

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

15 January 2018

Mid-Lincolnshire Local Access Forum Meeting

A meeting of the Mid-Lincolnshire Local Access Forum will be held on **Tuesday, 23 January 2018 at 2.00 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

Councillor William James Aron, (Lincolnshire County Council)
Councillor Charles Edward Hugo Marfleet, (Lincolnshire County Council)
Chris Padley, (Users of Local Rights of Way) (Chairman)
Sheila Brookes, (Users of Local Rights of Way) (Vice-Chairman)
Councillor Iain Colquhoun, (North East Lincolnshire Council)
Sandra Harrison, (Landowners)
Ray Shipley, (Landowners)
Dr Chris Allison, (Users of Local Rights of Way)
Richard East, (Users of Local Rights of Way)
Peter McKenzie-Brown, (Users of Local Rights of Way)
Colin Smith, (Users of Local Rights of Way)
Helen Pitman, (Users of Local Rights of Way)
Richard Graham, (Other Interests)
3 Vacancies (Land Owners)
David Salkeld, (Other Interests)
3 Vacancies (Other Interests)

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM AGENDA
TUESDAY, 23 JANUARY 2018**

Item	Title	Report Reference
1	Questions from the Public	
2	Apologies for Absence	
3	Declarations of Members' Interests	
4	Minutes of the previous meeting of the Mid Lincolnshire Local Access Forum held on 24 October 2017	(Pages 7 - 14)
4a	Proposed Housing Development in the Western Growth Corridor, Lincoln - Need for Rights of Way and Cycle Routes (Minute 94 (a)) <i>(Chris Padley and Colin Smith will provide an update to the Forum particularly if any response has been received to the letter sent to the City of Lincoln Council requesting that provision should be made for Public Rights of Way and Cycling Routes in any proposed development)</i>	(Verbal Report)
4b	Generic Advice to Planning Authorities (Minute 95) <i>(Following a reminder to Lincolnshire's District Councils by Steve Blagg, Clerk to the Forum, asking them to respond to a decision made by the Forum on 18 July 2017, expressing concern about the effects of planning applications on PROWs, responses have been received and are appended to the report)</i>	(Pages 15 - 28)
4c	English Coastal Footpath - Update (Minute 96) <i>(Chris Miller, Team Leader for Countryside Services, will give a verbal update on the development of the Coastal Footpath)</i>	(Verbal Report)
5	Local Access Forums Annual Reports <i>(The following communication has been received from Natural England in connection with the Local Access Annual Report 2016/17 and 2017/18.</i>	(Verbal Report)

Dear Chair/Secretary,

We are writing to you concerning the submission of your annual report for 2016/17 - i.e. up until April 1st of this year. Natural England is currently reallocating responsibility for operational work and, due to this process and limited resource, we decided not, as in previous years, to run the usual LAF reporting process. However, we would gladly receive any completed reports (as per previous years' format/s) but, given the lateness of the request, we leave it to your discretion as to whether to submit one or not and we will look to implement an updated process for next year 2017/18.

We will create a folder for annual reports on HUDDLE, but you can email us directly as well.

In the meantime we would like to thank you for your continuing hard work and patience and look forward to hearing about your achievements over the past year)

The views of the Forum are sought on this communication)

- 6 Countryside For All**
(This is the regular report from John Law, a representative on the South Lincolnshire and Rutland Local Access Forum. The Forum is asked to consider the actions requested in the report) (Pages 29 - 34)
- 7 North East Countryside and Rights of Way Improvement Plan (ROWIP 2)**
(To receive an update from Matthew Chaplin (Public Rights of Way Mapping Officer), North East Lincolnshire Council, on the preparation of ROWIP 2) (Pages 35 - 36)
- 8 Lincolnshire County Council's Definitive Map Modification Orders**
(A report by Catherine Beeby, Senior Definitive Map Officer (Countryside), in connection with the Council's Definitive Map Modification Orders) (Pages 37 - 42)
- 9 North East Lincolnshire Council's Definitive Map Modification Orders**
(A report by Matthew Chaplin, Public Rights of Way Mapping Officer, in connection with the Council's Definitive Map Modification Orders) (Pages 43 - 44)
- 10 Lincolnshire County Council's Progress of Public Path Orders**
(A report by Catherine Beeby, Senior Definitive Map Officer (Countryside), in connection with the Council's Public Path Orders) (Pages 45 - 48)
- 11 North East Lincolnshire Council's Progress of Public Path Orders**
(A report by Matthew Chaplin, Public Rights of Way Mapping Officer, in connection with the Council's Public Path Orders) (Pages 49 - 50)
- 12 Date and Time of the Next Meeting**
(Please note that the next meeting of the Forum has been arranged for 2.00pm on Tuesday 17 April 2018, at The Stanhope Hall, Boston Road, Horncastle. It is suggested the July meeting of the Forum (AGM) is held at Huttoft Village Hall and the opportunity taken to visit the new Observatory in the Coastal Country Park which will be officially opened before this date)

Name: **Steve Blagg**
Direct Dial **01522 553788**
E Mail Address steve.blagg@lincolnshire.gov.uk

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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1
**MID-LINCOLNSHIRE LOCAL ACCESS
FORUM
24 OCTOBER 2017**

PRESENT: CHRIS PADLEY (CHAIRMAN)

Representing North East Lincolnshire Council: Councillor Iain Colquhoun

Representing Independent Members: Richard Graham, Dr Chris Allison, Colin Smith and Helen Pitman

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

Also in attendance: County Councillor Lewis Strange

90 QUESTIONS FROM THE PUBLIC

There were no questions from the public.

91 APOLOGIES FOR ABSENCE

Apologies for absence were submitted by County Councillors Bill Aron and Hugo Marfleet, Sheila Brookes, Sandra Harrison and Ray Shipley.

92 DECLARATIONS OF MEMBERS' INTERESTS

No declarations of interests were declared at this stage of the meeting.

93 MINUTES OF THE PREVIOUS MEETING OF THE MID LINCOLNSHIRE
LOCAL ACCESS FORUM HELD ON 18 JULY 2017

RESOLVED

That the minutes of the previous meeting held on 18 July 2017, be agreed as a correct record and signed by the Chairman.

94 ACTIONS ARISING FROM THE MINUTES OF THE PREVIOUS MEETING
OF THE FORUM IF NOT ALREADY ON THE AGENDA

94a Proposed Housing Development in the Western Corridor, Lincoln - Need for
Rights of Way and Cycle Routes (minute 72)

Further consideration was given to the proposed development of the Western Growth Corridor, in the City of Lincoln and its implications for the provision of rights of way.

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM
24 OCTOBER 2017**

The Forum briefly discussed the history of the proposed development and it was noted that the Environment Agency had objected to earlier proposals because of concerns about flooding.

