

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

11 July 2016

Mid-Lincolnshire Local Access Forum Meeting

A meeting of the Mid-Lincolnshire Local Access Forum will be held on **Tuesday, 19 July 2016 at 6.00 pm in Meeting Room, Huttoft Village Hall, Sutton Road, Huttoft, nr Alford, Lincs LN13 9RG** 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

Chris Padley, (Users of Local Rights of Way) (Chairman)
Dr Chris Allison, (Users of Local Rights of Way) (Vice-Chairman)
Councillor Denis Colin Hoyes MBE, (Lincolnshire County Council)
Councillor Daniel McNally, (Lincolnshire County Council)
Councillor Iain Colquhoun, (North East Lincolnshire Council)
Sandra Harrison, (Landowners)
Ray Shipley, (Landowners)
Sheila Brookes, (Users of Local Rights of Way)
Deborah North, (Users of Local Rights of Way)
Colin Smith, (Users of Local Rights of Way)
Richard Graham, (Other Interests)
David Mills, (Other Interests)
Katherine Mills, (Other Interests)
3 Vacancies (Land Owners)
2 Vacancies (Other Interests)

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM AGENDA
TUESDAY, 19 JULY 2016**

Item	Title	Report Reference
1	Election of Chairman for 2016/17	
2	Election of Vice-Chairman for 206/16	
3	Declarations of Members' Interests	
4	Minutes of the previous meeting of the Mid Lincolnshire Local Access Forum held on 26 April 2016	(Pages 7 - 14)
5	Update of Action Taken on the Minutes of the Previous Meeting (if not already on the agenda)	
5a	Minute 46 (a) - Obstruction of Route from Saltfleet Paradise (Blackridge) to Seaview Access <i>(Chris Miller, Countryside Services Team Leader, will provide a verbal update of the latest situation)</i>	(Verbal Report)
5b	Minute 46(d) - Lost Ways Update <i>(A report by Colin Smith in connection with the latest situation of Lost Ways)</i>	(Pages 15 - 16)
6	Natural England Local Access Forum Annual Review Form for 2015/16	(Verbal Report)

(Members are requested to give consideration to the questions posed in the email sent to you on 21 June 2016 and to be prepared to respond at the meeting. Details of the questions circulated are as follows:-

- *LAF achievements/making a difference? Please give examples to illustrate how your LAF has improved public access to land for the purpose of open air recreation and the enjoyment of the area*
- *Do you think your LAF has made a difference to public access in your area via its discussions and actions?*
- *What activity did your LAF undertake to help record historical PROW before 2026?*
- *What are your top priorities for the year ahead?*
- *Do you foresee any issues or challenges that may affect your LAFs operation and/or its ability to deliver improvements to public access in the coming year?*
- *Is there any particular support or training that you need to deliver your priorities or work programme for next year?*
- *Summarise any feedback received from section 94(4) bodies)*

- | | | |
|----|---|-----------------|
| 7 | <p>Past Chairman's Report
 <i>(Chris Padley will give a verbal report of his year in office for 2015/16)</i></p> | (Verbal Report) |
| 8 | <p>Danger from Eroded Sides of Tarmac on Carriageways
 <i>(Item brought to the Forum by the Chairman. The background is that many country roads now have deep fissures at the sides of the tarmac. Where there is no footway, and overgrown verge, this is increasingly presenting a hazard for walkers. I am wondering how aware the authorities are of this? It is also one of many issues which raise a question over our contact with Lincolnshire County Council following the transfer (yet again) of its Rights of Way (RoW) team out of highways, since we have an interest in ordinary roads. It also occurs to me that I do not actually know how North Lincs interfaces between its RoW function and other highway authority functions, and I should)</i></p> | (Verbal Report) |
| 9 | <p>Priority 3 Paths with Kirkby on Bain 171 as Example
 <i>(Item raised by the Chairman to consider how Lincolnshire County Council's policy of not signposting or clearing priority 3 paths where there is a blockage is working in practice, and to consider the case of Kirkby on Bain footpath No. 171 which exemplifies some of the issues arising from the policy)</i></p> | (Pages 17 - 18) |
| 10 | <p>Adding sections of the Wolds' Way to the Definitive Rights of Way Map
 <i>(This is an issue which has been raised by Sheila Brookes and Chris Padley will expand further on this matter at the meeting)</i></p> | (Verbal Report) |
| 11 | <p>Joint Annual Report 2015/16
 <i>(Chris Miller will give a verbal report on activities undertaken by the County Council on Public Rights of Way matters in 2015/16 at the meeting)</i></p> | (Verbal Report) |
| 12 | <p>Countryside For All
 <i>(A report by John Laws, a member of the South Lincs Local Access Forum)</i></p> | (Pages 19 - 20) |
| 13 | <p>Lincolnshire County Council Countryside Access and Rights of Way Improvement Plan (ROWIP)
 <i>(Chris Miller will give a verbal report on the latest situation in connection with the County Council's ROWIP)</i></p> | (Verbal Report) |
| 14 | <p>North East Lincolnshire Countryside and Rights of Way Improvement Plan</p> | (To Follow) |
| 15 | <p>Lincolnshire County Council Progress of Definitive Map Modification Orders
 <i>(A report by Chris Miller, Team Leader, Countryside Services, in connection with the latest situation of these Orders)</i></p> | (Pages 21 - 28) |
| 16 | <p>North East Lincolnshire Council Progress of Definitive Map Modification Orders</p> | (To Follow) |

