

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

Report to: **South/Mid Lincolnshire Local Access Forums**
Date: **15/28 October 2014**
Subject: **Progress of Orders Work from October 2006 – 23rd September 2014**

Summary:

A report on the progress of Definitive Map Modification Order work since the inception of the current prioritisation policy (October 2006 – 23rd September 2014) and current caseloads

Recommendation(s):

That the report is noted

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.

Appendices A, B and C to this report outline the progress that has been made over since the inception of the revised Schedule of Priorities and 23rd September 2014.

2. Conclusion

That the Rights of Way & Countryside Access Section has continued to make progress against casework backlogs.

3. Consultation

a) Scrutiny Comments

b) Executive Councillor Comments

c) Local Member Comments

d) Policy Proofing Actions Required

n/a

4. Appendices

These are listed below and attached at the back of the report	
Appendix A	Schedule of Modification Order Cases Completed October 2006 April 2014
Appendix B	Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.
Appendix C	Outstanding Modification Order Cases

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 33 – Prioritisation of Definitive Map Modification Orders - HAT 33/3/11
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This report was written by Chris Miller, Countryside Access Manager, who can be contacted on 01522 782070 or countryside_access@lincolnshire.gov.uk.

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 23rd September 2014

CASES WHERE AN ORDER WAS NOT MADE				
Parish	Further details	Formal Application?	Decision Date	Reason not made
Careby, Aunby & Holywell	Reclassification of RB1	No 24/10/1996	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Bassingham	Reclassification of RB 5	No 13/1/1998	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Bassingham	Reclassification of RB 4	No 12/06/1996	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Billingborough	Reclassification of RB 10	No 02/05/1996	22/11/2006	Unable to reclassify Restricted Byway to Footpath or Bridleway Status
Ruskington	Downgrading of RB 127	Yes 02/02/1987	23/01/2007	Insufficient evidence
Horncastle	Claimed Public Footpath	Yes 01/10/1991	06/06/2007	Insufficient evidence
Wrangle	Claimed Public Footpath	Yes 17/09/1994	04/07/2007	Claimed path dedicated by landowner instead (PF987)
Osgodby / Owersby	Claimed Public Footpath & BOAT- Washdyke Lane	Yes 05/12/1990	03/07/2007	Decision not to make, no appeal by applicant
Old Somerby	Upgrade to BOAT status	Yes 07/11/2002	02/10/2007	DEFRA upheld decision, insufficient evidence
Ropsley & Humby	Re-alignment/diversion of PF1	No 25/08/2005	18/03/2008	Realignment not necessary - requires diversion order
Uffington	Realignment of PF 10 (Main Rd to Turnpike Rd)	No 31/01/2007	01/08/2008	Insufficient evidence
Ingham	Claimed BOAT across Ingham village green	Yes 14/07/2003	09/10/2008	Legal Issue regarding Village Green status
Sleaford	Claimed Public Footpath from Millfield Terrace to Eastgate through the cemetery	Yes 30/10/2007	10/11/2010	DEFRA upheld decision, insufficient evidence
Lincoln	Claimed Public Bridleway from Wragby Rd to Greetwell Rd	Yes 22/06/2002	15/02/2011	Insufficient Evidence
Timberland	Claimed Public Footpath from Church Lane	No 05/08/2010	10/12/2010	Insufficient Evidence
Cherry Willingham	Claimed Public Footpath from Fiskerton Road to the River Witham	Yes 19/01/2005	14/6/2011	Insufficient Evidence – DEFRA Dismissed applicants appeal
Stamford	Claimed Footpath from Walcot Way over the former quarry	Yes 23/04/2003	2/6/2011	Insufficient Evidence
Leasingham	Proposed downgrading of RB to Public Footpath status	Yes 27/7/1983	17/10/2013	Insufficient Evidence
Welton le Wold	Claimed public footpath from Beck Lane to Graves Farm	Yes 29/8/2013	30/6/2014	Route not capable of addition to Definitive Map (matter referred to Highways (East) as a footways matter.