A member stated that in the most recent planning application submitted this had again caused public controversy due to the traffic implications of the proposals. It was suggested that this was an opportunity for the Forum to respond to the City of Lincoln Council in connection with the need to include sufficient rights of way in their plans for the Corridor.

The Chairman stated that he had attended a consultation meeting and stated that there were three issues which needed to be addressed – 1. The need to provide for traffic free cycling and walking in any new housing development with opportunities to cross the Lincoln to Newark railway line. 2. The need to ensure that the existing rights of way in this area, many of which were incomplete, were completed. 3. To improve National Route 64 (Sustrans) where it crossed the Lincoln to Gainsborough railway line and ran adjacent to the A46. This crossing was inadequate because there was only room for either a cyclist or pedestrian crossing at the same time.

Officers stated that the County Council had been examined the provision of footpaths in the Corridor as there were potentially many dog walkers.

The Forum agreed that this was an opportune moment to ensure that public rights of way were included in any plans for the area and that a letter should be sent by the Forum to the City of Lincoln Council requesting this.

RESOLVED

That the Chairman, on behalf of the Forum and in consultation with Colin Smith, write to the City of Lincoln Council to ask them to make provision for public rights of way and cycle routes in any plans for the Western Growth Corridor.

95 GENERIC ADVICE TO PLANNING AUTHORITIES (MINUTE 79(A))

Further to minute 79(a), the Clerk stated that he had sent a letter to the Chief Executives and the Portfolio Holders for Planning of all the Lincolnshire District Councils in Lincolnshire and, that to date, no responses had been received.

The Forum expressed disappointment at the lack of responses and it was –

RESOLVED

That the Chairman prepare a press statement, on behalf of the Forum, expressing disappointment at the lack of responses from the District Councils.

(Post Meeting note: Helen Pitman stated that she would expedite a response from West Lindsey District Council and the Council had responded. The Clerk had resent the correspondence electronically and several responses had been received which would be reported to the next meeting of the Forum)

96 ENGLISH COASTAL FOOTPATH - UPDATE (MINUTE 81)

Officers gave a verbal update of the English Coastal Footpath in Lincolnshire as follows:-

- Skegness to Mablethorpe section. This was on schedule and no objections had been received. A report had been submitted to the Secretary of State. Signage had been ordered which would be charged to Natural England and it was hoped that this section would be opened in Easter 2018 to coincide with the opening of the North Sea Observatory at Chapel St Leonards. Boardwalks, funded by "Go Skegness", would be installed in the vicinity of the North Sea Observatory to enable multi-use.
- Sutton Bridge to Skegness section. It was hoped to use the Internal Drainage Board's bridge which crossed the River Steeping but a major issue in this section were the conservation areas at Frampton and the Wash areas which were both SSSIs. South of Gibraltar Point it would be necessary to use the sea banks with conservation and the potential clash of users of the footpath with grazing cattle raising issues.
- Mablethorpe to the Humber. This section of the footpath was in its early stages. Natural England were examining routes and talking to interested parties. Donna Nook's seal sanctuary was a potential issue and North Somercotes which was a former airfield could also be an issue as it was currently stopped up and used by wild fowls.

Officers in response to comments stated that while the County Council was able to add to the logo branding it was obliged to follow the Natural England guidelines. Officers stated that the coastal footpath was not classed as a public footpath but access land with a "National Trail".

Officers stated that the County Council would need to seek an agreement with the Wildlife Trust and Natural England to maintain the "National Trail" and in this respect the partnership agreement to maintain the Cleveland Way provided a good example.

Officers stated that "spreading side" issues with the trail could pose a problem in the Wash and salt marsh areas.

RESOLVED

That the report be noted.

97 LINCOLNSHIRE COMMUNITY ASSISTANCE TEAM'S INVOLVEMENT IN RIGHTS OF WAY

The Forum received a presentation from David Salkeld, Rights of Way Officer, Lincolnshire Community Assistance Team (L-CAT), in connection with the role and purpose of L-CAT. He highlighted the following:-

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM
24 OCTOBER 2017**

He stated that L-CAT was a registered charity based in Grimsby with members all over Lincolnshire, providing, amongst others, assistance in emergencies through the use of 4x4s, providing Community First Responders and assisting in finding missing persons and was interested in maintaining rights of way.

David Salkeld stated that he was aware that 4x4s were not always welcomed on rights of way and that L-CAT members were asked to report cases of anti-social behaviour.

Comments made by the Forum and David Salkeld's responses included:-

- Was L-CAT examining access with other landowners in addition to land owned by the County Council? David Salkeld stated that L-CAT was examining access to land owned by a variety of landowners, e.g. the Forestry Commission and farmers.
- The Forum noted that the Police did not have knowledge of all public rights of way.
- David Salkeld stated that L-CAT was currently involved in the clearance of overgrown vegetation on a green lane at Fenton.
- How many vehicles did L-CAT have? David Salkeld stated that L-CAT had 40 members with the majority having vehicles.
- How was L-CAT funded? David Salkeld stated that L-CAT was funded by donations and fund raising activities. He stated that it would be possible to obtain funds from the Local Resilience Forum but most members just enjoyed getting involved on a voluntary basis. Members paid an annual membership fee which was used to pay for public liability insurance and a uniform. The organisation hoped to raise funds to buy a defibrillator and a gazebo.
- Did L-CAT have a code of practice for the use of green lanes? David Salkeld stated that he was not too sure if L-CAT had a written code of practice but he was aware of training leaflets for drivers of 4x4s to prevent damage to green lanes and to their vehicles.
- Was there an overlap of membership of L-CAT with other bodies? David Salkeld stated that L-CAT had tried to affiliate to other bodies, e.g. LARA (Land And Recreational Access).

There then followed a brief discussion on the membership of the Forum and it was noted that the Forum did not have a representative from motorised users of the rights of way. Officers agreed that it was difficult to achieve a balanced membership and that there was a need to conduct another recruitment drive as one had not been carried out for some time.

RESOLVED

That David Salkeld be thanked for his interesting presentation about L-CAT and consider becoming a member of the Forum.

98 COUNTRYSIDE FOR ALL ROUTES

The Forum received a report from John Law, a representative on the South Lincolnshire Local Access Forum, in connection with the latest developments in "Countryside for All". The Forum's attention was drawn to two actions in the report as follows:-

- Countryside for All Routes Leaflets – Officers stated that the County Council agreed that its logo should be moved to the back of the leaflet and to the back of any new folders when produced and paid for by an external sponsor. Both Forums agreed to this action.
- Accessibility Guide – The Forum suggested that disability groups, U3A and Age Concern should be used to promote the Accessibility Guide for Lincolnshire and North East Lincolnshire. The opportunity should also be taken to make use of members of the Local Access Forums to promote the guide.

RESOLVED

(a) That the report be noted.

(b) That John Law be informed that the Forum is in agreement to the actions brought to the attention of the Forum.

