work with partners to support and expand the Walking for Health scheme and develop other initiatives in Lincolnshire.

**SI 10** Work with walking for health groups to identify improvements to the health walking network and implement appropriate schemes depending on the availability of resources.

## PART 2

- **Implementation Plan**
- **Reporting and Monitoring**

## Implementation Plan



The County Council is required to prepare a statement of the actions it proposes to take in securing an improved network of local PRoW.

The improvements in the Implementation Plan are grouped into 3 themes;

**Theme 1 – Network Improvements**

**Theme 2 – Improved Customer Service**

**Theme 3 – Social Inclusion**

The 3 themes are designed to reflect recent changes in the management of PRoW and the need to find more customer-focussed and efficient methods of delivering the service.

**Partners:** RoWIP2 has an increased focus on achieving goals and objectives through working in partnership with key stakeholders. This approach will provide best value and improved efficiency in the delivery of the RoWIP. The delivery partners for each action are indicated in the Implementation Plan.

Key partners will be:

Town and Parish Councils – **PC**  
Parish Paths Partnerships groups – **P3**  
User Groups – **User**  
Green Infrastructure Projects – **GIP**  
Voluntary Groups – **Vol**  
Local Access Forums – **LAF**  
District and Borough Councils - **DC**  
Natural England - **NE**  
Farmers and Landowners - **Land**  
Disability Groups – **Dis**  
Highways Agency – **HA**  
Lincolnshire Road Safety Partnership - **LRSP**  
Network Rail – **NR**  
Neighbouring Local Authorities – **NLA**  
Developers - **Dev**  
Walking for Health Groups – **WHG**  
Lincolnshire County Council Public Health - **PH**

**Timescales:** The timescales indicated are indicative only and it is acknowledged that the legal processes involved are often subject to lengthy timescales and the overall delivery of the plan is dependent on the identification of suitable resources.

**Cost:** It is difficult to include precise figures for all of the identified action points. The following symbols have been used to indicate potential costs.

**0** A project that does not cost anything other than existing resources

**£** A small project probably costing less than £5,000

**££** A project probably costing between £5,000 and £50,000

**£££** A project probably costing more than £50,000

**£** denotes projects funded by Lincolnshire County Council

**£** denotes partnership funding by Lincolnshire County Council and external bodies

**£** denotes projects funded wholly by external bodies.

THEME 1: Network Improvements					
Area for Improvement	Actions		Partners	Timescales	Cost
Infrastructure Improvements	NI 1	The County Council will work with parish councils and community groups to deliver community-led schemes which can meet local demand and lead to greater use.	PC, P3, User, GIP, LAF, Land,	Ongoing	£££
	NI 2	Reduce the number of unnecessary barriers – remove stiles where practical and replace with gaps, gates or kissing gates to increase accessibility.	PC, Land, Vol, P3, WHG	Ongoing	££
	NI 3	The County Council will aim to prioritise and implement improvement suggestions included in community and village plans.	PC, P3, Land	Ongoing	£££
Enforcement	NI 4	The County Council will provide effective enforcement on the public rights of way network by prioritising customer reports.	PC, User, Land	Ongoing	0
Safety	NI 5	Examine opportunities to improve road safety on the public rights of way network and implement appropriate schemes depending on the availability of resources.	User, LRSP	Ongoing	£££
	NI 6	The County Council will work with the Highways Agency to identify and implement safety improvements at locations where the public rights of way	User, HA	2017	£££



		network intersects with the A1.			
	NI 7	Continue to seek opportunities to encourage responsible, safe and courteous road use by drivers and all users.	User, LRSP	2017	£
	NI 8	The County Council will continue to work with Network Rail to improve public safety at level crossings on Lincolnshire's public rights of way network.	User, NR	Ongoing	£££
Green Infrastructure	NI 9	Identify and Improve off-road routes linking communities with schools, employment centres and local services.	PC, User, GIP, Land	Ongoing	£££
	NI 10	Seek improvements for non-motorised travel in proposals for new developments. Schemes funded through developer contribution.	LAF, Dev, DC	Ongoing	£££
	NI 11	Identify and develop circular and linear recreational routes to and from the countryside and tourism sites with appropriate green infrastructure partners.	LAF, PC, P3, User, Land, GIP, Vol	Ongoing	£££
	NI 12	Improve access to, and within, green infrastructure areas for all members of society, including disabled users.	PC, User, GIP, LAF, Land, Dis	Ongoing	£££
	NI 13	Assist in the development of the Lincolnshire section of the National Coastal Trail.	User, GIP, LAF, NE, Land	Ongoing	£££
	NI 14	To work with Natural England and the Coastal Grazing Marshes Project to	GIP, NE	2015	£

## Rights of Way Improvement Plan 2014 -19

		maximise the access opportunities on Theddlethorpe and Saltfleetby Dunes NNR.			
Unclassified County Roads	NI 15	Utilising the volunteer network, establish an inspection regime of the recreational Unclassified County Road network.	User, Vol,	2014	£
	NI 16	Complete the programme of UCR signage on UCRs with recreational value.	User, Land	2014	£
	NI 17	Produce a digital layer of UCRs considered to be important recreational highways.	User	2014	0
Policy Context	NI 18	To work with planning authorities and developers to identify and promote opportunities for sustainable access, recreation and movement to encourage healthy lifestyles and wellbeing for communities in Lincolnshire.	Dev, GIP, DC	Ongoing	£££
	NI 19	To work with planning authorities and developers to enhance rights of way and cycling networks across Lincolnshire to encourage a modal shift to walking and cycling.	DC, GIP, Dev	Ongoing	£££

THEME 2: Improved Customer Service					
Area for Improvement	Actions		Partners	Timescales	Cost
Reporting	CS 1	Publish a Public Rights of Way Customer Service Charter.	User, LAF	2015	0
Mapping Accuracy	CS 2	Continue to prioritise and address the current backlog of applications for Definitive Map Modification Orders.	User, LAF	Ongoing	0
	CS 3	Ensure new applications for Definitive Map Modification Orders are given higher priority where they result in the enhancement of the existing public rights of way network.	User, GIP, LAF, Land	Ongoing	0
	CS 4	Seek resolution of cross-boundary issues and anomalies concerning the recorded status of rights of way.	PC, User, LAF, NLA	2016	££
Technology	CS 5	Maximise the potential of the Internet and other media to provide information about the public rights of way network and countryside access.	User, GIP	Ongoing	£
	CS 6	Develop the Countryside Access Map to incorporate greater functionality and reliability.	User, LAF	2016	££
	CS 7	The authority will co-ordinate with other agencies to provide access data, including the exchange of information.	User, GIP, NE, NLA,	Ongoing	0
Customer Focussed Policies and Working Practices	CS 8	Produce relevant policies which are clear and contain accessible information about the public rights of	User, LAF	Ongoing	0

		way function.			
Information Provision	CS 9	The County Council will help people to understand the public rights of way network and use of the countryside.	PC, P3, User, LAF, NE	Ongoing	0
	CS 10	The County Council will work with partner organisations to create promoted walks and rides in green infrastructure areas.	GIP	Ongoing	££
	CS 11	Undertake a full review of the Viking Way.	User, GIP, Vol, Land, NLA	2016	££
	CS 12	Examine ways of producing material in a wider range of formats so that it appeals to a broader range of interests and needs.	GIP, Dis, User, Vol	Ongoing	£