- 17 Lincolnshire County Council Progress of Public Path Orders**
(A report by Chris Miller, Countryside Services Team Leader, in connection with the latest update of these Orders) (Pages 29 - 30)
- 18 North East Lincolnshire Council Progress of Public Path Orders** (To Follow)
- 19 Date and Time of the Next Meeting**

Democratic Services Officer Contact Details

Name: **Steve Blagg**
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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.

All papers for council meetings are available on:
www.lincolnshire.gov.uk/committeerecords

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**MID-LINCOLNSHIRE LOCAL ACCESS
FORUM
26 APRIL 2016**

PRESENT: CHRIS PADLEY (CHAIRMAN)

Representing Lincolnshire County Council: Councillors D C Hoyes MBE and D McNally

Representing North East Lincolnshire Council: Councillor Iain Colquhoun

Representing Independent Members: Dr Chris Allison, Sandra Harrison, Ray Shipley, Deborah North, Colin Smith, Richard Graham, David Mills and Katherine Mills

Officers: Steve Blagg (Democratic Services Officer) and Chris Miller (Environmental Services Team Leader (Countryside Services))

Also in attendance:

44 APOLOGIES FOR ABSENCE

Sheila Brookes (representing independent members) and Nicola Hardy (North East Lincolnshire Council ((Pubic Rights of Way Mapping Officer)

45 MINUTES OF THE PREVIOUS MEETING OF THE MID LINCOLNSHIRE LOCAL ACCESS FORUM HELD ON 19 JANUARY 2016

RESOLVED

That the minutes of the previous meeting of the Mid-Lincolnshire Local Access Forum held on 19 January 2016, be confirmed as a correct record and signed by the Chairman.

46 UPDATE OF ACTION TAKEN ON THE MINUTES OF THE PREVIOUS MEETING

46a Minute 26 (b) Obstruction of Route from Saltfleet Paradise (Blackridge) to Seaview Access

Chris Miller stated that he had been unable to locate the obstruction of the route from Saltfleet Paradise (Blackridge) to Seaview Access and requested that the Forum should provide these details with a grid reference to him and then he would visit the site to investigate the matter.

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A member stated that some access gates on the route had been locked. Chris Miller stated that the Environment Agency had been undertaking work in the vicinity of Donna Nook and had sought restrictions to access due to this work taking place.

Sandra Harrison agreed to send Chris Miller details of the location of the obstruction(s).

46b Minute 28 - The County Council's Budget Proposals for 2016/17

Chris Miller thanked the Forum for responding to the County Council in connection with changes to priorities and timescales of work undertaken by the County Council on Rights of Way.

Chris Miller stated that the County Council's Officers' Group had agreed to maintain the current position on the priorities for 2016/17. However, reductions would still be made to discretionary services, e.g. the Parish Paths project. There was a need for the County Council to manage the reduction in the grass cutting service and this was an issue at Parish level with many Parish Councils having already set their precepts and therefore they did not have funding available to offset the reduction in the service provided by the County Council.

46c Minute 31 - Offer from Network Rail to talk to Local Access Forums about Network Rail's Level Crossing Strategy

The Chairman stated that he was unable to provide an update on this issue because it had been difficult to find the appropriate person to speak to at Network Rail about their level crossing strategy.

The Chairman gave examples of two issues involving Network Rail's level crossing strategy. One was in connection with access for walkers on Waterside South in the Stamp End area of Lincoln and at a level crossing in Cherry Willingham. Both involved the lack of communication between Network Rail and relevant bodies affected by their proposals.

Officers stated similar concerns following Network's Rail's decision to close a right of way across the railway line at Swinderby and their failure to communicate their decision on this matter.