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 23rd September 2014

CASES WHERE AN ORDER HAS BEEN SUCCESSFULLY CONFIRMED				
Parish	Further details	Formal Application?	Date of Confirmation	Notes
Hough on the Hill (Gelston)	Realignment of Public Footpath 9	Yes 12/02/2002	17/01/2007	
Halton Hologate	Claimed Public Footpath from PF160 to Highfield Lane	Yes 03/07/2002	05/03/2007	
Sleaford	Public Footpath 12 to Boston Rd and Recreation Ground	Yes 21/06/1999	16/03/2007	
Sleaford	Deletion of Public Footpath 11	No 12/10/2006	18/04/2007	
Waddingham	Claimed Public Footpath from Joshua Way to The Green	Yes 15/05/2000	20/04/2007	
Anderby Creek/Huttoft	Claimed Public Footpath Anderby creek and Moggs Eye	No 21/08/1996	23/04/2007	
Snitterby & Waddingham	Claimed Public Footpath from Carr Lane to Black Dyke	Yes 15/11/1997	02/05/2007	
Snitterby & Waddingham	Claimed Public Footpath from Carr Lane to Green Lane	Yes 15/11/1997	02/05/2007	
Uffington	Claimed Public Footpath from Casewick Lane to School Lane, across school playing field	Yes 06/09/1999	05/06/2007	
Billingham	Claimed Public Footpath from St Michaels Close to Playing Field	Yes 04/06/1998	08/06/2007	
Fulletby	Realignment of Public Bridleway 58	No 11/06/2007	11/06/2007	
West Keal	Claimed Public Footpath to Old Bolingbroke (Hall Hill - the Point)	Yes 20/08/2007	20/08/2007	
Bucknall	Claimed Public Footpath from church to Road	Yes 20/07/1992	21/08/2007	
Burton	Claimed Public Bridleway from A 57 to PF 229	Yes 27/08/1987	21/09/2007	
Mablethorpe and Sutton	Claimed Public Footpath from Station Rd to Camelot Gdns	Yes 15/11/1993	12/11/2007	
Heighington	Claimed Public Footpath from Bardney Road to Brinkle Springs Lane	Yes 20/08/2000	15/11/2007	Confirmed by Secretary of State
Torksey/Brampton	Claimed Public Footpath from West Station Road to Brampton village	Yes 08/03/1999	30/10/2007	Confirmed by Secretary of State
Sleaford	Claimed Public Bridleway from Bullock Pasture Lane to Mareham Lane	Yes 27/06/1991	07/01/2008	Confirmed by Secretary of State
Burgh-le-Marsh	Claimed Public Footpath from Jacksons Lane	Yes 10/02/1987	15/01/2008	
Belton & Manthorpe	Claimed Public Footpath from Low Rd to High Rd (known as "The Steps")	Yes 25/10/2001	07/02/2008	Confirmed by Secretary of State
Burgh-le-Marsh	Claimed Public Footpath from Gravel pits to PF 240/241	No 02/02/1987	30/05/2008	
Corby Glen	Deletion of part of Public Footpath 7 in Corby Glen	No 02/03/2007	05/06/2008	
Washingborough	Claimed BOAT - North Dales Road	Yes 22/05/1989	09/06/2008	
Skellingthorpe / Lincoln	Claimed Public Footpath alongside Catchwater Drain	Yes 17/11/1989	27/06/2008	
Castle Bytham	Deletion of Public Footpath No. 12	Yes 31/10/2005	28/07/2008	

