

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

28 June 2016

South Lincolnshire and Rutland Local Access Forum Meeting

A meeting of the South Lincolnshire and Rutland Local Access Forum will be held on **Wednesday, 6 July 2016 at 6.00 pm** in **Visitor Centre, Gibraltar Point National Nature Reserve, Gibraltar Road, Skegness, Lincs PE24 4SU** for the transaction of business set out on the attached Agenda.

Yours sincerely

Tony McArdle
Chief Executive

Membership of the South Lincolnshire and Rutland Local Access Forum

Councillor Ray Wootten, (Lincolnshire County Council) (Chairman)
John Law, (Other Interests) (Vice-Chairman)
Councillor David Brailsford, (Lincolnshire County Council)
Councillor William Cross, Rutland County Council
Bryan Bowles, (Landowners)
Rosemary Harris, (Landowners)
Audrey Morley, (Landowners)
Andrew Childs, (Users of Local Rights of Way)
Alec Hill, (Users of Local Rights of Way)
Sam Tate, (Users of Local Rights of Way)
John Williams, (Users of Local Rights of Way)
Ian Cox, (Other Interests)
Dr Rebecca Johnson, (Other Interests)
Paul Marshall, (Other Interests)
Barbara Smitheringale, (Other Interests)
1 Vacancy (Users of Local Rights of Way)
2 Vacancies (Land Owners)

**SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM AGENDA
WEDNESDAY, 6 JULY 2016**

Item	Title	Report Reference
1	Election of Chairman	
2	Election of Vice-Chairman	
3	Apologies for Absence/Replacement Members	
4	Minutes of the previous meeting of the Local Access Forum held on 20 April 2016	4 (Pages 5 - 12)
5	Actions Arising from the meeting held on 20 April 2016	
6	Natural England - LAF Annual Review 2016 <i>(To consider the content and formulate a response to the Natural England – LAF Annual Review 2016)</i>	(Verbal Report)
7	Sub-Groups <i>(This is a discussion item on Sub-Groups, further to Minute 39 from the minutes of the meeting held on 20 April 2016)</i>	(Verbal Report)
8	Unmade Roads - Failure to Protect and Assert the Public's Right of Use <i>(To receive a verbal update from Alec Hill (Member of the South Lincolnshire and Rutland Local Access Forum)</i>	(Verbal Report)
9	Countryside for All <i>(To receive a report by John Law (Vice-Chairman, South Lincolnshire and Rutland Local Access Forum), in relation to Countryside for All)</i>	9 (Pages 13 - 14)
10	Consultations	
10a	Making our needs known <i>(To receive a verbal update from John Law (Vice-Chairman, South Lincolnshire and Rutland Local Access Forum)</i>	(Verbal Report)
10b	Future permissive access in Stewardship Schemes <i>(To receive a verbal update from John Law (Vice-Chairman, South Lincolnshire and Rutland Local Access Forum)</i>	(Verbal Report)
11	Health Related Walks After April 2017 <i>(To receive a verbal update from John Law (Vice-Chairman, South Lincolnshire and Rutland Local Access Forum)</i>	(Verbal Report)
12	Planning application in South Witham to extend the limestone quarry <i>(A discussion item about a planning application in South Witham to extend the limestone quarry)</i>	(Verbal Report)

- 13 Lost Ways Sub-Group**
(To receive a verbal update on the work of the Lost Ways Sub-Group) (Verbal Report)
- 14 Definitive Map Modification Orders**
- 14a Rutland County Council** **14a**
(To receive a report from Stuart Crook (Public Rights of Way Officer, Rutland County Council)) (Pages 15 - 16)
- 14b Lincolnshire County Council** **14b**
(To receive a report by Chris Miller (Team Leader for Countryside Services)) (Pages 17 - 24)
- 15 Public Path Orders Progress Report**
- 15a Rutland County Council** **15a**
(To receive a report by Stuart Crook (Public Rights of Way Officer, Rutland County Council)) (Pages 25 - 26)
- 15b Lincolnshire County Council** **15b**
(To receive a report by Chris Miller (Team Leader for Countryside Services)) (Pages 27 - 28)
- 16 Date and Time of Next Meeting**
(26 October 2016 at 2.00 pm at Rutland County Council)

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.

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



SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM 20 APRIL 2016

PRESENT: COUNCILLOR R WOOTTEN (CHAIRMAN)

Representing Rutland County Council: Councillor William Cross.

Representing Independent Members: Bryan Bowles, Andrew Childs, Ian Cox, Rosemary Harris, John Law, Paul Marshall, Audrey Morley, Barbara Smitheringale, Sam Tate and John Williams.