Officers stated that Network Rail's Liabilities Manager played an important role locally but it had been difficult to find out who was responsible for a particular geographical area. Concerns about communication issues had been raised at a national level by the Rights of Way Officer Working Group. Officers stated that the Group hoped to get Network Rail to reduce their use of the Transport and Works Act to avoid public consultation. Officers stated that work was on-going to get a protocol in place on consultation which involved local authorities and Network Rail.

The Forum agreed to the officer's suggestion that a joint meeting of the Local Access Forums should be arranged to examine examples of rights of way problems with

Network Rail and that a representative from Network Rail should be invited to attend when this matter was discussed.

46d Minute 35 - Lost Ways

Officers stated that the British Horse Society was no longer able to provide a training venue or presentation for Lost Ways.

Discussion between the Forum and officers took place and the following matters were raised:-

1. How many people were expected to attend the event? Officers stated that it depended on the size of the venue and interest shown.
2. The event needed to be aimed at people who were prepared to get actively involved and it was suggested that the Local Association of Local Councils could provide a good source of contacts at Parish level.
3. The dissemination of information about Lost Ways was required.
4. It was noted that Parish Councils had an interest particularly as some were in the process of preparing their Neighbourhood Plans.
5. Some Parish Councils had History Groups studying rights of way and this was another source of interest.
5. The end date of 2026 was not far away and it was important that Lost Ways were registered before that date as they could be examined after that date.
6. It was suggested that a small group of interested people could examine this matter in order to produce a blue print which other groups of interested people could then use for guidance purposes.
7. There were some Green Lanes which had no status but they could be used to stimulate interest.

The Forum supported the suggestion of a small group of people being set up to examine this matter and an example was given of a Lost Way at Legsby which could be used as a pilot to carry out an investigation. The Chairman agreed to speak to David and Katherine Mills about the Legsby case.

47 REPORT BY THE CHAIRMAN ON HIS ATTENDANCE AT THE LOCAL ACCESS FORUM'S NATIONAL CONFERENCE IN LEEDS ON 1 MARCH 2016

The Forum received a report from the Chairman on his attendance at the Natural England Local Access Forum conference in Leeds on 1 March 2016.

Comments by the Forum included:-

1. Other bodies existed for disabled people in addition to the Disabled Ramblers Association.
2. The Spa Trail was a good example of provision for all ages and disabilities.
3. The Wolds Walking Festival also provided opportunities for the disabled although it was noted that many of the walks were for health purposes.
4. There was a need for more publicity about disabled walks.

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5. There was provision for the elderly but not much provision for young people with disabilities.

Colin Smith agreed to speak to one of the organisers of the Wolds Walking Festival about the provision for disabled people.

RESOLVED

That the report be noted.

48 LINCOLNSHIRE COASTAL COUNTRY PARK

The Forum received a report from Richard Graham and Colin Smith on the latest developments in the Lincolnshire Coastal Country Park.

Discussion between the Forum and officers ensued in which the following matters were raised:-

1. Had all of the bridges been built or refurbished? Officers provided details of the current situation with the refurbishment of bridges in the Park
2. The current right of way which ran along a former railway line in the Park was being investigated, in consultation with the local Town Council and the Wildlife Trust to see if it could be upgraded to a bridleway.
3. It was noted that the English Coastal Path would run through the Park. Officers stated that the proposed route of this Path north of Skegness was not expected to cause any issues but issues with the route of the Path south of Skegness in the vicinity of the SSSI near Gibraltar Point to the Haven had caused issues with the Wildlife Trust.
4. The issues surrounding the route of the Path near Donna Nook involved the potential disturbance of the seal population.

RESOLVED

That the report be noted.

49 LINCOLNSHIRE COASTAL COUNTRY PARK DIVERSION PROPOSALS

The Forum received details of proposed alterations to rights of way in the Lincolnshire Coastal Country Park being undertaken by Robin Carr Associates.

Discussion between the Forum and officers took place and the following issues were raised:-

1. Officers stated that it had been necessary to have discussions with local land owners and other agencies and therefore progress on improving rights of way access had not been as fast as had been anticipated.
2. Officers stated that that there was the potential for higher rights of way not being recorded and that these could be Lost Ways. Officers stated that if these routes were

discovered they would be investigated when found. In the meantime, there was not a wish to stall progress in the proposals being progressed by Robin Carr's proposals.

3. What were the aims of the project and what issues were trying to be overcome? Officers drew attention in the Consultant's report to examples of proposed improvements to rights of way.

4. Rights of way which either started or finished at Anderby Creek and Huttoft as the main areas of population and popularity were being examined first. Officers stated that consultations between the County Council and land owners on a "give and take" basis was important to avoid Public Inquiries and Richard Graham and Colin Smith had been examining and helping with negotiations in this respect.