THEME 3: Social Inclusion					
Area for Improvement	Actions		Partners	Timescales	Cost
Equality and Diversity	SI 1	Develop a range of key routes that meet the needs of restricted mobility users and publicise these with disability groups.	User, GIP, Dis	2015	££
	SI 2	Continue to work towards promoting the countryside and rights of way access to the widest possible audience.	GIP, LAF	Ongoing	££
Community Involvement	SI 3	Continue to utilise volunteer effort for the undertaking of public rights of way conditions surveys.	User, Vol	Ongoing	£
	SI 4	Continue to support and develop the Countryside Access Volunteer scheme.	Vol	Ongoing	£
	SI 5	Explore additional opportunities to utilise volunteer work groups to undertake practical public rights of way maintenance and improvement tasks.	P3, Vol, Users	Ongoing	£
	SI 6	Seek further opportunities to expand the contribution which volunteers make to the management of the public rights of way network.	PC, P3, User, GIP Vol	Ongoing	£
Parish Councils	SI 7	Seek opportunities to develop the Parish Paths Partnership scheme to enhance its community benefit.	PC, P3	Ongoing	££
Health Agenda	SI 8	Encourage the use of the public rights	WHG, PH	Ongoing	££

		of way network to enhance health and well-being.			
	SI 9	Work with partners to support and expand the Walking for Health scheme and develop other initiatives in Lincolnshire.	WHG, PH, Vol	Ongoing	££
	SI 10	Work with walking for health groups to identify improvements to the health walking network and implement appropriate schemes depending on the availability of resources.	User, WHG, PH, Vol	Ongoing	££

## Reporting & Monitoring



The County Council will undertake regular monitoring in order to maintain an overview of the actions being taken in the implementation of the RoWIP. Annual delivery plans will be published outlining the progress made in the delivery of the improvement plan, which will be published on the Lincolnshire County Council website. Quarterly updates will also be delivered to the Mid Lincolnshire LAF and the South Lincolnshire and Rutland LAF.

The delivery plans will provide detailed information concerning the work undertaken by the County Council and stakeholder groups, including the improvements made during the day-to-day management of the PRow network. In addition to reporting on the successes of RoWIP implementation, annual delivery plans will also identify areas where difficulties have been encountered and look forward to the work required in coming years.

# APPENDICES

- Appendix 1      Bibliography**
- Appendix 2      Glossary of Terms**
- Appendix 3      List of Figures and Maps**



## Appendix 1 Bibliography

Rights of Way Improvement Plans Statutory Guidance to Local Highway Authorities in England - DEFRA

Guidance on Local Access Forums in England – DEFRA

Local Transport Plan and Rights of Way Improvement Plan Integration - Natural England

Guidance on Local Transport Plans – DfT

Guidance on Local Transport Plans and the Natural Environment – Natural England

National Policy Framework – Department for Communities and Local Government

Lincolnshire Rights of Way Improvement Plan 2007-12

Lincolnshire Rights of Way Improvement Plan 2007-2012 – Implementation Review 2012

Lincolnshire Rights of Way Improvement Plan - Stakeholder Consultation Report 2012

Lincolnshire Local Transport Plan 4

Lincolnshire County Council Engagement Policy – 2013

Lincolnshire County Council Use of Volunteers Policy and Guidance – 2010

Lincolnshire County Council Organisational Strategy 2012-15

East Lindsey District Council Steam Report 2012 -Global Tourism Solutions (UK) Ltd

2011 Census for England and Wales

Green Infrastructure Study for Central Lincolnshire – Chris Blandford Associates

Lincolnshire County Council Natural Environment Strategy 2012-2018

Lincolnshire Health Walks Annual Report 2011/12 Lincolnshire Sports Partnership

The Draft Deregulation Bill 2013

Green Infrastructure Guidance – Natural England 2009

Managing Level Crossings: A Guide for Users, Designers and Operators - Office of Rail Regulation

Rights of Way Improvement Plan 2014 -19

## Appendix 2 Glossary of Terms

**Access Land or Open Country** A specific area of land where a right of access on foot applies. The Countryside and Rights of Way Act 2000 defines open country as mapped areas of mountain, moor, heath and down and registered common land.

**AONB (Area of Outstanding Natural Beauty)** An area of countryside designated and protected for its attractive landscape.

**BOAT (Byway Open to All Traffic)** A route which may be used by walkers, cyclists, horse riders, carriage drivers and motor vehicles.

**Coastal Access** The Marine & Coastal Access Act 2009 places a duty on Natural England and the Secretary of State to secure a route around the whole of the English coast: the England Coast Path. The Act also requires that areas of associated spreading room are created wherever possible.

**Countryside Access Map** A map on the County Council's website showing public rights of way and other access opportunities [www.lincolnshire.gov.uk/countryside](http://www.lincolnshire.gov.uk/countryside)

**CRoW (Countryside and Rights of Way Act 2000)** An Act of parliament, which included new duties for highway authorities in England and Wales to publish Rights of Way Improvement Plans (ROWIPS), introduced a new right of access on foot to areas of Access Land, and established Local Access Forums.

**DDA** Disability Discrimination Act 1995

**DEFRA** Department for Environment, Food and Rural Affairs

**Definitive Map and Statement** The legal record of all known public rights of way, showing their position and legal status.

**DfT** Department for Transport

**DMMO (Definitive Map Modification Order)** Legal process used to record a public right of way in the definitive map and statement.

**GIS (Geographical Information System)** Computerised mapping system used by the County Council.

**EA** Equality Act 2010

**Highway Division** Administrative area used by the County Council for the management of the public highway network.

**LAF (Local Access Forum)** A statutory body established under the CRoW Act 2000 to provide strategic advice on the improvement of access to the countryside.

**LTP** Local Transport Plan

**MCAA** Marine and Coastal Act 2009

**MPV** Mechanically Propelled Vehicle Users

**NERC** Natural Environment and Rural Communities Act 2006

**ORR** Office of Rail Regulation

**P3 (Parish Paths Partnership)** A partnership scheme between parish councils and the County Council to look after paths in their area.

**Permissive Path** A path where the landowner has given permission for the public to use the route.

**PPO (Public Path Order)** The legal process to change the existing path network e.g. by diverting or extinguishing routes.

**Public Bridleway** A route used on foot, by cyclists and horseriders.

**Public Footpath** A public right of way which can be used on foot.

**PROW (Public Right of Way)** A way over which the public have a right to pass and repass. Footpath, bridleway, restricted byway or byway open to all traffic.

**Registered Common Land** An area of land shown on the Commons Register. These sites are subject to the new right of access on foot under CRoW.

**Restricted Byway** A public right of way for use by walkers, cyclists, horse riders and carriage drivers. Mechanically propelled vehicles users are not entitled to use these routes.

**RoWIP** Rights of Way Improvement Plan

**STEAM Report** Scarborough Tourism Economic Activity Monitor to calculate the economic impact of tourism

**SUSTRANS** A charity which works with Local Authorities and transport bodies to develop strategy and vision for the delivery of cycling, walking and sustainable travel change.

**UCR (Unclassified County Road)** A minor public highway, commonly referred to as "green lane". Some are unsurfaced.

## Appendix 3 List of Figures and Maps

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**North East Lincolnshire DMMO's (Definitive Map Modification Orders)**

Ref Number	Parish	Location	Effect of Application	Date of Application	Progress Notes
<b>DMMO 3</b>	Grimsby	Humberston Road to Weelsby Woods	Claimed Footpath	20/10/03	This section of path is part of a planned new promoted route within the urban area. The landowner however, is objecting to the claim. This route is well used and will form a valuable connection from the Scartho area to Cleethorpes therefore it is likely that rights can be proven on the basis of commonlaw dedication. Land is being considered for development to include a path along the claimed route - this may resolve this claim.
<b>DMMO 6</b>	Cleethorpes	New Clee Sidings (Fuller Street Bridge to Salvesen Road)	Footpath and Restricted Byway	20/03/08	Order to add a Public Footpath has now been advertised, with a number of objections received. Legal Services now considering those objections. If unresolved, the matter will be referred to the Secretary of State in course.
<b>DMMO 7</b>	Grimsby	Vicarage Gardens/Compton Drive to Bargate	Claimed Footpath	18/03/08	Original claim submitted after landowner planned to lock Kissing Gate at centre of path to restrict access and improve security of Vicarage Gardens. Elderly Vicarage Gardens residents objected due to length of alternative route. Have written to certain providers of evidence forms to arrange meeting to take witness statements. No responses received.
<b>DMMO 8</b>	Grimsby	Macaulay Lane to Newhaven Terrace	Claimed Footpath	17/04/08	Development of section of site has now been approved for creation of a Country Park, which will include provision of a footpath along claimed line. Legal dedication of the path will be pursued with landowner to legalise path as Public Footpath which will resolve claim.
<b>DMMO 9</b>	Grimsby	Ferriby Lane to Bradley	Claimed Bridleway	17/05/08	Path is part of Excluded Area which will be mapped in due course and is already acknowledged on working copy as PROW.