Officers: Caty Collier (Area Co-ordinator North Kesteven, Voluntary Centre Services), Stuart Crook (Public Rights of Way Officer), Cheryl Hall (Democratic Services Officer), Chris Miller (Environmental Services Team Leader (Countryside Services)) and Roger Ranson (Planning Policy and Housing Manager, South Kesteven District Council).

34 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillor D Brailsford, Mr Alec Hill and Dr Rebecca Johnson.

35 MINUTES OF THE PREVIOUS MEETING OF THE LOCAL ACCESS FORUM HELD ON 20 JANUARY 2016

AGREED

That the minutes of the meeting held on 20 January 2016 be approved by the Chairman as a correct record.

36 ACTIONS ARISING FROM THE MEETING HELD ON 20 JANUARY 2016

There were no actions arising from the minutes of the last meeting in addition to those already listed on the agenda for consideration.

37 CHARITABLE INCORPORATED ORGANISATION

The Forum received a presentation from Caty Collier (Voluntary Centre Services), which provided Members of the Forum with detailed information on setting up a charity.

**SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM
20 APRIL 2016**

Members were provided with an opportunity to ask questions, where the following points were noted: -

- Members recognised that a considerable amount of responsibility came with being a Trustee;
- It was hoped that a joint charitable incorporated organisation could be established consisting of other local access forums from the East Midlands areas. This possibility would be discussed at the next meeting of the East Midlands Local Access Forum Chairs Meeting;
- Although there was not a fee associated with registering a charity, there were certain potential ongoing costs for example, the annual cost of accountants for accounting purposes. It was noted that there was a fee to register with Company's House;
- One of the benefits of the Local Access Forum establishing a Charitable Incorporated Organisation was that it would make it easier to access funds and to hold its own funds, unlike the current arrangement where the two county councils hold funds on behalf of the Local Access Forum;
- It was confirmed that if the Local Access Forum was to establish a Charitable Incorporate Organisation (CIO), the Forum and the CIO would operate as separate entities;
- It was suggested that this matter should be discussed further at the East Midlands Local Access Forum Chairs Meeting, prior to the Local Access Forum given it further consideration a future meeting.

AGREED

- (1) That the presentation be noted.
- (2) That further consideration be given to the possibility of establishing a Charitable Incorporated Organisation at a future meeting, following its consideration at the East Midlands Local Access Forum Chairs Meeting.

38 SOUTH KESTEVEN LOCAL PLAN

Consideration was given to a report and presentation by Roger Ranson (Planning Policy and Housing Manager), which provided an update on the technical and supporting documents prepared as part of progress with the new Local Plan for South Kesteven.

Members were advised that the new Local Plan would need to set out South Kesteven District Council's planning strategy and related policy proposals for the district for a period of 25 years, from 2011 to 2036. It would provide the overall strategy for sustainable growth and development, establishing a clear framework of policies to guide the scale, location and details of new development and managing change within the district. The South Kesteven Local Plan would replace the Core Strategy, Site Allocation and Policies and any remaining saved policies from the 1995 Local Plan.

SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM
20 APRIL 2016

Members were provided with an opportunity to ask questions, where the following points were noted: -

- Members were advised that there was evidence to support the need for additional housing;
- Policies were in place for affordable housing and it was anticipated that approximately 20% of all new homes would be 'starter homes';
- The impact on existing infrastructure would be taken into consideration. Further to this, it was noted that the district council worked closely with the County Council on such issues;
- Reference was made to the plans for the Grantham Southern Relief Road;
- Members were assured that consideration was given to green/open space; and
- Members were also assured that the district council encouraged developers to factor in plans for cycle paths.

AGREED

That the report, presentation and comments be noted.

39 SUB-GROUPS

A discussion took place regarding the possibility of establishing a Sub-Group specifically to respond to consultations which fall between meetings of the Local Access Forum.

Officers advised that in such situations, Members could be emailed a copy of consultation documents by the Forum's Secretary and submit any comments to the Secretary for collation. Or, alternatively, a Sub-Group could be established to undertake the role of responding to consultations on behalf of the Forum.

It was suggested that this issue should be discussed further at the next scheduled meeting of the Forum.

AGREED

That an item on 'Sub-Groups' be added to the Agenda for the meeting of the Forum scheduled to be held on 6 July 2016.

40 WALKING FOR HEALTH - THE FUTURE

Members were advised that a report on 'Lincolnshire Walking for Health – The Future' was submitted to the Chairman of the Lincolnshire Health and Wellbeing Board for consideration and her response was detailed at page 21 of the agenda.