RESOLVED

That the work being undertaken by Robin Carr Associates and the support given by the Access and Recreation Task Group, be noted and supported.

50 COUNTRYSIDE FOR ALL

The Forum received a report from John Law, a representative on the South Lincolnshire Local Access Forum, in connection with countryside for all routes.

Discussion between the Forum and officers took place and the following issues were raised:-

1. Which rights of ways were affected by the proposals in the report? Officers stated that the proposals in the report only affected pedestrian rights of way. Also, the proposals in the report were entirely separate to the work of the County Council and was in connection with the current rights of way network.

2. Deborah North expressed a wish to represent disabled people on the Disability Sub-Group established by both Forums.

RESOLVED

(a) That the actions requested by John Law in his report be agreed as follows:-

Both Forums should write to the County Council's Environment and Economic Directorate to request:-

(1) That the disabled road parking for Hubbard's Hills should be repainted.

(2) That the placement of the signage should be investigated and discussed with both Forums, Nettleham Woodland Trust and the Rights of Way team.

(3) That the major potholes in Ashing Lane should be filled.

(b) That Deborah North be nominated to serve on the Disability Sub Group.

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51 NORTH EAST LINCOLNSHIRE COUNTRYSIDE ACCESS AND RIGHTS OF WAY IMPROVEMENT PLAN (ROWIP)

The Forum received a report in connection with North East Lincolnshire's Rights of Way objectives.

Councillor I Colquhoun stated that in connection with the reinstatement of footpath 72 (FP72) the Council had received three applications to change the route of FP72. Discussions were on-going with landowners and the Ramblers and a decision would be made in June 2016.

RESOLVED

That the report be noted.

52 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF DEFINITIVE MAP MODIFICATION ORDERS (DMMOS) WORK

The Forum received a report from the County Council in connection with progress of its Definitive Map Modification Orders.

Officers stated that in connection with case No. 309 (Ancaster), the Order had now been confirmed. Case No. 182 (School Lane to Dogdyke Road, Coningsby) was controversial as residents' gardens were affected.

Discussion between the Forum and officers took place and the following issue was raised:-

There was currently no requirement to reveal that a right of way existed when a local land search was carried out. Officers stated that this situation was about to change with effect from July 2016 and that from this date there would be an obligation for the County Council to reveal if a right of way existed following a search enquiry by a buyer's Solicitor.

RESOLVED

That the report be noted.

53 NORTH EAST LINCOLNSHIRE PROGRESS OF DEFINITIVE MAP MODIFICATION ORDERS (DMMO)

The Forum received a report from North East Lincolnshire's Council on progress of their Definitive Map Modification Orders.

Councillor I Colquhoun stated that in connection with DMMO No. 6 (New Clee Sidings (Fuller Street Bridge to Salvesen Road) the resident had originally applied for three rights of way. ABP had objected and there had been a Public Inquiry and the outcome of the Inquiry had been to approve the Northern 1 route. The Council had made the necessary Order for this route but had then received an objection from ABP

and it had been necessary for another Public Inquiry. Councillor I Colquhoun stated that he was unaware of the Council's current view of this matter.

RESOLVED

That the report be noted.

54 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH ORDERS (PPOS)

The Forum received a report from the County Council in connection with progress of their Public Path Orders.

Officers informed the Forum that in connection with the level crossing diversion at Whisby, Lincoln, Network Rail had constructed a pedestrian bridge which was accessible for disabled people and were proposing a right of way diversion which was currently being consulted upon.

Officers stated that in connection with the diversion of an obstructed bridleway onto an adjacent occupier's land at Blankney the householder had made a financial contribution to the right of way being diverted from near his property to behind a hedge on farmland with the farmer being compensated for allowing the diversion to take place.

Officers stated that the managed realignment of the coastal sea defence at North Somercotes had been difficult to manage and an appeal had been lodged with the Secretary of State. The Council had yet to be informed if an Order had been made.

RESOLVED

That the report be noted.

55 NORTH EAST LINCOLNSHIRE PROGRESS OF PUBLIC PATH ORDERS (PPOS)

The Forum received a report from North East Lincolnshire Council in connection with progress of their Public Path Orders.

Councillor I Colquhoun stated that route PPO 14 (Ashby Cum Fenby) was expected to have been installed as a new route following the withdrawal of the objection by the objector.

RESOLVED

That the report be noted.

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM
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56 DATE AND TIME OF THE NEXT MEETING

The date and time of the next meeting of the Forum was noted as 6.00pm on Tuesday 19 July 2016 at Huttoft Village Hall.