(c) That members of the Forum take every opportunity to circulate details of the Accessibility Guide to businesses and that John Law be informed of the other groups suggested by the Forum

99 NORTH EAST LINCOLNSHIRE COUNTRYSIDE AND RIGHTS OF WAY
IMPROVEMENT PLAN (ROWIP 2)

The Forum was informed that North East Lincolnshire Council was in the process of preparing its Rights of Way Improvement Plan 2 (ROWIP 2)

Officers stated that the County Council was not preparing a ROWIP 2 as there was nothing to report and that it had only been necessary to make amendments to ROWIP 1 as little had changed since its publication.

The Chairman stated that ROWIP 2 had been discussed at the East Midlands Local Access Forum's meeting and that there was agreement amongst members there that its production was not a priority.

Officers stated that due to the reductions in resources in the Countryside section since 2010 it was not possible to produce a second ROWIP on the scale of ROWIP 1.

The Forum agreed that in the event of any ROWIP 2 being produced there was a need to avoid the inclusion of "grandiose" schemes. The Forum suggested that the views of the 500 Parish Councils in Lincolnshire should be sought on how the public

**MID-LINCOLNSHIRE LOCAL ACCESS FORUM
24 OCTOBER 2017**

rights of way network should be managed. It was suggested that they should be sent an extract of the footpath network in their respective areas.

The Forum noted the implications of the removal of the Countryside Stewardship Scheme following a recent decision by the European Union were to be examined by Defra and this provided an opportunity for the Local Access Forums to submit their views on their future when the UK left the EU.

RESOLVED

That the report be noted.

**100 LINCOLNSHIRE COUNTY COUNCIL'S PROGRESS OF DEFINITIVE MAP
MODIFICATION ORDERS**

The Forum received a progress report on the County Council's Definitive Map Orders.

Officers drew the Forum's attention to the list of "active" modification order cases detailed in Appendix A, in particular Case No's 72 (Market Rasen), 49 (Hogsthorpe) in which a date for the Public Inquiry had yet to be arranged and 182 (Coningsby) which was an interesting one for any member of the Forum to attend the Public Inquiry because of its contentious nature.

A member of the Forum stated that it would be useful to have a report on those cases where evidence was being reviewed and when the cases were activated as it would be interesting to know how long the cases had remained on file and to provide some idea of progress and if there was no progress then the reasons why.

In response to an enquiry about whether "exception criteria 7" under the Highways and Traffic Guidance Note HAT33/3/11, detailed in the report, was ever used, officers stated that while its use was irregular the County Council was currently considering some cases which came under this criteria.

RESOLVED

(a) That the report be noted.

(b) That the Forum receive a report on those cases where evidence was being reviewed, when the cases were activated, how long they remained on file, to provide some indication of progress and if there was no progress then the reasons why.

**101 NORTH EAST LINCOLNSHIRE COUNCIL'S DEFINITIVE MAP
MODIFICATION ORDERS**

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

The Forum's attention was drawn to Case No. DMMO 7 (Vicarage Gardens) where the Council was examining what could be done to keep the current access open.

RESOLVED

That the report be noted.

102 LINCOLNSHIRE COUNTY COUNCIL PROGRESS OF PUBLIC PATH ORDERS

The Forum received a progress report from the County Council on its Public Path Orders.

The Forum's attention was drawn to a proposed meeting with Network Rail to discuss a proposal to amend the right of way in Claypole and Stubton Parishes to avoid crossing the main East Coast railway which was dangerous. It was proposed to amend the right of way so that it crossed a bridge 200 yards from the current route.

The Forum welcomed this development adding that the strategic option should always be investigated as rights of way which ran along major transport routes raised particular issues.

RESOLVED

That the report be noted.

103 NORTH EAST LINCOLNSHIRE COUNCIL PROGRESS OF PUBLIC PATH ORDERS

The Forum received a progress report from North East Lincolnshire Council on their Public Path Orders.

The Forum's attention was drawn to PPO 4 (Waltham FP 72) which had been on-going for a number of years and was now required to go to Committee because objections had been received about the location of an electricity sub-station.

RESOLVED

That the report be noted.

104 DATES AND TIMES OF FUTURE MEETINGS

The dates and times of future meetings were agreed as follows:-

2.00pm on Tuesday 23 January 2018 at the County Offices, Lincoln

2.00pm on Tuesday 17 April 2018 at The Stanhope Hall, Boston Road, Horncastle, Lincs LN9 6NF (Please note that the Admiral Rodney was unavailable)

The meeting closed at 3.50 pm

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Open Report on behalf of Richard Wills – Director responsible for Democratic Services

Report to:	Mid Lincolnshire Local Access Forum
Date:	23 January 2018
Subject:	Generic Advice to Planning Authorities (Minute 95)

Summary: To report on the responses received from Lincolnshire's District Councils following the decision made by the Forum to write to them about concerns expressed by both Local Access Forums that the County Council's Countryside Service was not being informed about planning applications affecting Public Rights of Way.

Recommendation(s):

That the responses of the District Councils be noted and that Members' comments be sought on the responses received.

1. Background

At the meeting of the Forum on 18 July 2017, it was agreed that the Clerk should prepare a letter, to be signed by the Chairmen of both Forums, to each Chief Executive of Lincolnshire District Councils, and that the Portfolio Holders for Planning should be copied into the letter, to express concern about the effect of planning applications on PROWs and that a copy of the advice given by Leicestershire Local Access Forum, should also be enclosed with the letter, with the view to the Forums providing similar advice to the Lincolnshire District Planning Authorities.

Responses have now been received from the District Councils and these are detailed in Appendix A.

A copy of the letter sent to the District Councils and the advice provided by Leicestershire Local Access Forum are attached as Appendices B and C, respectively, for information.

The views of the Forum are sought on the responses received.

2. 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. Appendices – A, B and C enclosed

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 Steve Blagg, Democratic Services Officer, who can be contacted on Tel No. (01522) 553788 or email – steve.blagg@lincolnshire.gov.uk

Responses of Planning Authorities in Lincolnshire to the letter sent to them on behalf of the Mid Lincolnshire Local Access Forum in connection with the effect of Planning Applications on Public Rights of Way

<u>Name of Local Authority</u>	<u>Response Received</u>
City of Lincoln	<p>Supports the protection and the development of Public Rights of Way within the City and beyond. The Central Lincolnshire Local Plan which was formally adopted in April by the districts of central Lincolnshire in conjunction with the County Council, contains several policies that provide opportunities to protect and enhance Public Rights of Way as part of the wider green infrastructure network of Central Lincolnshire. The advice from Leicestershire Local Access Forum is supported but I am not convinced that it adds a great deal to what has already been formally incorporated into the Local Plan.</p> <p>In terms of Development Management, Chris Miller did offer to send through annual updates of Public Rights of Way mapping layers and we would very much appreciate this. There is a layer within the interactive map for the Local Plan but a specific layer that we can incorporate into our Planning Information System would be extremely helpful so that Public Rights of Way can be identified as early as possible. Equally, whilst we do consult Highways and Planning colleagues at the County Council on almost all of the planning applications that we receive it would make sense to also consult directly with Chris's team. This would be very straightforward to set up once we have the mapping layer.</p>