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 23rd September 2014

North Somercotes	Claimed Public Footpath from Keeling St to Rd	Yes 02/02/1991	27/11/2009	Secretary of State confirmation as Public Bridleway
Spilsby	Claimed Public Footpath from Halton Rd to PF 160	Yes 22/02/1989	12/01/2010	
East Barkwith	Claimed Public Footpath from Village Green on Torrington Lane to church yard	Yes 24/07/1992	06/05/2010	
Newton & Haceby	Upgrade of Restricted Byway 11 to BOAT Newton to A15	Yes 27/05/2004	10/08/2010	Sch. 14 appeal - Directed to make Order
Newton & Haceby / Walcot	Upgrade of Restricted Byway 2 and Public Bridleway 3 "Green Lane"	Yes 27/05/2004	10/08/2010	
Dogdyke (Chapel Hill)	Realignment of Public Footpath from Crown Inn to River Witham	Yes 14/10/2002	17/08/2010	
Lea	Addition of PB from Lea Plantation to New Plantation	Yes 28/07/2006	07/10/2010	Confirmed as PF only
Carlton Scroop	Addition of Public Bridleway (upgrading from PF in part)	Yes 17/05/2000	11/11/2010	Secretary of State confirmation as Restricted Byway
Waddingham	Realignment of Public Footpath No. 73	No 29/01/1993	02/02/2011	
Bardney	Addition of Public Bridleway	Yes 20/04/1987	09/03/2011	Secretary of State confirmation as Public Bridleway
Wellingore	Claimed BOATS – North Hill Foot Lane and North Hill	Yes 16/08/1999	23/03/2011	Confirmed as Restricted Byway by Sec. of State following objections to modification to RB Status not being upheld
Mumby	Realignment of Public Footpath No. 59	Yes 29/09/2007	15/04/2011	Realignment Confirmed
Woodhall Spa	Claimed Footpath from Tattershall Rd to Abbey Lane	Yes 20/05/1989	08/08/2011	Confirmed (in part Abbey Lane to Church only) following written representations procedure by the Secretary of State
Harmston	Addition of claimed PF from Coleby PF2 to Grantham Rd.	No 07/12/2009	06/10/2011	Confirmed by Secretary of State
Horncastle	Claimed Public Footpath – Holt Lane to Banovallum Gardens	Yes 18/03/2003	23/07/2012	Confirmed with modifications by Secretary of State
Orby	Realignment of PF 328	Yes 1/11/2010	4/12/2012	Realignment Confirmed
Wrangle	Claimed Byway Open to All Traffic - Cockle Alley	Yes 5/9/2005	21/6/2013	Confirmed as Public Bridleway only based on evidence
Caistor	Claimed Public Footpath from Plough Hill to Buttermarket	Yes 18/9/2009	9/9/2013	Confirmed after withdrawal of objections
Holbeach	Claimed Public Footpath from Stukeley Hall Drive to Langwith Gardens	Yes 18/1/2002	27/1/2014	Confirmed after withdrawal of objections
Waddington	Reclassification of RB 10	No 1/1/1990	09/06/2014	Confirmed with modifications by the Secretary of State to PB status
Ancaster	Regrading of RB 13 to BOAT status	Yes 20/3/2006	9/6/2014	Order to modify Statement only to show 60' width. Remainder of route subject to NERC Act 2006 provisions regarding status. Application not Winchester compliant.

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 23rd September 2014

CASES WHERE AN ORDER WAS NOT CONFIRMED				
Parish	Further details	Formal application?	Decision Date	Notes
Sutton St Edmund	Claimed BOAT - Hallgate Road	No 31/10/1988	19/09/2008	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from County boundary to Brewer's Grave	Yes 25/03/1999	23/01/2009	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from Village Street to Brewer's Grave	Yes 23/12/2001	23/01/2009	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from Church to Brewer's Grave	Yes 23/12/2001	23/01/2009	Not confirmed by Inspector
Woolsthorpe by Belvoir	Claimed Public Footpath from Chequers Inn to Brewer's Grave	Yes 23/12/2001	23/01/2009	Not confirmed by Inspector
East Stockwith	Realignment of Public Footpath No. 37	Yes 23/12/2001	03/06/2009	Order incapable of being confirmed, owing to drafting error
Kirkby Underwood	Deletion of Public Footpath 7	Yes 18/04/1983	14/09/2009	Not confirmed by Inspector
Temple Bruer with Temple High Grange	2 Claimed BOATs - Cocked Hat Plantation	No 06/02/1985	28/09/2010	Not confirmed by Inspector
Mablethorpe	Claimed Public Footpath from Queensway to King Georges Field	Yes 15/08/2005	19/05/2011	Not confirmed by Inspector – Insufficient evidence to prove a specific route
Newton & Haceby	Upgrade of Restricted Byway 11 to BOAT Newton to A15	Yes 27/05/2004	15/06/2011	Not confirmed by Inspector – Insufficient Evidence (LCC objected after having been made to make the order on appeal by the applicant)
Manby	Claimed Public Footpath between Chapel Lane and Public Footpath 218	Yes 27/04/1984	30/03/2012	Not confirmed by Inspector
Louth	Claimed Public Footpath from Kiln Lane to High Holme Road	Yes 25/04/2007	20/04/2012	Not confirmed by Inspector
Langrville	Leagate Rd to Mere Booth Rd.	Yes 26/07/1983	19/06/2012	Not confirmed by Inspector
North Hykeham / Lincoln	Station Road to Clarke Road	No	25/01/2013	Not confirmed by Inspector
Anderby	Sea Road to Creek Outfall	Yes 25/7/1983	23/4/2013	Not confirmed by Inspector – Insufficient Evidence
Stamford	Welland Mews to Water Meadows	Yes 8/2/2007	28/6/2013	Not confirmed by Inspector – Considered to be operational railway land
Holbeach	Woodhouse Lane to Hurn Bank	Yes 14/6/1983	31/7/2013	Not confirmed by Inspector – Insufficient Evidence
Wickenby	Wickenby Railway Bridge to Wickenby Wood Corner	Yes 11/12/1990	18/3/2014	Not confirmed by Inspector – Insufficient Evidence