The meeting closed at 4.00 pm

Mid Lincolnshire Local Access Forum – 19 July 2016

Lost Ways – Report by Colin Smith

Over the last year Miriam, myself and our Chairman, Chris P have travelled to Oakham as members of the South Lincs and Rutland LAF 'Lost Ways' Sub-Committee chaired by John Law. South Lincs seems to be well under way with finding possible Lost Ways and recording them on a data base. However, we have far more parishes in Lincolnshire to cover (700 in old Lincolnshire) and seemingly fewer volunteers wanting to get involved in the task.

Miriam and I have been concentrating our efforts on trying to make a little progress on the various tasks involved.

1. Training courses for people wishing to do archival work on historical lost ways.

John Law has tried hard to set up a training course/workshop done by BHS but these courses seem to be fully booked up until later in the year at the earliest. The courses are being given by Sarah Bucks and Phil Wadey, BHS RoW experts who wrote the book "Rights of Way-restoring the Record". However, we have still not yet found enough volunteers wanting to get involved in researching lost ways. We do need help in this task. We hope to contact Phil Wadey in the near future via the Open Spaces Society to get some advice.

2. Finding possibilities from the "missing Links" data base for Lincolnshire provided to us by Chris Miller.

At first this seemed to be a quick way of finding obvious gaps in the current rights of way network by checking current OS maps. We asked a few Ramblers members and others to look at some of the missing link grid refs on their current maps to see if the reported missing links were there. Most did not spot any problems on the maps.

However, we have not asked anyone to look at Kesteven, particularly in the Sleaford area where there are likely to be more problems.

3. Historic lost ways. Here we have made some progress.

We felt that we needed to get some "hands-on" experience in researching lost ways by looking at old documents in the Lincolnshire Archives Office.

Barry Smith, Ramblers Footpath Officer for the Skegness area provided me with a list of possible lost ways in 39 parishes in his territory. Barry looked at Cassini Historical maps based on old OS maps 1902 to 1922. He listed 56 possibles on his spread sheet, of which 22 were ORPAs. Each path he prioritised Low, Medium or High for investigation. We set aside the ORPAs and chose three parishes with High Priority paths for investigation at Archives office. By looking at Enclosure Awards

and other documents we found 3 paths on Barry's list. However, we don't know if these paths which are on the old OS maps have since been legally extinguished, in which case they can never be reclaimed! To check on the ORPAs listed we need to consult the 'List of Streets'

We now know some of the problems of researching old documents for Lost Ways so we can better tell potential volunteers what is involved - but clearly we need more volunteers to make much headway.

Colin Smith

Agenda Item 9

MID LINCOLNSHIRE LOCAL ACCESS FORUM – 19 JULY 2016

REPORT OF THE CHAIRMAN CHRIS PADLEY

Footpath 171 Kirkby on Bain

DISCUSSION DOCUMENT:

LINCOLNSHIRE COUNTY COUNCIL POLICY ON OBSTRUCTED PATHS and
EXAMPLE OF KIRKBY ON BAIN FOOTPATH 171

This footpath runs partly across and alongside fields, but also crosses a garden and a small field for which planning permission has been given for a house and garden. For reasons which were not obvious it has not been maintained or signposted for many years. In response to an enquiry the county council footpath officer stated that it was a category 3 path with an obstruction on it. As such it was policy not to waste resources maintaining the path until the obstruction is solved, and not to signpost the path as this misleads the public into using a path which they are not able to get through. However, the officer also reports that the physical problems to this path are slight and could easily be put right if it was desired to do so.

Increased concern has arisen over this because one of the small fields crossed by the path has recently had planning permission granted to build a single house, and the path will cross the house's garden at angle. No provision for the path has been made in the planning consents so far, and the planning authority does not appear to be interested in it. This type of situation frequently results in long lasting conflict and long term loss of availability of a path. A planning application and consent should be seen as an opportunity to resolve path problems and improve the network for both users and the householders who have, or will have, paths crossing their land. If a path is ignored, the opposite happens and an unsatisfactory situation becomes worse.

Fellow LAF member Colin Smith and I recently inspected the route. We can confirm that the practical problems on the path are slight. The only significant problem is the missing bridge, but this is over an ordinary field ditch, only, and not a major obstruction. Apart from that the path only requires minor brush clearance to be easily usable.

This case raises several issues which are important not only for this footpath, but as examples of ones that apply to many others and present a general question of policy.

As regards this path:

1. It does not in fact present any great problem in being made available to the public.
2. It would be useful if put in order.
3. The impending development makes it important to avoid the misleading impression given that the path can be ignored in the development process. This impression is bound to be given by neglecting to enforce the law, to maintain it, or to signpost it for many years, as has happened.