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**Open Report on behalf of Richard Wills - Executive Director - Communities**

Report to: **Mid Lincs Local Access Forum**  
Date: **15 April 2014**  
Subject: **Progress of Definitive Map Modification Orders  
Work from October 2006 – 4<sup>th</sup> April 2014**

**Summary:**

A report on the progress of Definitive Map Modification Order work since the inception of the current prioritisation policy (October 2006 – 4<sup>th</sup> April 2014) and current caseloads

**Recommendation(s):**

That the report is noted

## **1. Background**

As Surveying Authority the County Council has a statutory duty to keep under continuous review the Definitive Rights of Way Map and Statement for Lincolnshire and to make orders to take account of events requiring the map to be modified. This is carried out by the processing of Definitive Map Modification Orders (DMMOs) which are either applied for by the public or initiated by the Authority on the discovery of evidence.

Highways & Traffic Guidance Note HAT33/3/11 sets out that such cases will be dealt with in order of receipt/initiation unless one or more of the eight “exception criteria” apply.

The criteria are as follows:

1. Where there is sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community, and that in processing the case early there is a strong likelihood that this will reduce.
2. Where there is a significant threat to the route, likely to cause a permanent obstruction (e.g. a building, but not, for example, a locked gate or residential fencing).

3. Where there is, or has been, a finding of maladministration by the Local Government Ombudsman on a particular case and that in processing the case the County Council will discharge its duty to the Ombudsman's decision.
4. Where legal proceedings against the County Council are instigated or are likely to be instigated and it is possible that the Authority has a liability.
5. Where there is a risk to children on County Council owned property and land or where the claimed route would provide for a safer alternative route to a school, play area or other amenity for children.
6. Where there is a significant financial saving to the County Council (and therefore taxpayers) through the processing of an Order.
7. Where a new application is received that relies on evidence of a case already received or, if the new application forms part of or is adjoining to an existing claim, the new claim will be dealt with at the same time as the older application.
8. Where the route will significantly assist in achieving a Countryside and Rights of Way Improvement Plan Objective or Statement of Action.

The above numbered exception criteria do not cover every eventuality and it is recognised that in exceptional circumstances there may be other reasons why it would benefit the public for a case to be considered out of normal order. Officers will not prioritise any case under such circumstances and any appeal will only be considered by the Definitive Map & Statement of Public Rights of Way Sub-Committee.

Initially the priority of a case is set by Officers however there is a right of appeal for any affected persons whereby a decision is made by the Definitive Map & Statement of Public Rights of Way Sub-Committee.

Appendices A, B and C to this report outline the progress that has been made over since the inception of the revised Schedule of Priorities and 4<sup>th</sup> April 2014.

## **2. Conclusion**

That the Rights of Way & Countryside Access Section has continued to make progress against casework backlogs.

## **3. Consultation**

### **a) Scrutiny Comments**

### **b) Executive Councillor Comments**

**c) Local Member Comments**

**d) Policy Proofing Actions Required**

n/a

**4. Appendices**

These are listed below and attached at the back of the report	
Appendix A	Schedule of Modification Order Cases Completed October 2006 April 2014
Appendix B	Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.
Appendix C	Outstanding Modification Order Cases

**5. Background papers**

The following background papers as defined in the Local Government Act 1972 were relied upon in the writing of this report.

Highways & Traffic Guidance Note 33 – Prioritisation of Definitive Map Modification Orders - <a href="#">HAT 33/3/11</a>
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This report was written by Chris Miller, Countryside Access Manager, who can be contacted on 01522 782070 or countryside\_access@lincolnshire.gov.uk.

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 1<sup>st</sup> October 2012

<b>CASES WHERE AN ORDER WAS NOT MADE</b>				
Parish	Further details	Formal Application?	Decision Date	Reason not made
Careby, Aunby & Holywell	Reclassification of RB1	No 24/10/1996	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Bassingham	Reclassification of RB 5	No 13/1/1998	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Bassingham	Reclassification of RB 4	No 12/06/1996	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Billingborough	Reclassification of RB 10	No 02/05/1996	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Ruskington	Downgrading of RB 127	Yes 02/02/1987	23/01/2007	Insufficient evidence
Horncastle	Claimed Public Footpath	Yes 01/10/1991	06/06/2007	Insufficient evidence
Wrangle	Claimed Public Footpath	Yes 17/09/1994	04/07/2007	Claimed path dedicated by landowner instead (PF987)
Godby / Owersby	Claimed Public Footpath & BOAT- Washdyke Lane	Yes 05/12/1990	03/07/2007	Decision not to make, no appeal by applicant
Old Somerby	Upgrade to BOAT status	Yes 07/11/2002	02/10/2007	DEFRA upheld decision, insufficient evidence
Copsley & Humby	Re-alignment/diversion of PF1	No 25/08/2005	18/03/2008	Realignment not necessary - requires diversion order
Uffington	Realignment of PF 10 (Main Rd to Turnpike Rd)	No 31/01/2007	01/08/2008	Insufficient evidence
Ingham	Claimed BOAT across Ingham village green	Yes 14/07/2003	09/10/2008	Legal Issue regarding Village Green status
Steaforth	Claimed Public Footpath from Millfield Terrace to Eastgate through the cemetery	Yes 30/10/2007	10/11/2010	DEFRA upheld decision, insufficient evidence
Lincoln	Claimed Public Bridleway from Wragby Rd to Greetwell Rd	Yes 22/06/2002	15/02/2011	Insufficient Evidence
Timberland	Claimed Public Footpath from Church Lane	No 05/08/2010	10/12/2010	Insufficient Evidence
Cherry Willingham	Claimed Public Footpath from Fiskerton Road to the River Witham	Yes 19/01/2005	14/6/2011	Insufficient Evidence – DEFRA Dismissed applicants appeal
Stamford	Claimed Footpath from Walcot Way over the former quarry	Yes 23/04/2003	2/6/2011	Insufficient Evidence
Leasingham	Proposed downgrading of RB to Public Footpath status	Yes 27/7/1983	17/10/2013	Insufficient Evidence

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 1<sup>st</sup> October 2012

