

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

Report to: **Mid-Lincolnshire Local Access Forum**  
Date: **23rd April 2013**  
Subject: **County Council working practices on the provision of information regarding unavailable public rights of way.**

**Summary:**

A report for discussion regarding how the County Council can provide relevant information to the public regarding paths which are known not to be available.

**Recommendation(s):**

That the report is noted and advice to the County Council formulated by the Local Access Forum.

## **1. Background**

It is known that a number of public rights of way remain unavailable for public usage despite depiction on the Definitive Map & Statement. This may be for a number of reasons including (but not limited to):

- A temporary or full Traffic Regulation Order
- A major obstruction such as a building or large watercourse
- The lack of a vital piece of infrastructure such as a large bridge.
- Complex outstanding legal issues that should be resolved prior to further financial investment on a route.

Currently on the receipt of a report from a member of the public the County Council will respond on the basis of timescales as laid out in Policy HAT 73-1-12 regarding the priority of public rights of way and the associated timescales for standard enforcement or maintenance work.

These timescales are for guidance only and there may be times when it may not be possible to meet these service standards or may fall into a category of progress being made on the basis of when time and resources allow.. In such instances the

County Council will inform respondents as to the reasons why and what action is being taken. Rights of way affected by situations such as a major obstruction or legal issue will be classed as a Priority 4 route and it is expected that no resolution as to a timescale can be made and the way is likely to remain unavailable for some time.

<b>PRIORITY</b>	<b>Rights of Way Act Infringements (Ploughing &amp; Cropping)</b>	<b>Grass Cutting &amp; Vegetation Clearance (Subject to cyclical programme)</b>	<b>Path Furniture Repair and Minor Obstructions</b>	<b>New or Replacement Bridges</b>	<b>Essential Surfacing Works</b>
<b>1</b>	3 Months	2 Months	3 Months	Subject to size, location and resource availability	Works Subject to Finance and Availability of Workforce
<b>2</b>	4 Months	2 Months	6 Months		
<b>3</b>	Works Subject to Finance and Availability of Workforce				
<b>4</b>	Works only to be undertaken when major issues are resolved.				
<b>Any report which is a Health and Safety consideration will be dealt with in a timescale dependent on an appropriate risk analysis</b>					

## **2. Future Proposals for Discussion**

In order to provide more proactive information to users to enable the planning of walks a number of potential actions could be taken.

- a) Ensure that correspondence references why a route is currently unavailable including all routes classed as Priority 4.
- b) A list of long-term unavailable rights of way (Priority 4) to be published on the Council website giving grid references, a reason for closure with a link to the Countryside Access Map or other form of mapping to indicate the location of the unavailability.
- c) The erection of onsite signage to indicate unavailability of a route with associated mapping to highlight an alternative way.
- d) Warn the public on the Countryside Access Mapping webpage of the potential for rights of way to be unavailable.

Any actions undertaken would form part of a Works Instruction Memoranda until such a time as they can be formalised through the introduction of relevant PRow Customer Service Policies

## **3. Resources**

In implementing any actions consideration as to the availability of resources and the feasibility of the approach must be taken. In this regard officer analysis of the four potential actions is as follows:

- a) Limited resource implications and officers can merely add a sentence to any standard response letter outlining reasons for unavailability.
- b) Limited resource implications for the publication of a list on the website. Resource for IT implications will be required and project time allocated to progressing any action of this sort.
- c) Significant resource in terms of officer time, contractor time and finance for the installation of any form of onsite signage. It is also considered that in a number of cases related to particular legal issues it may be inappropriate. For a number of routes it is possible that any signage would be removed by occupiers keen not to draw attention to the right of way and without enforcement work being undertaken no follow up by the Council is likely in those circumstances.
- d) Limited resource implications in making alterations to the Council web-mapping. Project time will be required to be allocated to progressing any action of this sort.

#### **4. Officer Recommendations**

That the Mid-Lincolnshire Local Access Forum considers the issue of information regarding unavailable public rights of way and provides advice to the County Council as appropriate.

#### **5. Background Papers**

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

Highways & Traffic Guidance Note <a href="#">HAT 73-1-12</a> - Revisions to the Public Rights of Way Path Prioritisation Policy, Standard Issue Timescales and Inspection Regimes
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