	<p>We would be pleased to sit down with Chris and discuss matters further and there are opportunities to incorporate Public Rights of Way more centrally into planning decisions in areas such as Traffic Impact Assessments and Health Impact Assessments along with feedback that we can provide to be incorporated into the Rights of Way Improvement Plans.</p>
North Kesteven	<p>Is supportive of the issue of the draft Generic Advice, and which would have a positive role to play in decision making.</p> <p>In terms of the mapping of public rights of way, the Planning Team currently receives GIS updates from the County Council and which are then embedded into our own mapping system. The planning process uses the GIS data to identify constraints and which are used to inform consultations, etc. I understand that the system operates well, and as such we would support the continued release of GIS layer updates.</p>
South Kesteven	<p>The Council is on the Lincs Development Managers Forum and was unable to attend the meeting that considered Rights of Ways issues. The Council has a copy of the minutes of this meeting. The generic advice to planners on rights of way issues was read with interest, was considered a very useful note and was distributed to the planners. The Council has not experienced the negative issues that were raised in the letter from Chris Padley. However, the Council does take learning and development seriously. Chris Padley and the new Senior County Council's Definitive Map officer are invited to attend one of the Council's regular planning officer's training sessions where we can discuss the matters raised in Chris Padley's letter. If this is acceptable, the Council will make contact with the relevant people and send the date of the next training meeting.</p>
Boston	<p>Leicestershire Local Access Forum's advice is considered sound and the principles should be endorsed. The Council does indeed understand the importance of ensuring that planning decisions take full account of protecting</p>

	<p>existing Rights of Way and if possible seeks to extend the network. The Council welcomes the steps being taken to improve the linkages as set out in the letter and as agreed by the Development Management Officers Group. The interim Development Control Manager will review our current procedures in respect of consulting with the County Council's Countryside Services and will improve arrangements if necessary.</p>
East Lindsey	<p>The Council has a formal process in place, in that if an application affects a public right of way we always consult the County Council's Countryside Access Group, for their comments. If, in the unlikely event, a diversion is necessary we will always make sure the County Council are satisfied with that approach. We have to do the diversion if it is because of a planning permission, as one of the duties of the planning team.</p> <p>I can also confirm as a matter of principle the first priority is to protect or enhance an existing route when dealing with an application near a PROW.</p>
West Lindsey	<p>The Council have taken a number of steps to ensure that our consultation and engagement with all consultees is extensive and effective and welcomes the opportunity to consider new guidance that can enhance this further.</p> <p>The guidance that has recently been introduced for the Leicestershire area looks like a very positive step in this regard and officers were grateful to the LAF to be able to learn more about this and discuss the role of the LAF at the Lincolnshire Development Management Officers Group back in June 2017.</p> <p>Many consultees have put in place guidance such as the draft version supplied to improve the way that all parties engage in the planning process and we strongly support the introduction of any further guidance that can assist this further.</p> <p>Whilst it was pleasing to hear within that meeting that in our area this</p>

	consultation is carried out effectively, I recognise that this is not necessarily consistent across all planning authorities and whilst the guidance is non-statutory it is very helpful to understand the most effective ways and means to engage with consultees. I would also strongly advocate the LAF's close engagement in emerging local plans, as this will also ensure that rights of way, open space and amenity is being extensively covered during plan-making.
South Holland	No response received



To: All of the Chief Executives
of District Councils in Lincolnshire
(copy of letter to: All Portfolio Holders
with responsibility for Planning)

Tel:- (01522) 553788

28 July 2017

Dear Chief Executive,

Mid-Lincolnshire and South Lincolnshire Local Access Forums – Public Rights of Way – Generic Advice to Planning Authorities

The Mid-Lincolnshire and South Lincolnshire Local Access Forums have recently considered a report by Chris Miller, Environmental Services Team Leader (Countryside), in connection with the effect of planning applications on Public Rights of Way (PROWs). The Forums noted advice given by the Leicestershire Local Access Forum to Leicestershire Local Authorities and a copy of this advice is enclosed for information.

Both Forums have expressed concern about the lack of knowledge in some cases by District Planning Authorities in connection with the need to consult the County Council's Countryside Services about the effects of a planning application on a PROW. In some exceptional cases a planning application has been approved without any knowledge of the existence of a PROW.

The Forums noted that officers from the Countryside section had recently attended a meeting of the Development Management Officers' Group where the following issues had been discussed:-

1. Provision of Mapping System Updates – it was agreed that the County Council would send yearly electronic updates to GIS Public Rights of Way mapping layers held by District Councils for their use in processing planning applications and drafting Public Path Orders.
2. Amendment made to Section 257 of the Town and Country Planning Act 1990 by Section 12 of the Growth and Infrastructure Act 2013.
3. Town and Country Planning Act 1990 Orders and Safe Design Principles.
4. Other Matters – Amongst others, this included the procedure for dealing with Draft Public Path Orders; implications of the Deregulation Act 2015.

The Forums welcome your comments on the use of the advice given by the Leicestershire Local Access Forum to Lincolnshire planning authorities and or developers and any other comments you may have generally.

Yours sincerely

Chris Padley
Chairman of the
Mid-Lincolnshire
Local Access Forum

Councillor Ray Wootten
Chairman of the
South Lincolnshire
Local Access Forum

(Please send your response to the following:-

Steve Blagg, Democratic Services, County Offices, Newland, Lincoln LN1 1YL or
email – steve.blagg@lincolnshire.gov.uk)

This is a generic advice / response agreed by Leicestershire Local Access Forum to be given to planning authorities and or developers. Elements may be omitted depending on their relevance to any particular situation and points may be added regarding specific applications after email or other consultations with the members of the Planning & Travel Committee.

The Leicestershire Local Access Forum (LLAF) wishes to make what we trust you will find constructive suggestions for when considering planning applications and local plans. Planners are quite constrained by national guidelines but still have sufficient discretion to make a difference in a number of areas of concern.

The LLAF is an independent statutory body, set up as a result of the Countryside and Rights of Way Act (CROW) 2000, and exists to represent the interests of everyone concerned with access to the countryside and the public rights of way network including footpaths, bridleways and byways, cycleways and areas of open access.

Section 94 of the CROW act makes it a statutory function of the Forum to give advice to a range of bodies, including local authorities, on access issues in respect of land use planning matters.

Ministers have advised that in particular forums were asked to focus on the impact and options for minimising possible adverse effects, of planning policies and development proposals in respect of future public access to land and identifying and expressing support for opportunities to improve public access, or associated infrastructure, which might be delivered through planning policies or new development.