<b>CASES WHERE AN ORDER HAS BEEN SUCCESSFULLY CONFIRMED</b>				
Parish	Further details	Formal Application?	Date of Confirmation	Notes
Hough on the Hill (Gelston)	Realignment of Public Footpath 9	Yes 12/02/2002	17/01/2007	
Halton Holegate	Claimed Public Footpath from PF160 to Highfield Lane	Yes 03/07/2002	05/03/2007	
Sleaford	Public Footpath 12 to Boston Rd and Recreation Ground	Yes 21/06/1999	16/03/2007	
Sleaford	Deletion of Public Footpath 11	No 12/10/2006	18/04/2007	
Waddingham	Claimed Public Footpath from Joshua Way to The Green	Yes 15/05/2000	20/04/2007	
Anderby Creek/Huttoft	Claimed Public Footpath Anderby creek and Moggs Eye	No 21/08/1996	23/04/2007	
Snitterby & Waddingham	Claimed Public Footpath from Carr Lane to Black Dyke	Yes 15/11/1997	02/05/2007	
Snitterby & Waddingham	Claimed Public Footpath from Carr Lane to Green Lane	Yes 15/11/1997	02/05/2007	
Uffington	Claimed Public Footpath from Casewick Lane to School Lane, across school playing field	Yes 06/09/1999	05/06/2007	
Bolinghay	Claimed Public Footpath from St Michaels Close to Playing Field	Yes 04/06/1998	08/06/2007	
Corby Glen	Realignment of Public Bridleway 58	No 11/06/2007	11/06/2007	
West Keal	Claimed Public Footpath to Old Bolingbroke ( Hall Hill - the Point)	Yes 20/08/2007	20/08/2007	
Backnall	Claimed Public Footpath from church to Road	Yes 20/07/1992	21/08/2007	
Burton	Claimed Public Bridleway from A 57 to PF 229	Yes 27/08/1987	21/09/2007	
Mablethorpe and Sutton	Claimed Public Footpath from Station Rd to Camelot Gdns	Yes 15/11/1993	12/11/2007	
Heighington	Claimed Public Footpath from Bardney Road to Brinkle Springs Lane	Yes 20/08/2000	15/11/2007	Confirmed by Secretary of State
Torksey/Brampton	Claimed Public Footpath from West Station Road to Brampton village	Yes 08/03/1999	30/10/2007	Confirmed by Secretary of State
Sleaford	Claimed Public Bridleway from Bullock Pasture Lane to Mareham Lane	Yes 27/06/1991	07/01/2008	Confirmed by Secretary of State
Burgh-le-Marsh	Claimed Public Footpath from Jacksons Lane	Yes 10/02/1987	15/01/2008	
Belton & Manthorpe	Claimed Public Footpath from Low Rd to High Rd (known as "The Steps")	Yes 25/10/2001	07/02/2008	Confirmed by Secretary of State
Burgh-le-Marsh	Claimed Public Footpath from Gravel pits to PF 240/241	No 02/02/1987	30/05/2008	
Corby Glen	Deletion of part of Public Footpath 7 in Corby Glen	No 02/03/2007	05/06/2008	
Washingborough	Claimed BOAT - North Dales Road	Yes 22/05/1989	09/06/2008	
Skellingthorpe / Lincoln	Claimed Public Footpath alongside Catchwater Drain	Yes 17/11/1989	27/06/2008	
Castle Bytham	Deletion of Public Footpath No. 12	Yes 31/10/2005	28/07/2008	

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 1<sup>st</sup> October 2012

North Somercotes	Claimed Public Footpath from Keeling St to Rd	Yes 02/02/1991	27/11/2009	Secretary of State confirmation as Public Bridleway
Spilsby	Claimed Public Footpath from Halton Rd to PF 160	Yes 22/02/1989	12/01/2010	
East Barkwith	Claimed Public Footpath from Village Green on Torrington Lane to church yard	Yes 24/07/1992	06/05/2010	
Newton & Haceby	Upgrade of Restricted Byway 11 to BOAT Newton to A15	Yes 27/05/2004	10/08/2010	Sch. 14 appeal - Directed to make Order
Newton & Haceby / Walcot	Upgrade of Restricted Byway 2 and Public Bridleway 3 "Green Lane"	Yes 27/05/2004	10/08/2010	
Dogdyke (Chapel Hill)	Realignment of Public Footpath from Crown Inn to River Witham	Yes 14/10/2002	17/08/2010	
Lea	Addition of PB from Lea Plantation to New Plantation	Yes 28/07/2006	07/10/2010	Confirmed as PF only
Carlton Scroop	Addition of Public Bridleway (upgrading from PF in part)	Yes 17/05/2000	11/11/2010	Secretary of State confirmation as Restricted Byway
Waddingham	Realignment of Public Footpath No. 73	No 29/01/1993	02/02/2011	
Bardney	Addition of Public Bridleway	Yes 20/04/1987	09/03/2011	Secretary of State confirmation as Public Bridleway
Wellingore	Claimed BOATS – North Hill Foot Lane and North Hill	Yes 16/08/1999	23/03/2011	Confirmed as Restricted Byway by Sec. of State following objections to modification to RB Status not being upheld
Mymby	Realignment of Public Footpath No. 59	Yes 29/09/2007	15/04/2011	Realignment Confirmed
Woodhall Spa	Claimed Footpath from Tattershall Rd to Abbey Lane	Yes 20/05/1989	08/08/2011	Confirmed (in part Abbey Lane to Church only) following written representations procedure by the Secretary of State
Harmston	Addition of claimed PF from Coleby PF2 to Grantham Rd.	No 07/12/2009	06/10/2011	Confirmed by Secretary of State
Horncastle	Claimed Public Footpath – Holt Lane to Banovallum Gardens	Yes 18/03/2003	23/07/2012	Confirmed with modifications by Secretary of State
Opby	Realignment of PF 328	Yes 1/11/2010	4/12/2012	Realignment Confirmed
Wrangle	Claimed Byway Open to All Traffic - Cockle Alley	Yes 5/9/2005	21/6/2013	Confirmed as Public Bridleway only based on evidence
Caistor	Claimed Public Footpath from Plough Hill to Buttermarket	Yes 18/9/2009	9/9/2013	Confirmed after withdrawal of objections
Holbeach	Claimed Public Footpath from Stukeley Hall Drive to Langwith Gardens	Yes 18/1/2002	27/1/2014	Confirmed after withdrawal of objections

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 1<sup>st</sup> October 2012

<b>CASES WHERE AN ORDER WAS NOT CONFIRMED</b>				
Parish	Further details	Formal application?	Decision Date	Notes
Sutton St Edmund	Claimed BOAT - Hallgate Road	No 31/10/1988	19/09/2008	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from County boundary to Brewer's Grave	Yes 25/03/1999	23/01/2009	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from Village Street to Brewer's Grave	Yes 23/12/2001	23/01/2009	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from Church to Brewer's Grave	Yes 23/12/2001	23/01/2009	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from Chequers Inn to Brewer's Grave	Yes 23/12/2001	23/01/2009	Not confirmed by Inspector
East Stockwith	Realignment of Public Footpath No. 37	Yes 23/12/2001	03/06/2009	Order incapable of being confirmed, owing to drafting error
Kirkby Underwood	Deletion of Public Footpath 7	Yes 18/04/1983	14/09/2009	Not confirmed by Inspector
Temple Bruer with Temple High Grange	2 Claimed BOATs - Cocked Hat Plantation	No 06/02/1985	28/09/2010	Not confirmed by Inspector
Mablethorpe	Claimed Public Footpath from Queensway to King Georges Field	Yes 15/08/2005	19/05/2011	Not confirmed by Inspector – Insufficient evidence to prove a specific route
Pawton & Haceby	Upgrade of Restricted Byway 11 to BOAT Newton to A15	Yes 27/05/2004	15/06/2011	Not confirmed by Inspector – Insufficient Evidence (LCC objected after having been made to make the order on appeal by the applicant)
Manby	Claimed Public Footpath between Chapel Lane and Public Footpath 218	Yes 27/04/1984	30/03/2012	Not confirmed by Inspector
South	Claimed Public Footpath from Kiln Lane to High Holme Road	Yes 25/04/2007	20/04/2012	Not confirmed by Inspector
Langrville	Leagate Rd to Mere Booth Rd.	Yes 26/07/1983	19/06/2012	Not confirmed by Inspector
North Hykeham / Lincoln	Station Road to Clarke Road	No	25/01/2013	Not confirmed by Inspector
Anderby	Sea Road to Creek Outfall	Yes 25/7/1983	23/4/2013	Not confirmed by Inspector – Insufficient Evidence
Stamford	Welland Mews to Water Meadows	Yes 8/2/2007	28/6/2013	Not confirmed by Inspector – Considered to be operational railway land
Holbeach	Woodhouse Lane to Hurn Bank	Yes 14/6/1983	31/7/2013	Not confirmed by Inspector – Insufficient Evidence
Wickenby	Wickenby Railway Bridge to Wickenby Wood Corner	Yes 11/12/1990	18/3/2014	Not confirmed by Inspector – Insufficient Evidence

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 1<sup>st</sup> October 2012

<b>CASES CURRENTLY SUBMITTED TO THE SECRETARY OF STATE</b>				
<b>Parish</b>	<b>Further details</b>	<b>Formal application?</b>	<b>Date Submitted</b>	<b>Notes</b>
Waddington	Reclassification of RB 10	No	19/4/2013	Written Representations – Start Date 7/1/2014
Saltfleet / Skidbrooke	PB from Sea View to Gowts Farm	Yes 6/8/1991	27/9/2013	Public Inquiry due 16/9/2014

The current Schedule of Priorities policy is now five years old (albeit with some minor alterations since the original of 2006). In that time Lincolnshire County Council has resolved the following:

- Cases resolved by determining that insufficient evidence exists to warrant the making of an order **18**
- Cases resolved following the confirmation of an order **44**(11 by Secretary of State)
- Cases resolved following the non-confirmation of an order **18**
- Cases currently outstanding with the Planning Inspectorate on behalf of the SoS **2**
  
- Total cases **82**
  
- New Cases received since October 2006 **55**
- New Cases received since 1st April 2013 **3**



Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

Since the inception of the current prioritisation policy the Definitive Map & Statement of Public Rights of Way Sub-Committee has heard appeals on a total of 12 cases. The following is a synopsis of the progress made on those specific cases.