Although the response had detailed that it was not possible to continue the funding, the Forum was advised by its Vice-Chairman that Public Health Lincolnshire would wish to be kept informed on any developments. The Vice-Chairman also advised that the Disability Sub-Group was in the process of developing a Project Proposal,

**SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM
20 APRIL 2016**

based on the information contained within the report, to present to key stakeholders with an aim of receiving funding.

It was queried whether the Wolds Walking Festival scheduled to be held on 21 May to 5 June 2016 was still taking place, as certain Members understood that it may have been cancelled. Therefore the Team Leader for Countryside Services agreed to make some enquiries.

AGREED

That the report and verbal update be noted.

41 LOST WAYS SUB-GROUP

Consideration was given to a report from the Vice-Chairman of the Local Access Forum on the work of the Lost Ways Sub-Group.

A discussion took place regarding the planning application in relation to the New Livestock Building, The Avenue, Exton, Rutland. It was noted that the Chairman had not yet received a response from Rutland County Council to the letter he had submitted on behalf of the Forum in relation to this planning application. The Public Rights of Way Officer agreed to take this matter forward.

AGREED

That the verbal update be noted.

42 EAST MIDLANDS LOCAL ACCESS FORUM CHAIRS MEETING

The Chairman of the Forum thanked his Vice-Chairman for attending on his behalf the most recent meeting of the East Midlands Local Access Forum Chairs Meeting.

The Vice-Chairman provided the Forum with a brief update on the work of the East Midlands Local Access Forum Chairs Meeting and agreed to circulate the minutes of the meeting, once they were available.

AGREED

That the verbal update be noted.

43 STATUTORY REQUIREMENTS

A discussion took place regarding the statutory requirements for Countryside Access and Rights of Way.

During the discussion Members were advised that the Countryside Access website, which was managed by Lincolnshire County Council, provided a good summary of the statutory requirements for this area of work. Further to this, Members requested a training refresh on this topic, prior to the start of a future meeting.

AGREED

That the Team Leader for Countryside Services and the Public Rights of Way Officer be requested to provide the Forum with a training refresh on the statutory requirements for Countryside Access and Rights of Way.

44 LOCAL ACCESS FORUM TRAINING

It was agreed that this item was no longer necessary as it had been covered under Minute 43 – Statutory Requirements.

AGREED

That the item be removed from the agenda.

45 HIGHER LEVEL STEWARDSHIP SITES

The Vice-Chairman advised Members that he had not yet had chance to produce the letters for the Parish Councils, as he had been focusing on the various projects which had been discussed earlier on in the meeting.

The Vice-Chairman advised that it was unlikely that he would be in a position to process the letters and therefore sought volunteers to undertake this role for him, or alternative, it was deferred until next year.

AGREED

That the letters to the Parish Councils not be processed this year and be deferred to 2017.

46 COUNTRYSIDE FOR ALL

Consideration was given to a report from the Vice-Chairman of the Local Access Forum which provided an update on the work of the Countryside for All Sub-Group.

The report provided Members of the Forum with an update on the following areas: -

- Countryside for All Routes;
- Inclusive Countryside Access Course;
- Dementia Friendly Walks;
- Choice Unlimited;
- Funding Bids;
- Budget Implications on Health Walks and Dementia Friendly Walks;
- Accessibility Ambassadors; and
- National Website for Countryside for All Routes.

**SOUTH LINCOLNSHIRE AND RUTLAND LOCAL ACCESS FORUM
20 APRIL 2016**

It was queried whether Hubbard's Hills roadside car park could have the disabled car parking bay repainted as it had faded and was not easy to recognise. The Team Leader for Countryside Services agreed to take this suggestion forward.

A particular concern was raised regarding the signage to the Ashing Lane Nature Reserve and in response; Members were assured that there was signage from the main road to the site. A concern was also raised in relation to the number of potholes on the road leading to the site. However, Members were advised that this was a bridle way and therefore the County Council was not required to fill the potholes.

The Vice-Chairman expressed his gratitude for the hard work of Debby Braund (Lincolnshire County Council) in relation to her support with bids for funding.

In response to a question, it was confirmed that a large kissing gate had been installed at Gibraltar Point. Further to this, it was suggested that Gibraltar Point was publicised in the local media. The Team Leader for Countryside Services agreed to raise this suggestion at the meeting of the Gibraltar Point National Nature Reserve Joint Advisory Committee scheduled to be held on 21 April 2016.

AGREED

That the report be noted.

47 COASTAL COUNTRY PARK DIVERSION PROPOSALS

The Team Leader for Countryside Services referred to the email which all Members had recently received from Robin Carr Associates, in relation to the proposed alterations to rights of way in the Lincolnshire Coastal Country Park. The Forum was reminded that comments had to be submitted by 14 May 2016.