There are three issues which we wish to highlight where the planning process can help greatly. There is an amount of overlap.

These are:

Access and sustainable travel

Open spaces for both people and wildlife

Planning for the environment.

Access and sustainable travel

When considering new developments, the design of our neighbourhoods are key to promoting healthy travel habits, where local facilities such as shops, doctors, schools and other services are located to encourage routine walking and cycling.

The benefits of the footpath, bridleway and cycleway networks are multi-dimensional and have impacts on sustainable travel, green infrastructure, recreation, tourism, local economies, health and general well-being. They are an essential mechanism for linking communities and facilities if we are to reduce motorised transport and the carbon emissions that ensue. They play a major part in the development of the recreational potential of any area. It is essential to create a physical, social, economic, and legal context in which more people will be encouraged to walk more often and to walk further.

The benefits of the rights of way network should be balanced against the need to protect and enhance the ecology and landscape and enable regeneration and economic growth. These should not be viewed simply as competing demands but as a challenge to use best practice and/or innovative approaches to achieve good quality outcomes to meet each of the aspirations. The LLAF recommends that any policy includes a dedicated section that makes specific reference to the existing network and potential improvements to it and to this end we would suggest the paragraphs in appendix 1 be included in any policy or plan.

When looking at planning applications there are a number of areas that should be considered. If we want to encourage sustainable travel and improved physical and mental health of the residents, then all developments should be designed to encourage and facilitate the taking of exercise by walking. This does not mean providing no bus service but it does mean wherever possible offering attractive alternatives.

Snickets and cut-throughs should enable people to get to facilities such as shops, schools and bus routes. We need however to look at the bigger picture beyond the actual potential development site. Does an existing right of way pass nearby or is there some green space close by? If so can a link from the site be achieved? If not within the control of the landowner could section 106 monies 'buy' a way to join the network up?

We need to ensure that in the planning of our communities, access to basic amenities and services is not dependent on car ownership but is always available to those on foot, bicycle, wheelchair and public transport.

Open spaces for both people and wildlife

If we are to encourage walking we need attractive places to attract them. Green open spaces are great for wildlife and provide an outlet for residents to enjoy. If trees feature they are also 'lungs' helping counteract air pollution. Planners should always bear this in mind when permission is requested to remove trees.

The built environment has a major impact on how we travel, so planners and policymakers have an opportunity to make changes in that environment to promote healthier and more active communities. The presence of, and access to, green areas and the natural environment can help increase activity and reduce obesity. Daily physical activity is essential for maintaining health; inactivity directly contributes to 15% of deaths in the UK

Whether for walking, running or the riding of either bicycles or horses, the benefits of all kinds of access to green space have mental and general health benefits plus many economic benefits especially to rural communities by transferring money from the urban areas to the countryside. To harness these benefits a concerted and coordinated effort is needed from policy makers, planners, public health practitioners, health professionals, the voluntary sector, community groups, local media and the public themselves. This collaborative effort needs to identify available green spaces, make them safe and accessible for everyone, make use of them for community and group activities and prescribe their use to promote health and wellbeing. They could help treat a number of conditions, particularly mild to moderate depression. Planning can assist by either encouraging provision within developments or rejecting applications which would threaten such areas.

Larger developments are required to leave green oases but these are often overly manicured. Sewn and fertilised 'parks' are good at absorbing rainwater but rough grassland is over four times more effective and trees improve things further. Such wilder 'semi-natural' areas are also much better for wildlife. We must plan for more absorbent habitats especially in the flood plains. Wetlands and woodlands are ideal at holding back floodwaters as are moors but these

are in short supply in Leicestershire. They also provide a varied landscape for residents to access and enjoy.

The National Planning Policy [NPPF] provides protection for Local Green Space although local Green Space does not have a single definition but provided it is of local significance to the community it should be protected.

All new development should produce a green infrastructure plan to show how the development can improve green spaces and corridors for people and nature, in the context of the surrounding landscape.

Even small scale developments could contribute significantly to creating and enhancing local wildlife habitat thereby encouraging people to get out into the wilder areas to see it. This may be by requiring or suggesting using native plants in landscaping schemes. Also for every tree that is removed they could be required to plant two or even three. Developers should be encouraged to create new habitat such as woodland, wetland, wildflower meadows or other wildlife habitats and adding a green roof to new buildings is also to be encouraged

It can be a win-win situation. If we create wetland and woodland areas and green corridors linking them, we can help wildlife to migrate between populations keeping them healthier and introducing them to our gardens; can create ideal walking possibilities for the health and general well being of the population and cut down the risk of flooding all at the same time.

We must protect and extend natural habitats that soak up and store rainwater. We can employ these natural processes in urban areas, including water-holding habitats in the urban scene and by installing more green roofs on our houses and garages, more permeable surfaces in our towns and cities and more sustainable drainage systems to capture excess water.

Planning for the environment.

Many parts of Leicestershire suffer air pollution levels close to or in excess of acceptability. When agreeing any new roads or industrial sites it is essential not to add to this problem.

Parts of the County are prone to flooding which can close off rights of way and hinder access to open spaces. All applications should be assessed for impact in this regard. Other parts of the country have suffered far worse, but homes in some areas are at risk and we must not add to the problem. There is increasing pressure to build in the flood plain of the Soar and its tributaries in particular the Rothley Brook corridor.

It is little use building flood protection barriers if it just transfers the problem downstream.

When looking at major developments flood relief basins are required but more use of planning could be made on a small scale. Wherever possible parking areas should be made of permeable material and that includes drives to domestic properties. Far too many homes are paving over front gardens for parking which stops rain being absorbed into the ground and speeds up run off. Urban areas lack the vegetated spaces needed to absorb water safely and release it slowly. Poor planning in the past has allowed too much hard landscaping. Another means of slowing this run off which planning can promote is the application of green roofs to larger constructions.

We need an integrated approach to flood alleviation and water quality issues and adverse side effects like wildlife decline. This is just as important locally as

Nationally and we must stop ignoring Environment Agency advice and building in the wrong places.

Where Sustainable Urban Drainage Systems (SuDS) are needed they should be designed in a way that benefits wildlife. Good SuDS schemes not only help with water management to prevent flooding but also benefit wildlife for little or no extra cost and provide attractive oases for walkers to visit.

APPENDIX 1

Footpaths, Bridleways, Cycleways and Access Land

1. Whenever new developments are considered it is important that improvements to the foot/bridle/cycle path network are considered. Such changes should aim to improve sustainable transport, green infrastructure, recreation, tourism, health and general well-being. Improvements will normally have beneficial impact on local economies and the aspiration should be for improvements rather than for maintenance of the status quo. Considering their public utility, footpaths have very low maintenance costs. The larger the scale of any developments, the greater should be the opportunity to enhance all aspects of the foot/bridle/cycle paths network.