**1<sup>st</sup> March 2007**

Horncastle – Claimed Public Footpath along Holt Lane to Banovallum Gardens

At the time of this sitting of the sub-committee this case was number 74 on the priority list. The sub-committee declined the appeal as it was felt that the case was likely to be dealt with in a short timescale

As the case had not been processed a further review of the decision was made at the sitting of the sub-committee on 30<sup>th</sup> June 2008 – see below.

Mablethorpe and Sutton – Claimed Public Footpath from Queensway to King George's Field

This case was number 142 on the priority list. The sub-committee allowed the appeal on the grounds that there was evidence that there was “Significant threat to the route and likely to cause a permanent obstruction with no means of resolving the problem by way of diversion “.

The Statement of Reasons for this case was submitted to the Secretary of State on 27<sup>th</sup> April 2010. The Order was **NOT CONFIRMED**

**4<sup>th</sup> June 2007**

Stamford – Claimed Public Footpath from Welland Mews to Lower Stamford Meadows

This case was number 168 on the priority list. The sub-committee declined the appeal as it was felt that the submitted petition was not representative given the size of Stamford as a town.

Since this time a second appeal was made following the inclusion of the new exception criteria 8 in 2009. Officers accepted that the claimed route would have a significant impact on the implementation of the Countryside Access & Rights of Way Improvement Plan. **NOT CONFIRMED BY SoS – Deemed to be operational railway land**

**10<sup>th</sup> January 2010**

Eagle & Swinethorpe / Swinderby: Claimed Public Bridleway from Southern lane to Public Bridleway 12 (Morton Lane)

This case was number 110 on the priority list. The sub-committee allowed the appeal on the grounds that there was “sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community, and that in processing the case early there is a strong likelihood that this will reduce”.

Having conducted the relevant research the County Council felt that the evidence suggested that restricted byway rights, rather than public bridleway rights, existed. The order was **CONFIRMED**

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

Sleaford – Claimed Public Footpath from Millfield Terrace to Eastgate

This case had not been prioritised by officers at the time of the sitting of the sub-committee. The appeal was allowed on the grounds that there was “a risk to children on County Council owned property or where routes are likely to be used by children to provide safe access to schools, play areas or other local amenities”.

Following the relevant research the County Council concluded that the submitted evidence did not show that any public right of way existed. The applicant exercised their right to appeal this decision to the Secretary of State in January 2009. the appeal was not upheld and the **ORDER WAS NOT MADE**

**30<sup>th</sup> June 2008**

Lea – Claimed Public Bridleway from Lea Park to new plantation off Willingham Road, (nr Gainsborough)

This case was number 147 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

Since this time a second appeal was made following the inclusion of the new exception criteria 8 in 2009. The sub-committee allowed this appeal at the sitting of 14<sup>th</sup> September 2009 on the grounds that the claimed route would have a significant impact on the implementation of the Countryside Access & Rights of Way Improvement Plan.

After conducting research and assessing the evidence the County Council made an order on 16<sup>th</sup> July 2010. The Order was **CONFIRMED**

Horncastle – Claimed Public Footpath along Holt Lane to Banovallum Gardens

See above.

The sub-committee prioritised the case on the grounds that new information suggested that there was “a risk to children on County Council owned property or where routes are likely to be used by children to provide safe access to schools, play areas or other local amenities”.

The case has been **CONFIRMED** with modifications following submission to the Secretary of State.

**19<sup>th</sup> January 2009**

Burgh le Marsh – Claimed Public Footpath from Faulkners Lane to Orby Road.

This case was number 77 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

No further progress has been made on this case.

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

Dogdyke (Chapel Hill) – Claimed Public Footpath from The Crown Inn Public House to the River Witham.

This case was number 94 on the priority list. The sub-committee allowed the appeal on the grounds that legal proceedings against the County Council were likely to be instigated and it is possible that the Authority has a liability.

Following the relevant investigations the County Council made an order on 1<sup>st</sup> June 2010 and, with no objections being made, the Order was **CONFIRMED**

**29<sup>th</sup> June 2009**

Lincoln - Claimed Public Footpath from Dunkirk Road to Breedon Drive

This case was number 141 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

No further progress has been made on this case.

Mumby - Realignment of Public Footpath No. 59

This case was number 142 on the priority list. The sub-committee allowed the appeal on the grounds that legal proceedings against the County Council were likely to be instigated and it is possible that the Authority has a liability.

Following investigation an Order was made and with objections withdrawn the Order was **CONFIRMED**.

**14<sup>th</sup> September 2009**

See 30<sup>th</sup> June 2008 above

**12<sup>th</sup> October 2009**

Raithby & Hundleby – Claimed Byway Open to All Traffic (BOAT) & upgrade of Public Bridleway No 133 to BOAT

This case was number 155 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

No further progress has been made on this case although it has been subject to protracted correspondence and a corporate complaint. The applicant also exercised their right of appeal to the Secretary of State following the expiration of one year since the application was made. The Secretary of State felt that LCC's Schedule of Priorities was fair and declined to order that a decision be made.

**4<sup>th</sup> October 2010**

Caistor – Claimed Public Footpath between Buttermarket & Plough Hill

This case was number 153 on the priority list. The sub-committee allowed the appeal on the grounds that there was "sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community,

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

and that in processing the case early there is a strong likelihood that this will reduce”.

**CONFIRMED following the withdrawal of objections**

**5<sup>th</sup> September 2011**

Mablethorpe & Sutton – Claimed Public Footpath from Sandhurst Road to the Promenade

The case was 129 on the priority list. The sub-committee did not allow the appeal based on the grounds that there was “sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community, and that in processing the case early there is a strong likelihood that this will reduce” also the Town Council felt that the claimed route may be useful to the fire-brigade in dealing with the regular arson attacks to the beach huts at Sandilands.

Wrangle – Claimed Byway Open to All Traffic “Cockleshell Alley”

This case was number 94 on the priority list. The sub-committee allowed the appeal on the grounds that there was “sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community, and that in processing the case early there is a strong likelihood that this will reduce”.

**CONFIRMED as a Public Bridleway on the strength of available evidence**

**3<sup>rd</sup> October 2011**

Bourne – Claimed Footpath from Beaumont Drive to Bourne Woods (No.142 on the Priority List).

This case was number 142 on the priority list. The sub-committee deferred its decision pending the planning decision due to be considered by South Kesteven District Council. Having received this no further action is currently required.

Holbeach – Claimed Footpath between Langwith Gardens & Stukeley Hall Drive

This case is number 67 on the priority list. The sub-committee allowed the appeal on the grounds that there was “sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community, and that in processing the case early there is a strong likelihood that this will reduce”

The case has now been allocated to a case officer and is in progress.

**16<sup>th</sup> July 2012**

Sturton by Stow – Claimed Public Footpath from Bransby to Tillbridge Lane

The case is at No.124 on the priority list. The sub-committee did not allow the appeal as it did not consider that the planning permission granted for the land adjacent had an effect on the right of way

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

**5<sup>th</sup> November 2012**

Utterby – Claimed Public Footpaths Grange Lane to Holywell Lane and Former Railway

The Committee allowed the appeals for these two separate cases and were in agreement with the applicant that the routes fulfilled Criteria 8 “*Where the route will significantly assist in achieving a Countryside and Rights of Way Improvement Plan Objective or Statement of Action*”.