During a discussion on this matter, the following points were noted:-

- 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; and
- Members were advised 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.

It was noted that one of the Members of the Forum, who was not present at the meeting, had specific issues with the proposals and it was therefore suggested that the Team Leader for Countryside Services emailed this Member of the Forum to address his concerns.

Members were encouraged to submit any individual comments by the deadline of 14 May 2016.

AGREED

- (1) That the work being undertaken by Robin Carr Associates be noted.
- (2) That all Members be reminded to submit individual responses to the proposals by the deadline of 14 May 2016.

48 UNMADE ROADS - FAILURE TO PROTECT AND ASSERT THE PUBLIC'S RIGHTS OF USE

As this item was added to the agenda by a Member of the Forum who was not present at the meeting, it was suggested to defer the item to the meeting scheduled to be held on 6 July 2016.

It was also suggested that the Forum's Secretary emailed the Member requesting further information on the item so that the Team Leader for Countryside Services could respond to the matter.

AGREED

That the item be deferred to the meeting of the Forum scheduled to be held on 6 July 2016.

49 DEFINITIVE MAP MODIFICATION ORDERS

49a Rutland County Council

Consideration was given to a report from Rutland County Council.

Members were comfortable with the content of the report and raised no additional questions or comments.

AGREED

That the update report be noted.

49b Lincolnshire County Council

Consideration was given to a report from Lincolnshire County Council.

In response to a question, Members were advised that a decision in relation to Case No. 364, as detailed on page 34 of the agenda, was expected imminently.

AGREED

That the update report be noted.

50 PUBLIC PATH ORDERS PROGRESS REPORT

50a Rutland County Council

Consideration was given to a report from Rutland County Council.

Members were comfortable with the content of the report and raised no additional questions or comments.

AGREED

That the update report be noted.

50b Lincolnshire County Council

Consideration was given to a report from Lincolnshire County Council.

Members were comfortable with the content of the report and raised no additional questions or comments.

AGREED

That the update report be noted.

51 DATES AND TIMES OF FUTURE MEETINGS

It was noted that future meetings of the Forum were scheduled to be held on the following dates: -

- 6 July 2016 at 6.00 pm – venue to be confirmed; and
- 26 October 2016 at 2.00 pm at Rutland County Council.

AGREED

That the dates of the future meetings be noted.

The meeting closed at 8.30 pm.

Agenda Item 9

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.

Definitive Map Modification Orders update - Rutland County Council - July 2016

Location	Status	Path Ref	Legislation	File Date	Comments
Preston	Footpath	Barbers Lane	WCA s53(3)(b)	17/12/2003	Waiting for legal to submit to PINS
Braunston	Footpath		WCA s53(3)(b)	22/07/2011	Waiting for legal to submit to PINS
Thorpe-by-Water	Footpath		WCA s53(3)(b)	08/11/2013	Under investigation
Oakham	Footpath		WCA s53(3)(b)	04/12/2013	
Clipsham	Footpath		WCA s53(3)(b)	12/11/2014	Under investigation
Ketton	Footpath		WCA s53(3)(b)	18/09/2015	
Wardley	Bridleway		WCA s53(3)(b)	09/02/2014	Schedule 14 appeal against decision not to make an Order

Since Apr 2016:

- 0 Orders confirmed
- 0 Case referred
- 0 New cases received
- 0 Order declined

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

Report to: **South Lincolnshire and Rutland Local Access Forum**
Date: **6 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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Public Path Orders update - Rutland County Council - Jul 2016

Location	Status	Path Ref	Legislation	Application Date	Comments
Uppingham	Footpath	E268	TCPA s257	15/12/2005	Planning Issue (Possible revocation order?)
Caldecott	Bridleway	E315	HA s119	N/A	Order to be drafted
Lyddington	Footpath	E314	HA s119	N/A	Order to be drafted
Clipsham	Bridleway	E135	TCPA s257/S261	N/A	Waiting on opinion from Legal Services
Clipsham	Bridleway	E134	HA s119	N/A	Order to be drafted
Langham	Footpath	D85	HA s119	24/04/2015	Order due to be published 1st July
Hambleton	Footpath	E341	HA s119	07/05/2015	Waiting on opinion from Legal Services (point of termination)

Since Apr 2016:

- 0 Orders made
- 0 Orders confirmed
- 0 Order came into operation
- 0 Orders abandoned
- 0 Cases referred
- 0 New case opened

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

Report to:	South Lincolnshire and Rutland Local Access Forum
Date:	6 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.