2. The most important property of the network is the inter-connectedness of the network itself. Every opportunity should be taken to improve the inter-linking of the network so that it becomes more useful to the public.

3. Opportunities should be taken for giving rights of way a higher status whenever possible. For example, bridleways are legally useable by both cyclists and pedestrians whilst footpaths can only be used by walkers.

4. For the maximum public benefits, the main target groups are schoolchildren and short-distance commuters. In essence, these require direct routes from A to B. Such routes should also provide safe and pleasant access to and from public transport facilities, local shops, medical centres, etc.

5. For recreation, families look for attractive circular routes. Based on the experience of the LLAFF, recreational routes are preferred where they are away from traffic; beside water; with open space on one side and, whenever possible, having a good surface (pram-pushing, child-biking, walking and riding). They are most popular when free from stiles and gates.

6. New housing developments will contain a large number of dog walkers and these users need to be catered for. Circular routes of about one kilometre are most useful for these.

7. Where significant mixed foot, horse and cycling traffic is expected, the way needs to be of appropriate width to allow all traffic to pass easily and safely and, where practical, different classes of users should be provided with their own space. Wherever possible motorised traffic is to be kept separate from other users.

8. The surfaces of the foot/bridle/cycle path network should be appropriate for its use and the amount of traffic expected. Cycleways for example need an all-weather surface otherwise they soon become too muddy for general use and some bridleways can become so cut up by horses that the surfaces become difficult for use by pedestrians. These problems can be avoided by appropriate drainage and surfacing.

9. In order to assist the less able and those pushing buggies etc, gates/gaps/stiles should be as easy to use as the requirements permit. On bridleways, gates should allow operation by riders without dismounting.

10. In some circumstances, particularly in built-up areas, lighting of the foot/bridle/cycle path may be required.

11. When a development fronts an existing road, separation zones e.g. grass verges or 'behind the hedge' routes should be considered to take walkers, cyclists and horse riders away from motorised traffic. Every opportunity should be taken to create new routes and to link up with any existing routes, although care needs to be exercised in planning where users can re-access the highway.

12. New foot/bridle/cycle paths can often usefully be combined with "green wedges" and "wildlife corridors" thus also fulfilling the need to protect and enhance both the ecology and landscape.

13. Longer distance routes for those taking exercise or pursuing treks as a hobby, bring visitors into rural areas boosting local economies and to this end all opportunities should be taken to improve connectivity to local services

14. It is often thought that the rights of way network is already fixed, but this is not true. Leicestershire has hundreds of "lost ways" and informal "desire paths". Any proposed development should aim to recover these historic assets or link existing paths together. Informal paths should not be ignored just because they have no legal protection. The LLAFF working with the County Council has established a wish list of many of the possibilities and these can be made available to planning authorities or developers.

15. As required by statute, Leicestershire County Council has a Rights of Way Improvement Plan which should be consulted when developments are proposed.

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COUNTRYSIDE FOR ALL

Report for Local Access Forum meetings on 23 & 24 January 2018

1. VOLUNTEERS REQUIRED

We are continuing to struggle with our workload and will now have to decline any new projects.

2. COUNTRYSIDE FOR ALL ROUTES

2.1. Lincolnshire

We have had further slippage in producing the 5 new route leaflets. This has been due to workload and issues with three of the sites. The issues have now been resolved and the leaflet details will be with the designer/printer by the end of January.

The survey for the Woodhall Spa Airfield route is now planned for February this year.

Unfortunately we did not win our funding application to the Police Mutual. So we still have the issue of raising £1020 to restock 12 route leaflets. The £1020 is required to enable us to have 1000 copies of each of the 12 route leaflets. We are currently applying for the Big Lottery Awards For All grant and the request for funding these route leaflets will be part of that application.

We are still investigating if we can attract a sponsor to fund all future design, artwork and printing of all Lincolnshire and Rutland route leaflets and folders. An annual sum of £2000 is required. As stated in the last report if we can get a sponsor to support us in this area, this will help our workload as we will not need to complete as many funding applications. It will also help ensure leaflets never go out of stock. We need to make sponsoring the leaflets an attractive proposition for potential sponsors. If we offer future sponsors the opportunity of having their logo on the front of future leaflets and folders, it could be seen as an excellent way of promoting businesses. This could also enable both County Councils to manage the stock levels in their storage space. We need professional help in how we promote this to potential sponsors. We would appreciate it if the County Councils could provide us with guidance from one of their officers in the relevant department.

The quote for undertaking the survey work at the Coastal Country Park for the four Countryside For All route leaflets, has been sent to Lincolnshire County Council. Lincolnshire County Council may include this together with the production of leaflets, in with a funding bid to the East Coast Community Fund. If the funding application

does not go ahead, the sub group will consider how and if to take this forward independently.

ACTION: Chris Miller/Stuart Crook – Please identify a County Council department/officer to provide guidance on attracting sponsorship for Countryside For All surveying, leaflets and folders.

2.2. Rutland

A member of the LAF led a walk for the Rutland Disabled Youth Forum (RDYF) at the Countryside For All route at the Rutland Water Nature Reserve in 2017. The Public Liability Insurance was provided by Rutland CC Aiming High team. There were some issues of concern along the route. We have arranged a site meeting for 10th January with Anglian Water, Rutland Disabled Youth Forum and ourselves to discuss these issues.

ACTION: John Law – Provide a verbal update in relation to the Rutland Water Nature Reserve site meeting.

3. INCLUSIVE COUNTRYSIDE ACCESS COURSE

The course was held at Whisby 23rd November. The delegates included 10 officers of the Woodland Trust, 2 from Anglian Water, 1 from the Lodge Trust and a member of the Mid Lincolnshire LAF. A summary of the course feedback survey appears below:

	Poor	Satisfactory	Good	Excellent
Course content	0	0	3	11
Course presentation	0	1	3	10
Course material	0	0	7	7
Venue	0	0	3	11

The detailed feedback comments will be passed round at the LAF meeting.

The above will be part of our feedback to the Nineveh Charitable Trust.

4. NINEVEH CHARITABLE TRUST'S VISIT

Further thought has been given to the invitation to the Nineveh Charitable Trust's visit. We will be applying to the Trust for funding for the Spalding Choice Unlimited event, this is detailed in item 5, in this report. The Trust having a display at the Spalding event would add value to the event. It would help promote the Trust and it would also give other organisations the opportunity to talk about funding with them. Being part of the event will also give the Trust an insight to the work we are doing and what we are achieving through their funding. So instead of inviting the Trust to

attend as a visitor, we will give them the opportunity to attend as either a visitor of exhibitor.

As stated in the previous report we will also invite the Trust to Oakham. This is to enable them to see how their funding has and is making a difference to people with disabilities. This will be supplemented by a visit to the Lodge Trust to discuss a joint project at the site which we hope the Nineveh Charitable Trust will fund.