The case has now been allocated to a case officer and is in progress. User interviews are complete and Orders have been made.

Colsterworth – Deletion of Public Footpath No. 14

The Committee allowed the appeal on the basis that it felt that the route was the subject of much local concern and had given rise to a number of incidents of ill-feeling in the community and had become a particular problem for the occupiers.

The case is at No.3 in the priority list and has been allocated to an officer.

**8<sup>th</sup> April 2013**

Heapham - Variation of Particulars contained in the Definitive Statement for PF 57

The Committee allowed the appeal on the basis that it felt that the route was the subject of much local concern and had given rise to a number of incidents of ill-feeling in the community.

The case is at No.9 in the priority list and has been allocated to an officer.

**17<sup>th</sup> March 2014**

Skegness – Claimed Public Footpath Along Sea Bank Adjacent to North Shore Golf Course

The Committee allowed the appeal on the basis that it felt that the route was the subject of much local concern and had given rise to a number of incidents of ill-feeling in the community.

It was also felt that the potential addition of the route to the Definitive Map & Statement may bring benefits to the local economy and PRow network generally and fulfilled a RoWIP aim.

The case is at No.18 in the priority list and awaits allocation to an officer

Appendix C – Outstanding Modification Order Cases

<b>NB: Shading indicates cases being currently progressed by officers</b>				<b>04/04/14</b>		
PF: Public Footpath, PB: Public Bridleway, RB: Restricted Byway, BOAT: Byway Open to All Traffic, PROW: Public Right Of Way						
Parish	File	Status	Further details	Application/Acceptance	Active	Priority Ranking
Waddington	128	RB	RB 10	01/01/1990	Yes	1
Ancaster	2	RB	to BOAT	13/11/1991	Yes	2
Colsterworth / Stainby	259	PF	Colsterworth FP14 & Stainby FP 1(pt)	06/05/2004	Yes	3
Carlton Scroop/Ancaster	308	BOAT	Upgrade of PF 11 & PB 11 in Carlton Scroop and RB 13 in Ancaster to BOAT	20/03/2006	Yes	4
Ancaster	309	BOAT	Addition of a BOAT along Heath Lane in the parish of Ancaster	23/03/2006	Yes	5
Utterby	354	PF	Claimed Footpath from Grange Lane to Holy Well Lane	08/05/2012	Yes	6
Utterby	355	PF	Claimed Footpath from Grange Lane to former railway and beyond	08/05/2012	Yes	7
New Leake	353	PF	Claimed Footpath from Spilsby Rd to Spilsby Rd	30/05/2012	Yes	8
Heapham	360	PF	Variation of Statement for PF 57	20/12/2012	Yes	9
South Willingham / Benniworth	96	PF	Claimed PF from Grange farm, Low Barns to road south of Skirbeck House	30/04/1986	Yes	10
South Willingham	97	PF	Hainton Rd to High St	30/04/1986	Yes	11
South Willingham / Hainton	98	PF	Moors Lane to A157	30/04/1986	Yes	12
South Willingham	99	PF	Moors lane to Poplar Fm	30/04/1986	Yes	13
Saltfleetby St Clement/Skidbrooke with Saltfleet Haven	82	PB	PB from Sea View to Gowts Farm	06/08/1991	Yes	14
Woodhall Spa	193	PF	Mill Lane to R.Witham Bank	12/05/1998	Yes	15
Belton / Gt. Gonerby	12	PF	Belton to Great Gonerby (Gads Lane)	01/11/1983	Yes	16

ACTIVE CASEWORK

## Appendix C – Outstanding Modification Order Cases

Alford	344	BOAT	Claimed BOAT from Hanby Lane to to New Cemetary	01/04/1993	No	17
Skegness	364	PF	Claimed Footpath from PF 969 to PF 301 along sea defence	30/05/2013	No	18
Heydour	48	PF	PF to be diverted - from Southern end of PF 3 to church Lees	01/01/1985	No	19
Aunsby & Dembleby	5	PROW	see file	11/07/1985	No	20
Mablethorpe and Sutton	106	PF	High St to Broadway	16/09/1985	No	21
Grimoldby	43	PF	from Mill Lane	23/10/1985	No	22
Hogsthorpe	49	PF	Sea Lane to Maiden Lane	11/12/1986	No	23
Burgh-le-Marsh	18	PF	Faulkers Lane	10/02/1987	No	24
Stamford	101	PF	Cherry Holt Lane to Priory Rd	03/04/1987	No	25
East Stockwith/ Morton	27	PF	PF from Willowbank Lane to Walkerith Road	04/06/1987	No	26
Linwood / Market Rasen	60	PF	Buslingthorpe R/way Bdge	18/06/1987	No	27
Middle Rasen	72	PF	Caistor Rd to Gatehouse Lane	05/08/1987	No	28
Gainsborough	36	PF	Whites Wood	07/09/1987	No	29
Belchford	11	PB	Ings Lane	25/01/1988	No	30
Skidbrooke with Salthaven	85	PF	The Haven	30/03/1988	No	31
Leasingham	272	PF	Claimed PF from PF2 to PF3 in the Parish of Leasingham	21/10/1988	No	32
Fristhorpe/Buslingthorpe/Lissington etc	32	PB	BW from Lissingley Lane to Shortwood Lane	08/05/1989	No	33
Linwood/Legsby	59	PF	Linwood Church to Bleasby	11/07/1989	No	34
Great Gonerby/Marston	41	PF	Cliff Lane	01/01/1990	No	35
Ston St James	108	BOAT	Badgate	01/02/1990	No	36
Market Rasen/Tealby	68	PF	from PF163	15/03/1990	No	37
Woburn (etc..)	117	BOAT	Ermine St	04/04/1990	No	38
Castle Bytham	136	RB	RB 3	22/10/1990	No	39
Glentham	38	PF	From church gates	07/04/1991	No	40
Middle Rasen	69	PB	PB514 to BOAT	22/05/1991	No	41
Kettlethorpe	55	BOAT	Know as Westmoor Lane	19/08/1991	No	42
Fulletby	35	BOAT	Mill Street	22/05/1992	No	43
Rothwell / Cabourne	81	BOAT	PB24 to BOAT	15/06/1992	No	44
Great Gonerby	40	PF	PF6 to join RB 5	21/12/1992	No	45
Bassingham	9	PF	Claimed PF from Brocklebank Close to playing field	27/10/1993	No	46
Navenby	154	PF	'The Smoots'	22/05/1996	No	47
Fulletby	162	PF	School Lane	10/10/1996	No	48
Beckingham/Brant Broughton	167	PF	PF 5 to BW and missing link	12/12/1996	No	49
Coningsby	182	PF	School Lane to Dogdyke Road	06/11/1997	No	50
Little Carlton/Legbourne	185	PB	'Blind Lane' from PB 624 ( Manby)	22/01/1998	No	51
Uffington	188	PB	Newstead Rd, Belmesthorpe to Seven Acre Wood (county bdy)	30/01/1998	No	52
Louth	186	PB	Grimsby/Louth Railway Line ( part from Keddington Rd crossing to Little Grim	03/02/1998	No	53