For both the above reasons, basic reinstatement should be regarded as urgent. We have been asked to inform the authority that a local person is offering to assist the funding for a new bridge up to the sum of £500. However, we should also consider the wider policies this path raises as an example of the working of a policy. These are:

Users are sent confusing messages when legal routes shown on maps cannot be found on the ground. Where it really is impossible to keep a path open, better ways of managing the path need to be found.

The problem of misleading landowners and developers, who usually do not understand the law of rights of way, is general. There has been enormous cost to the highway authority over the years in trying to sort out situations caused by neglect of paths, and the false impression it gives to land owners. A more robust policy in asserting paths in the long term, before any development is in the offing, would save money in the long run.

Even partly obstructed paths can be of use as out-and-back walking routes, and much walking is of this kind for dog-walking, blackberrying, bird watching etc. Valuable as through routes are, we should not dismiss a path just because it cannot be used as such.

COUNTRYSIDE FOR ALL – Report

Report for LAF meetings 6 & 19/07/16

COUNTRYSIDE FOR ALL ROUTES

Lincolnshire

The new route literature has been received and sent out to libraries, tourist information centres and site owners. There are a number of packs to be sent to other tourist information centres. This we will carry out during the next few weeks.

We will be setting a reorder level and reorder quantity to enable us to obtain funding for re ordering at the appropriate time to ensure we do not go out of stock.

The new routes we are surveying this year to enable us to produce more route leaflets include:

The Water Rail Way, Southrey – Stixwold

Freiston Shore

Grantham Canal, The specific location of the route to be determined

We still need to identify another suitable route. Any help in this will be greatly appreciated.

Rutland

Anglian Water will be funding the printing rather than the Leicestershire and Rutland Wildlife Trust. We are currently finalising the details of the leaflets and should have them printed and available for the Rutland Choice Unlimited event.

The Woodland Trust stated in 2015 they would be planning a Countryside For All route in Rutland in 2017. The sub group has recently contacted them regarding this and we will continue to work with them to try and ensure a Countryside for All route is provided by the Woodland Trust.

Further discussions by email have taken place with Councillors and Council officers in relation to Yew Tree Avenue. We have offered to apply for funding to improve the accessibility of this site and once this is carried out we will aim to get funding for further Countryside for All route leaflets.

DEMENTIA FRIENDLY WALKS

Lincolnshire

Due to the reorganisation at Magna Vitae the training was put on hold. Magna Vitae are now in the process of advertising for volunteers to be trained. This will enable more dementia inclusive walks to take place and help ensure their sustainability after April 2017.

Rutland

The dementia inclusive walk leader training was put on hold due to two members of staff leaving. The Active Rutland Officer is now taking over the role of walks coordinator. Advertising for volunteers to be trained and to lead the walks is underway.

CHOICE UNLIMITED EVENT

Lincolnshire

A meeting is planned for 28th June to see how we move forward with Choice Unlimited in Lincolnshire. At the time of writing this report the meeting had not taken place. Depending on the outcome of the meeting, Deb North (Mid Linc's LAF) will work with the team to ensure a successful Choice Unlimited event is held in Lincolnshire.

Rutland

We are still working on the Rutland event. The offer to businesses and charitable organisations was sent out 8th June. We have a number of organisations interested in attending which represent the countryside and countryside access.

WOLDS WALKING FESTIVAL

Unfortunately the weather forecast for 31st May walk for the disabled, was heavy rain and whilst it was dry initially, nobody attended apart from those helping me with the walk. We aim to have sunshine next year. Thanks go to Wally Grice (Forestry Commission), Debby Braund (Lincolnshire County Council), Richard Graham and Sam Tate for offering their assistance.

FUNDING BIDS

We will be looking to obtain funding for the route leaflet folders. With the number of walks we now have, we will be having a separate folder for Lincolnshire and Rutland.

We are awaiting Natural England to inform us on whether they will be able to fund the improvements we require to Chapel Six Marshes. If Natural England state they cannot fund these improvements, this will be the first site where we will be investigating obtaining funding.



Open Report on behalf of Richard Wills, Executive Director for Environment & Economy

Report to: **Mid Lincolnshire Local Access Forum**
Date: **19 July 2016**
Subject: **Definitive Map Modification Orders - Ongoing**

Summary:

A report on the progress of Definitive Map Modification Order Currently being undertaken.

Recommendation(s):

That the report is noted & formal written advice provided as required.

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.

Appendix A, provides an outline of the position of cases currently deemed to be "active" within the prioritisation policy.