5. DEMENTIA FRIENDLY WALKS – RUTLAND

A very constructive meeting was held with Robert Clayton (RCC) at the Oakham Castle Grounds in relation to making them more accessible and the sensory planting scheme. We have arranged for Dementia Adventure to provide free advice for the planting design.

6. FUNDING BIDS

We are currently applying to the Big Lottery Fund – Awards For All, for the Spalding and Rutland Choice Unlimited event. We are also applying for funding to the Nineveh Charitable Trust to partially fund either this or next year's Spalding Choice Unlimited event. This is dependent on the outcome of the application to the Big Lottery. The application to the Tesco Bags of Help fund has been put on hold until the other funding applications are completed.

7. CHOICE UNLIMITED EVENT

7.1. In term time or outside term time

The Rutland Choice Unlimited event was held during term time in 2017. One of the reasons for this, was to attract special schools to visit the event, to enable children to learn of the opportunities available to them. A member of the South Lincolnshire and Rutland Local Access Forum is concerned about the damage to children's education, by taking children out of school on educational organised school trips during term time. Whilst most members felt this was not the case, without evidence it could not be proven whether taking children out of school during term time damaged their education. In order to find evidence, two days research was spent by a member of the Countryside For All sub group. The evidence gathering included talking to individuals who work with children in special needs schools in counties other than Lincolnshire and Rutland, phone conversations with the Department of Education, examining Department of Education reports and examining material on the internet. The outcome was that there was no evidence that taking children out of school on educational school trips during term time damaged their education. There was substantial evidence proving that taking children out of school on educational organised school trips during term time added value to classroom lessons.

As mentioned before, the Choice Unlimited events can substantially help improve the lives of children and adults with disabilities.

Whilst at the South Holland Health and Wellbeing meeting a presentation was delivered by Sally Stanfield, Lincolnshire Young Carers Service (LCC). Following a separate conversation with Sally, it was felt there is a need for young carers to be given the opportunity to attend the Choice unlimited event with their family. These young carers would be attending main stream schools. A number of special educational needs and disabled pupils would also be in main stream schools.

It is important that school trips from special schools visit and take part in the Choice Unlimited event. It is also important that children in main stream education have the opportunity to visit the event. The Spalding Choice Unlimited working group are now considering alternating the event annually between in term time and out of term time. They are also considering if the Rutland Choice Unlimited working group adopt the same approach, to hold the event in term time when the Rutland Choice unlimited is held outside term time. This approach could benefit everyone. The Spalding Choice Unlimited working group meeting will be discussing this issue 23rd January. The Rutland Choice Unlimited working group will decide on the way forward with all the facts available.

7.2. Rutland

Due to Rutland County Council leasing the hall at the Active Rutland Hub to another organisation we are not able to use this venue. We are investigating the suitability of the Oakham Rugby Clubhouse and it is felt that this maybe our only option. Unfortunately this is a smaller venue and we want to grow the event. Ideally we would like to have the option of using the Rugby clubhouse and the marquis at the Rutland Show either before or after the event. We have made some enquiries in relation to this but they have not led to a satisfactory outcome. We would like some help with this line of enquiry.

The letters for sponsorship have been sent out. The level of response will be announced at the LAF meeting.

ACTION: All – Please assist with sourcing a suitable venue for the Rutland 2019 Choice Unlimited event.

Cheryl – Please provide an update on the level of responses in relation to sponsorship.

7.3. Lincolnshire

Now the date of the Royal Wedding has been announced we can confirm the Spalding Choice Unlimited event will be 15th May. Possible sponsors have been identified and letters will be sent out shortly. The next meeting of the working group is 23rd January, so a verbal update on any issues of concern will be given at the LAF meeting.

ACTION: John Law – Provide a verbal update

8. SENSORY TRAILS AND GREEN SPACES

Due to workload this project has not progressed any further.

9. CHANGING PLACES TOILETS

9.1. North Sea Observatory

As reported at the last meeting the North Sea Observatory has not incorporated changing places toilets into the design. We have asked Chapel St Leonards Parish Council if they can investigate the possibility of the building currently housing the cafe, to include a changing places toilet when the cafe ceases to trade. We requested an update from the Parish Council early January. The Parish Council stated 9th January, that their plans have not moved forward as quickly as they had hoped. Our ideas have been added to their list and they will get back to us as soon as it is practical.

9.2. Letter to the CEO of Anglian Water

The letter to the CEO of Anglian Water has been sent in relation to Changing Places Toilets at Rutland Water. We are currently awaiting a response. An update will be provided by Cheryl at the LAF meeting.

ACTION: Cheryl – Please update the LAF on the response we have had from Anglian Water.

10. VISIT ENGLAND – PROMOTING ACCESSIBLE BUSINESSES, INCREASING TOURISM AND VISITOR SPENDING

10.1. Rutland

An invite has been sent to business groups and the Rutland Access Group to attend a presentation. Discussions will be held following the presentation on how those at the meeting wish to take the topic forward.

10.2. Lincolnshire

A meeting has to be arranged with LCC to see how to take this forward.

10.3. North East Lincolnshire

A meeting has to be arranged with North East Lincolnshire to see how to take this forward.

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North East Lincolnshire ROWIP Objectives

Project Details	Comments	Update
ROWIP 2	Still being drafted.	

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Open Report on behalf of Richard Wills - Executive Director for Environment & Economy
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Report to:	Mid Lincolnshire Local Access Forum
Date:	23 January 2018
Subject:	Definitive Map Modification Orders - Ongoing

Summary:

A report on the progress of Definitive Map Modification Orders currently being progressed

Recommendation(s):

That the report is noted & formal written advice provided as required.
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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 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 on a case's priority in response to such an appeal.