## Appendix C – Outstanding Modification Order Cases

Horncastle	195	PF	Boston Road to the Wong	23/05/1998	No	54
Grantham	194	PF	Denton Ave to PF 16	28/05/1998	No	55
Halton Hologate	201	PF	Northorpe Road to Ashby Road	17/08/1998	No	56
Anderby Creek	203	PF	Occupation Road to Beach (via Rowan Court)	10/10/1998	No	57
Rothwell / Swallow	220	PF 23	Realignment of Footpath 23	02/01/2001	No	58
Hundleby	224	PF	PF366	26/02/2001	No	59
Barrowby	237	PF	PF13 to PB, Casthorpe Rd to parish boundary	08/05/2002	No	60
Skillington & Stoke Rochford	239	BOAT	BOAT from Crabtree Rd to parish boundary between Stoke Rochford & Easton	05/06/2002	No	61
Skillington	240	BOAT	Claimed BOAT from Skillington village to "The Drift" along Buckminster Lane	05/06/2002	No	62
Tealby	238	PF	Claimed footpath from footpath 132 through Thorpe Mill to The Road	25/06/2002	No	63
Woolsthorpe by Belvoir	242	BOAT	Claimed upgrade from PB to BOAT "Longmoor Lane"	03/07/2002	No	64
Barrowby/Grantham	245	BOAT	Upgrade of RBs 10 and 922	10/10/2002	No	65
Osournby/Aunsby & Dembleby	248	BOAT	Upgrade from RB (Mickling Meadow Rd)	02/04/2003	No	66
Harlaxton/Grantham	247	BOAT	Claimed BOAT from Gorse Lane to Great North Road)	23/04/2003	No	67
Branston & Mere	253	PF	Claimed PF along bank of river Witham from Bardney bridge to Bardney Lock	29/10/2003	No	68
Spilsby	254	BOAT	Claimed BOAT along Pooles Lane	24/11/2003	No	69
South Somercotes	257	PF	Claimed PF Southfiels Lane / Town street of the Church	02/03/2004	No	70
Norton Disney	263	PB	Claimed PB at Norton Disney Newark Rd to Swinderby Rd	13/05/2004	No	71
Holton Le Clay	266	BOAT	Claimed BOAT "The Smooting" Holton Le Clay	21/09/2004	No	72
Leasingham	267	BOAT	Upgrade of PB 10 Moor Lane to Leasingham Parish Boundary	16/11/2004	No	73
Leasingham / Sleaford	268	BOAT	Upgrade of PB 6 New Lane Claim from Leasingham Parish Boundary	16/11/2004	No	74
Heckington	269	BOAT	Upgrade of PF 3 Heckington Claim from A17 to PF 3 Heckington	15/12/2004	No	75
Smutterby	270	PF	PF from High St to Bridle Walk and PF 70	04/01/2005	No	76
Aslackby & Laughton	277	BOAT	Upgrade of RB 12 to BOAT	22/02/2005	No	77
Pointon & Sempringham / Aslackby & Laughton	276	BOAT	Upgrade RB 9 & 13 to BOAT ( Pethley Lane)	24/02/2005	No	78
Threkingham / Billingborough	275	BOAT	Upgrade PB 4 Claim from Parish boundary to Folkingham Road	25/02/2005	No	79
Allington/Foston	271	BOAT	Upgrade of RB 5 and RB 7 (Marston Lane)	14/03/2005	No	80
Kirkby La Thorpe	274	PF	Claimed PF from The Hoplands to PF 1	17/03/2005	No	81
Belton & Manthorpe / Syston	278	BOAT	Claimed BOAT from Heath Lane to High Dike "Beggars Lane"	13/06/2005	No	82
Asterby	279	PF	Claimed Public Footpath from Goulceby Lane to Public Footpath No.18	18/07/2005	No	83
Ropsley & Humby / Ingoldsby	281	BOAT	Upgrade of PB 30 & PB 14 to BOAT	27/08/2005	No	84
Ingoldsby/Bitchfield & Bassingthorpe	282	BOAT	Upgrade of PB 16 to BOAT and Claimed BOAT	27/08/2005	No	85
Osgodby / Owersby	285	PF 91	PF 91 Osgodby realignment	30/09/2005	No	86
Helpingham	286	BOAT	Upgrade of RB 17 to Boat	23/10/2005	No	87
Pointon & Sempringham/Billingborough	290	BOAT	Upgrade of RB 15 to BOAT & Realign " Primrose Lane"	25/10/2005	No	88
Ropsley & Humby/Boothby Pagnell	287	BOAT	Upgrade of PF27 Ropsley & Humby to BOAT and claimed BOAT in Boothby P	26/10/2005	No	89
Boothby Pagnell/Old Somerby	291	BOAT	Upgrade of PF 7 to BOAT Claimed BOAT from PF7 to BW7 Upgrade of BW7	29/10/2005	No	90
Pointon & Sempringham	289	BOAT	Claimed BOAT from West Road to Pethley Lane	30/10/2005	No	91
Imham/Edenham	294	BOAT	Claimed BOAT from Imham Lane to Bulby Lane, Imham	05/11/2005	No	92
Lenton Keisby and Osgodby	292	BOAT	Upgrade of PB 3 to BOAT	06/11/2005	No	93
Lenton Keisby and Osgodby / Imham	293	BOAT	Claimed BOAT from RB 12 to PB 9 and Upgrade of PB 9 to BOAT	06/11/2005	No	94



## Appendix C – Outstanding Modification Order Cases

Lenton Keisby and Osgodby / Imham	295	BOAT	Claimed BoAT from Imham BR9 to Elsthorpe Road	09/11/2005	No	95
Burton Coggles / Corby Glen	297	BOAT	Upgrade of BC BW1, RB2 & CG RB9	05/12/2005	No	96
Great Sturton/Ranby/Hemingby/Belchford	296	BOAT	Upgrade of RB61 to BOAT	12/12/2005	No	97
Aunsby & Dembleby	298	BOAT	Upgrade of RB5	06/01/2006	No	98
Folkingham	299	BOAT	Upgrade of PF 8 to BOAT	27/01/2006	No	99
Hough on the Hill	300	BOAT	Upgrade of RB22 to BOAT	27/01/2006	No	100
Kirkby Underwood	301	PB	Claimed bridleway from Rippingale Br16 to Stainfield Road	30/01/2006	No	101
Great Gonerby/Barrowby	302	BOAT	Upgrade of RB 7 and PF6 in Great Gonerby and PF 11 in Barrowby to BOATS	07/02/2006	No	102
Lissington/Holton Cum Beckering	303	BOAT	Upgrade of PB 904 in Lissington and PB 904 in Holton Cum Beckering to a B	14/02/2006	No	103
Long Bennington	304	BOAT	Upgrade of RB 12 to BOAT	14/02/2006	No	104
Foston	305	BOAT	Upgrade of PB 3 and RB 5 to a BOAT	16/02/2006	No	105
Westborough and Dry Doddington/ Stubton	306	BOAT	Upgrade of PB 12 (W&DD) and PF 3 & RB 7 (Stubton) to a BOAT	22/02/2006	No	106
Westborough and Dry Doddington/ Stubton / Claypole	307	BOAT	Addition of a BOAT in Westborough and DD, upgrade of RB 5 & 6 in Stubton	22/03/2006	No	107
Searby	311	PB	Addition of a bridleway from Owmy Road to Howsham Lane	03/08/2006	No	108
Lincoln	313	PF	Claimed footpath from Church Drive to Tritton Road, Lincoln	27/12/2006	No	109
Skegness	317	PF	Claimed footpath from Albany Close to Albany Road, Skegness	15/03/2007	No	110
Lutton	325	PF	Claimed footpath from School Lane to Blazegate	17/07/2007	No	111
Gainsborough	319	PF	Claimed footpath from Bowling Green Rd to Bayard StY	20/08/2007	No	112
Lincoln	320	PF	Claimed footpath from Dunkirk Road to Breedon Drive	21/09/2007	No	113
East Ferry	321	PF	Claimed footpath from East Ferry High St. to River Trent (county boundary)	24/09/2007	No	114
Highington	323	PF	Claimed footpath along Bracken Hill Lane and Third Hill Road	04/10/2007	No	115
West Ashby/Fulletby	327	PB	Upgrade of PB No. 57 to RB	28/03/2008	No	116
Sturton by Stow	328	PF	Claimed footpath from Bonniwells Lane (PF82) to Tillbridge Lane	10/04/2008	No	117
Swineshead	329	PF	From Tarry Hill to Station Road	21/07/2008	No	118
Lincoln	330	PF	Claimed Footpath between Skellingthorpe Road and Rochester Drive	30/07/2008	No	119
Mablethorpe and Sutton	331	PF	Claimed Public Footpath from Sandhurst Road to The Promenade	12/08/2008	No	120
Scotter / East Ferry	332	PF	Claimed Public Footpath from Becks Lane to Gainsborough Road	28/08/2008	No	121
Scotton	333	PF	Claimed Public Footpath from Gainsborough road to pf 4	28/08/2008	No	122
Lincoln	334	PB	Claimed Public Bridleway from Boswell Drive to Doddington Road	29/09/2008	No	123
Old Somerby	335	PB	Claimed Public Bridlway from junction of Church Lane and The Pastures to P	15/05/2009	No	124
Ropsley & Humby	337	PB	Claimed Public Bridleway & upgrade of Ropsley FP9 (pt) and FP18 Somerby	15/05/2009	No	125
Snitterby/Bishop Norton	336	PF	Claimed Public Footpath Snitterby Carr PF68 (Brown's Bridge) to Grid Ref TF	06/07/2009	No	126
Upton	338	PF	Claimed Public Footpath from High Street to PF 50	27/07/2009	No	127
Raithby/Hundleby	339	BOAT	From B1195 road along Raithby PB 133 & part Hundleby PB 133 to Raithby d	07/09/2009	No	128
Billingborough	341	PF	Claimed Footpath Low Street to Whiteleather Square	27/01/2011	No	129
Colsterworth	345	PF	Claimed Footpath from Old Woolsthorpe Rd to Bridge End	20/02/2011	No	130
Grantham/Londonthorpe and Harrowby	346	PF	Claimed Footpaths in Londonthorpe and Harrowby	21/03/2011	No	131
Boston	347	PF	Claimed Footpath from Ingelow Ave to Punchbowl Lane	24/06/2011	No	132
Boume	348	PF	Claimed Footpath from Beaufort Drive to Bourne Woods	29/06/2011	No	133
North Somercotes	349	PB	Claimed Bridleway from Warren Road around North Somercotes Warren	09/08/2011	No	134
Heaptham & Upton	350	PB	Claimed Bridleway from Common Lane to Cow Lane	02/12/2011	No	135
Long Bennington	351	PF	Claimed Footpath from Back Lane to PF17	29/02/2012	No	136