2. Consultation

a) Scrutiny Comments

b) Executive Councillor Comments

c) Local Member Comments

d) Policy Proofing Actions Required

n/a

3. Appendices

These are listed below and attached at the back of the report	
Appendix A	Outline summaries of "active" modification order cases as at 23 June 2016
Appendix B	Appeals against prioritisation – Q1 2016-17
Appendix C	Outstanding Modification Order Cases (Link) – Paper copies available on request

4. 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 - HAT 33/3/11
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This report was written by Chris Miller, Team Leader – Countryside Services, who can be contacted on 01522 782070 or countryside_access@lincolnshire.gov.uk.

APPENDIX A - Outline Summaries of "active" modification order cases

PARISH	CASE No.		CASE TITLE	FORMAL APP?	Date	UPDATE
Ancaster	2	BOAT	Regrade from RB to BOAT	Yes	13/11/91	Currently revisiting extensive file work from long-standing case.
Alford	344	BOAT	Claimed BOAT from Hanby Lane to New Cemetery	Yes	01/04/93	COMPLETE - Confirmed 15 June 2016 with minor modification to the description of a gate limitation
Colsterworth / Gunby & Stainby	259	PF	Colsterworth FP14 & Stainby PF 1(pt)	No	19/05/04	Submitted to Secretary of State 21/12/2015 – Being dealt with through the Written Representations procedures
Ancaster	309	BOAT	Addition of a BOAT along Heath Lane in the parish of Ancaster	Yes	23/03/06	COMPLETE – Confirmed by Secretary of 18 April 2016 as part BOAT, part RB
Utterby	354	PF	Claimed Footpath from Grange Lane to Holy Well Lane	Yes	08/05/12	Submitted to the Secretary of State 8/12/2015 – Public Inquiry set to 15/11/2016
Utterby	355	PF	Claimed Footpath from Grange Lane to former railway and beyond	Yes	08/05/12	Submitted to the Secretary of State 8/12/2015 – Public Inquiry set to 15/11/2016
New Leake	353	PF	Claimed Footpath from Spilsby Rd to Spilsby Rd	Yes	30/05/12	Submitted to the Secretary of State 18/11/2015 – Being dealt with through Written Representations procedures. Site visit by Inspector undertaken w/c 14 June 2016 and decision expected imminently
Skegness	364	PF	Claimed Footpath from PF 969 to PF 301 along sea defence	Yes	30/05/13	COMPLETE - Decision not to make order due to insufficient evidence and evidence of lack of intention to dedicate 17 May 2016. No appeal received before 18 June 2016
Belton / Gt. Gonerby	12	PF	Belton to Great Gonerby (Gads Lane)	Yes	01/11/83	Submitted to Secretary of State – Awaiting start date
North Somercotes / Marshchapel / Grainthorpe	374	PF	Upgrade of PF 18 to PB between Stonebridge Cottages, North Somercotes & Keyholme Lane, Marshchapel	Yes	4/8/2014	LCC Decision not to make an Order. W&CA81, Schedule 14 appeal made by applicant to Secretary of State
South Willingham / Benniworth	96	PF	Claimed PF from Grange farm, Low Barns to road south of Skirbeck House	Yes	30/04/86	Submitted to the Secretary of State 26/11/2015 – Written Representation procedure ongoing until 5/2016 – Boundary Book information from National Archives requested.
South Willingham	97	PF	Hainton Rd to High St	Yes	30/04/86	Statement of Reasons prepared. Due to be submitted to Secretary of State 15 July 2016
South Willingham / Hainton	98	PF	Moors Lane to A157	Yes	30/04/86	Statement of Reasons prepared. Due to be submitted to Secretary of State 15 July 2016
South Willingham	99	PF	Moors lane to Poplar Fm	Yes	30/04/86	Statement of Reasons prepared. Due to be submitted to Secretary of State 15 July 2016

APPENDIX A - Outline Summaries of "active" modification order cases

Woodhall Spa	193	PF	Mill Lane to R.Witham Bank	Yes	12/05/98	Order made and a number of objections received - Statement of Grounds prepared and submitted to Secretary of State 21 June 2016
Coningsby	182	PF	School Lane to Dogdyke Road	Yes	06/11/97	Order made and a number of objections received. Statement of Reasons being prepared.
Louth	363	PF	Claimed deletion of part of PF5 and addition of PF	Yes	08/03/13	COMPLETED - Decision not to make order made and no appeal received
Caythorpe & Frieston / Fenton / Fulbeck / Leadenham	383	PB	Claimed bridleway from Fenton to Fulbeck Grange (routes around former Fulbeck Airfield)	Yes	05/03/15	COMPLETE - Decision not to make order due to insufficient evidence and evidence of lack of intention to dedicate 17 May 2016. No appeal received before 18 June 2016
Navenby	384	PB	Claimed bridleway from Grantham Road to Doncaster Gardens	Yes	16/04/15	Decision report completed. Awaiting decision as to whether evidence is sufficient to make an order.