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 31 st December 2017
Appendix B	Appeals against prioritisation – Quarter 3 2017-2018
Appendix C	<u>Definitive Map Case Prioritisation</u> (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 - <u>HAT 33/3/11</u>
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This report was written by Catherine Beeby, Senior Definitive Map Officer, 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
Middle Rasen	72	PF	Caistor Rd to Gatehouse Lane	Yes	05/08/87	DMMO seeking to record PF 1147 made 12/06/17 – objection period ended 10/08/17 – objections received. Submission to Planning Inspectorate (PINS) in progress.
Hogsthorpe	49	PF	Sea Lane to Maiden Lane	Yes	11/12/1986	Submitted to PINS 03/08/17. Decision due after 17/01/18.
Ancaster	2	RB	Regrade from RB to BOAT	Yes	13/11/1991	Reviewing evidence.
Coningsby	182	PF	School Lane to Dogdyke Road	Yes	06/11/1997	Submitted to PINS 27.04.2017 – Public Inquiry rescheduled: new dates 25 and 26.07.18 at Coronation Hall, Spa Rd, Woodhall Spa LN10 6PZ. Path number PF 1124.
Tetford	365	PF	Addition of "missing link" North Road to PF 33	No	30/09/2013	Summary for decision under way.
Ludborough	378	PF	Alleged PF along track running to and from PF 107	Yes	06/10/2014	Reviewing evidence.
Navenby	384	PB	Alleged PB Grantham Road-Doncaster Gardens	Yes	16/04/2015	DMMO made seeking to record PF 1146 along the Application route on 23.06.2017: objection period 06.07.2017-18.08.2017. Objections received and not withdrawn. To be submitted to PINS.
Heydour	48	PF	PF to be diverted	No	01/01/1985	Reviewing evidence.
Aunsby & Dembleby	5		Aunsby RB 6 plus section to Manor House Farm, Aunsby PB 9, Heydour RB 18	No	11/07/1985	Reviewing evidence.
Mablethorpe & Sutton	106	PF	High Street to Broadway	Yes	16/09/1985	Submitted to PINS 06/11/17. Awaiting details of method of determination.
Grimoldby	43	PF	From Mill Lane	Yes	23/10/1985	Submitted to PINS 24/06/17. Determination expected shortly.
Burgh-le-Marsh	18	PF	Faulkers Lane	Yes	10/02/1987	Draft Statement of Grounds complete.
Stamford	101	PF	Cherry Holt Lane to Priory Road	Yes	03/04/1987	Awaiting information from various parties before submission to PINS.

BOAT: Byway Open to All Traffic

RB: Restricted Byway

PB: Public Bridleway

PF: Public Footpath

- **Total Number of cases (formal application or self-initiated): 152 outstanding inclusive of 4 Orders awaiting determination by the Secretary of State at 31st December 2017)**

APPENDIX B – Appeals against prioritisation – Q3 2017-2018

No DMMO prioritisation appeals were submitted or heard over the period since the last forum meeting.

APPENDIX C – Definitive Map Case Prioritisation

ACTIVE CASEWORK

Parish	File	Status	Further details	Application/Acceptance	Active	Priority Ranking
Middle Rasen	72	PF	Caistor Rd to Gatehouse Lane	05/08/1987	Yes	1
Hogsthorpe	49	PF	Sea Lane to Maiden Lane	11/12/1986	Yes	2
Ancaster	2	RB	to BOAT	13/11/1991	Yes	3
Coningsby	182	PF	School Lane to Dogdyke Road	06/11/1997	Yes	4
Tetford	365	PF	Addition of missing link to PF 33	30/09/2013	Yes	5
Ludborough	378	PF	Claimed footpath along track running to and from PF107	06/10/2014	Yes	6
Navenby	384	PB	Claimed bridleway from Grantham Road to Doncaster Gardens	16/04/2015	Yes	7
Heydour	48	PF	PF to be diverted - from Southern end of PF 3 to church Lees	01/01/1985	Yes	8
Punsby & Dembleby	5	PROW	see file	11/07/1985	Yes	9
Mablethorpe and Sutton	106	PF	High St to Broadway	16/09/1985	Yes	10
Grimoldby	43	PF	from Mill Lane	23/10/1985	Yes	11
Burgh-le-Marsh	18	PF	Faulkers Lane	10/02/1987	Yes	12
Stamford	101	PF	Cherry Holt Lane to Priory Rd	03/04/1987	Yes	13

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

Ref Number	Parish	Location	Effect of Application	Date of Application	Progress Notes
DMMO 7	Grimsby	Vicarage Gardens/Compton Drive to Bargate	Claimed Footpath	18/03/08	User evidence statements currently being taken. Quite a lot of interest to keep the route open and have it as a Public Footpath.
DMMO 8	Grimsby	Macaulay Lane to Newhaven Terrace	Claimed Footpath	17/04/08	Correspondance with Planning Department, confirming the location of the Public Footpath. The Public Footpath will link the developemtn with the Country Park and part of West Marsh. I wider respects this will be an access from Laceby to Europarc.
DMMO 9	Grimsby	Cormorant Drive to Great Coates Road, Grimsby	Claimed Footpath	21/12/17	Lost Footpath that was proposed during the development of Aylesby Park but was ignored. Anti-social behaviour has brought part of a path into question.

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

Report to:	Mid Lincolnshire Local Access Forum
Date:	23 January 2018
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 eight diversions to realign routes in the Coastal Country Park area including the potential dedication of a bridleway over a current footpath. The Orders were made 21.07.17, with an objection received to one. Five Orders are awaiting confirmation and three Orders need further work.
- A proposal to dedicate Public Bridleway No. 1109 in Somerby (near Bigby) between Cadney Public Bridleway No. 282 (North Lincolnshire) and maintainable highway at Somerby Low Farm.
- A proposal to extinguish and divert parts of Public Footpath 55 in Skidbrooke with Saltfleet Haven and Saltfleetby St Clement parishes, and to divert part of Public Bridleway 1059 in Saltfleetby St Clement.

- A proposal to divert part of Helpringham Public Footpath 7.
- Extinguishment and creation orders in Market Deeping and Deeping St James parishes seeking to provide an improved route for a well-used public footpath in a developed area were made, with a consultation period running to 02.06.2017. An objection has been received. The proposal was submitted to the Planning Inspectorate to determine on 14.08.2017. A Start Date is awaited.
- A proposal to extinguish, dedicate and create various PROW in Claypole and Stubton parishes, which is currently being assessed to determine the legislation to be used.
- A proposal to divert part of Sutton on Sea Public Footpath 323.

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 the 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 is developing a provisional Public Path Order Policy, which will eventually determine the order in which proposals are processed. This will need to be ratified before it can be implemented, and is subject to any changes necessary once regulations in respect of the Deregulation Act 2015 are issued.

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 Catherine Beeby, Senior Definitive Map Officer, who can be contacted on 01522 782070 or countryside_access@lincolnshire.gov.uk.

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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	Northern Powergrid have given a time scale of 1 year time scale. An application for relocation has been submitted to planning officers. A petition has been submitted objecting to the relocation of the substation. This is going to committee.
PPO 15	Stallingborough FP21	HA s118 & s26	Self initiated	Currently trying to establish contact with one of the landowners where the proposed diversion would run.
PPO16	Humberston FP52	HA s119	Self initiated	Diversion order to be made to relocate and reinstate this path which has been unavailable for some time.
PPO17	South Killingholme FP94	HA s119	Initiated by North Lincs Council	Signage to be installed.
PPO 19	Stallingborough FP 37	HA118A	Initiated by Network Rail	Decsion to be made regarding the extinguishment.
PPO 20	New Waltham	TCPA 1990	Initiated by developer	Order currently being written.
PPO 21	Ashby cum Fenby	HA 118	Initited by landowner	Report to be considered by Planning Committee for the approaval of the diversion of the Public Footpath.

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