## Appendix C – Outstanding Modification Order Cases

Long Bennington	352	PF	Claimed Footpath from Wheatsheaf Lane to PF17	11/04/2012	No	137
Londonthorpe and Harrowby	356	PB	Claimed Bridleway from Tumor Road (RB 6) to Harrowby Lane	19/06/2012	No	138
Benniworth	357	PF	Part of PF9	25/07/2012	No	139
Caythorpe and Frieston	358	PF	Claimed Footpath between Old Lincoln Road and PF4 and PF to PF5	05/10/2012	No	140
Sudbrooke	359	PF	Claimed footpaths in Sudbrooke Park	04/12/2012	No	141
Foston	361	PB	Claimed bridleway from 16 Chapel Lane to Restricted Byway No.5	16/01/2013	No	142
Upton	362	BOAT	Claimed BOAT from Heapham Road to Slingers Wood	11/02/2013	No	143
Louth	363	PF	Claimed deletion of part of PF5 and addition of FP	08/03/2013	No	144
Tetford	365	PF	Addition of missing link to PF 33	30/09/2013	No	145
Welton Le Marsh	367	PF	Claimed footpath from junction of Beck Lane to entrance to Groves Farm, Mill	00/01/1900	No	146
Gainsborough	368	PF	Claimed footpath from Market Place to Caskgate Street	02/10/2013	No	147
Folkingham	369	PF	Claimed footpath from A15 to copse at end of PF3	30/12/2013	No	148

**North East Lincolnshire Public Path Orders**

Ref No.	Location & Path No.	Type of Order	Self Initiated or Application	Progress Notes
PPO 4	Waltham FP72	HA s119	Self initiated	New diversion order has been advertised and objections received. Opposed order has now been referred to the Secretary of State for determination.
PPO 5	Healing FP 46	HA s119	Appl.	Order now confirmed.
PPO 9	Aylesby/Laceby BW 101	s119 & s118		Order now confirmed.
PPO 10	Aylesby/Laceby x2 Creations			Order advertised is unopposed. Looking to confirm shortly.
PPO 12	Immingham FP 13	H A s119	Appl.	Order advertised and 1 unresolved objection remains. About to be referred to Secretary of State for determination.
PPO 14	Ashby Cum Fenby BW91	HA s119	Self initiated	Orders have been made and will be advertised from Monday 7th April.
PPO 15	Stallingborough FP21	HA s118 & s26	Self initiated	Expecting opposition from landowners affected.

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**Open Report on behalf of Richard Wills - Executive Director for Communities**

Report to:	<b>Mid Lincs Local Access Forum</b>
Date:	<b>15 April 2014</b>
Subject:	<b>Progress of Public Path Orders</b>

**Summary:**  
A report on the progress of Public Path Orders

**Recommendation(s):**  
That the report is noted

## 1. Background

The County Council has a power to divert, extinguish or create public rights of way either of its own volition or following an application to do so from the public.

## 2. Summary

The County Council has a current workload of **28** outstanding cases. These include applications for diversions, creations and extinguishments as well as cases directly initiated by LCC.

No. of Applications Received or Cases Initiated Since 1<sup>st</sup> April 2013 – **9**

<b>Maidenwell</b>	<i>Diversion of Public Bridleway of 176</i>
<b>Ewerby</b>	<i>Extinguishment &amp; Creation of PF10</i>
<b>Little Hale</b>	<i>Extinguishment, Creation &amp; Diversion of PF2 &amp;3</i>
<b>Thorpe on the Hill</b>	<i>Diversion of PF4</i>
<b>North Somercotes/Grainthorpe</b>	<i>Diversion of PF18</i>
<b>Lincoln</b>	<i>Diversion of Public Footpath No. 41</i>
<b>Spilsby</b>	<i>Extinguishment of Public Footpath No.37 [Buildings on Paths Project]</i>
<b>Londonthorpe</b>	<i>Extinguishment &amp; Creation of Public Footpath No.2 [Buildings on Paths Project]</i>
<b>Mablethorpe &amp; Sutton</b>	<i>Diversion of Public Footpath No. 323 [Buildings on Paths Project]</i>

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- a) There have been **3** orders confirmed with associated Legal Event Modification Orders since 1<sup>st</sup> April 2013.

<b>Castle Bytham</b>	<i>Diversion of Public Footpath No. 6</i>
<b>Great Gonerby</b>	<i>Diversion of Public Footpath No. 2</i>
<b>Ewerby</b>	<i>Extinguishment &amp; Creation of PF10 – Awaiting new route to be made walkable</i>

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- b) The County Council have confirmed **0** further case and is awaiting confirmation that the new routes are available And Legal Event Modification Orders to be made

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- c) The County Council have determined to take no further action on **0** further cases since 1<sup>st</sup> April 2013

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- d) **0** cases await determination by the Secretary of State

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- e)

	2012-13	2013-14
Orders confirmed & Legal Event Modification Orders completed	5	4
Orders confirmed awaiting Legal Event Modification Orders	3	0
Orders not confirmed	0	0
Cases abandoned	4	1

**f) Synopsis.**

The County Council is currently progressing public path orders across three different areas

- Applications from members of the public where public benefit in the proposal can be demonstrated in line with Council's Rights of Way Improvement Plan.
- Cases that form part of wider green infrastructure schemes (Coastal Country Park, Witham Valley Country Park etc.)
- Cases forming part of wider Council strategies (Road / Rail Partnerships, Environmental strategies)

### **3. Consultation**

**a) Has Local Member Been Consulted?**

n/a

**b) Has Executive Councillor Been Consulted?**

n/a

**c) Scrutiny Comments**

n/a

**d) Policy Proofing Actions Required**

n/a

### **6. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

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