

County Council

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

Report to:	Mid Lincolnshire Local Access Forum
Date:	24 October 2017
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.
- A diversion of part of Public Footpath No. 124 and extinguishment of a non-definitive footpath at North Wold Farm in Tealby: an Order was made 05.05.2017, with the consultation period running to 15.06.2017. No objections were received therefore the Order was confirmed.
- A proposal to divert Old Bolingbroke Public Footpath 198, for which the consultation period also ended on 15.06.2017. No objections were received therefore the proposal is awaiting certification of the route.

- A proposal to divert Irnham Public Footpath 7, for which consultations ended on 16.06.2017. No objections were received and the proposal was confirmed 26.09.2017.
- 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, however an objection has been received. The proposal was submitted to the Planning Inspectorate to determine on 14.08.2017.
- A proposal to extinguish, dedicate and create various PROW in Claypole and Stubton parishes, on which a meeting will shortly be held.
- Extinguishment, creation and diversion proposals in respect of Little Hale Public Footpaths 2 and 3 – these orders are awaiting confirmation and a legal event, as the bridge which was required has now been provided.

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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