BOAT – Byway Open to All Traffic
 RB – Restricted Byway
 PB – Public Bridleway
 PF – Public Footpath

- **2016-17 cases completed - 4**

(Submission to Secretary of State, order confirmed unopposed or where a decision not to make an order has been made)

- **2016-17 new cases received – 2**

- **Total Number of cases (Formal application or Self-initiated) – 153 still outstanding inclusive of those awaiting determination by the Secretary of State (8 including 1 Sch 14 Appeal) at 28th July 2016**

APPENDIX B – Appeals against prioritisation Q4 2015-16

There have been no appeals determined in this quarter although two appeals have been submitted but are yet to be heard.

Appendix C – Outstanding Modification Order Cases

Parish	File	Status	Proposal	Further details	Formal applicatio
Ancaster	2	RB	Claim	to BOAT	Yes
Alford	344	BOAT	Claim	Claimed BOAT from Hanby Lane to to New Cemetery	Yes
Coningsby	182	PF	Claim	School Lane to Dogdyke Road	Yes
Colsterworth / Gunby & Stainby	259	PF	Deletion /	Colsterworth FP14 & Stainby FP 1(pt)	No
Ancaster	309	BOAT	Claim	Addition of a BOAT along Heath Lane in the parish of Ancaster	Yes
Utterby	354	PF	Claim	Claimed Footpath from Grange Lane to Holy Well Lane	Yes
Utterby	355	PF	Claim	Claimed Footpath from Grange Lane to former railway and beyond	Yes
New Leake	353	PF	Claim	Claimed Footpath from Spilsby Rd to Spilsby Rd	Yes
Skegness	364	PF	Claim	Claimed Footpath from PF 969 to PF 301 along sea defence	Yes
North Somercotes / Marshchapel / Grainthorpe	374	PF	Upgrade	Upgrade of PF 18 to PB between Stonebridge Cottages, North Somercotes & Keyhole	Yes
Caythorpe & Frieston/Fenton/Fulbeck/Leadenham	383	PB	Claim	Claimed bridleway from Fenton to Fulbeck Grange (routes around former Fulbeck A	Yes
Navenby	384	PB	Claim	Claimed bridleway from Grantham Road to Doncaster Gardens	Yes
Belton / Gt. Gonerby	12	PF	Claim	Belton to Great Gonerby via Gonerby Grange (Gadds Lane)	Yes
South Willingham / Benniworth	96	PF	Claim	Claimed PF from Grange farm, Low Barns to road south of Skirbeck House	Yes
South Willingham	97	PF	Claim	Hainton Rd to High St	Yes
South Willingham / Hainton	98	PF	Claim	Moors Lane to A157	Yes
South Willingham	99	PF	Claim	Moors lane to Poplar Fm	Yes
Woodhall Spa	193	PF	Claim	Mill Lane to R.Witham Bank	Yes

ACTIVE CASEWORK

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Open Report on behalf of Richard Wills, Executive Director for Environment & Economy

Report to:	Mid Lincolnshire Local Access Forum
Date:	19 July 2016
Subject:	Progress of Public Path Orders

Summary:

A report on the progress of Public Path Orders.

Recommendation(s):

That the report is noted and formal written advice given where required.

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. The Council may also enter into agreements with landowners regarding the dedication of public rights.

2. Summary of ongoing cases

The County Council is currently working on a number of cases most notably as follows.

- A package of diversions to realign routes in the Coastal Country Park area including the potential dedication of a bridleway over a current footpath. The reports from the consultant reviewing this package is expected soon and
- Level crossing diversion orders at Tallington and Whisby the latter is about to have an order made to divert in the near future
- Orders to realign a number of PROW affected by a level crossing at Claypole which will also resolve "missing link" and path status change issues.
- A diversion to enable the managed realignment of the coastal sea defence at North Somercotes

- The dedication of a new bridleway at Swinhope to improve equestrian access for a potential promoted trail.
- Diversions affecting school/parish recreation fields in Claypole

These public path orders have been undertaken as they fall within one of three of the following strategic 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)

The County Council will be reviewing its position of public path orders when greater detail regarding the Deregulation Act 2015 regulations is known.

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

4. 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 Chris Miller, who can be contacted on 01522 782070 or countryside_access@lincolnshire.gov.uk.