Appendix A - Schedule of Modification Order Cases Completed October 2006 to 23rd September 2014

CASES CURRENTLY SUBMITTED TO THE SECRETARY OF STATE				
Parish	Further details	Formal application?	Date Submitted	Notes
Saltfleet / Skidbrooke	PB from Sea View to Gowts Farm	Yes 6/8/1991	27/9/2013	Public Inquiry held 16 & 17/9/2014

The current Schedule of Priorities policy is now eight years old (albeit with some minor alterations since the original of 2006). In that time Lincolnshire County Council has resolved the following:

- Cases resolved by determining that insufficient evidence exists to warrant the making of an order **19**
- Cases resolved following the confirmation of an order **45**(11 by Secretary of State)
- Cases resolved following the non-confirmation of an order **18**
- Cases currently outstanding with the Planning Inspectorate on behalf of the SoS **1**

- Total cases **83**

- New Cases received since October 2006 **63**
- New Cases received since 1st April 2014 **8**

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

Since the inception of the current prioritisation policy the Definitive Map & Statement of Public Rights of Way Sub-Committee has heard appeals on a total of 12 cases. The following is a synopsis of the progress made on those specific cases.

1st March 2007

Horncastle – Claimed Public Footpath along Holt Lane to Banovallum Gardens

At the time of this sitting of the sub-committee this case was number 74 on the priority list. The sub-committee declined the appeal as it was felt that the case was likely to be dealt with in a short timescale

As the case had not been processed a further review of the decision was made at the sitting of the sub-committee on 30th June 2008 – see below.

Mablethorpe and Sutton – Claimed Public Footpath from Queensway to King George's Field

This case was number 142 on the priority list. The sub-committee allowed the appeal on the grounds that there was evidence that there was “Significant threat to the route and likely to cause a permanent obstruction with no means of resolving the problem by way of diversion “.

The Statement of Reasons for this case was submitted to the Secretary of State on 27th April 2010. The Order was **NOT CONFIRMED**

4th June 2007

Stamford – Claimed Public Footpath from Welland Mews to Lower Stamford Meadows

This case was number 168 on the priority list. The sub-committee declined the appeal as it was felt that the submitted petition was not representative given the size of Stamford as a town.

Since this time a second appeal was made following the inclusion of the new exception criteria 8 in 2009. Officers accepted that the claimed route would have a significant impact on the implementation of the Countryside Access & Rights of Way Improvement Plan. **NOT CONFIRMED BY SoS – Deemed to be operational railway land**

10th January 2010

Eagle & Swinethorpe / Swinderby: Claimed Public Bridleway from Southern lane to Public Bridleway 12 (Morton Lane)

This case was number 110 on the priority list. The sub-committee allowed the appeal on the grounds that there was “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”.

Having conducted the relevant research the County Council felt that the evidence suggested that restricted byway rights, rather than public bridleway rights, existed. The order was **CONFIRMED**

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

Sleaford – Claimed Public Footpath from Millfield Terrace to Eastgate

This case had not been prioritised by officers at the time of the sitting of the sub-committee. The appeal was allowed on the grounds that there was “a risk to children on County Council owned property or where routes are likely to be used by children to provide safe access to schools, play areas or other local amenities”.

Following the relevant research the County Council concluded that the submitted evidence did not show that any public right of way existed. The applicant exercised their right to appeal this decision to the Secretary of State in January 2009. the appeal was not upheld and the **ORDER WAS NOT MADE**

30th June 2008

Lea – Claimed Public Bridleway from Lea Park to new plantation off Willingham Road, (nr Gainsborough)

This case was number 147 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

Since this time a second appeal was made following the inclusion of the new exception criteria 8 in 2009. The sub-committee allowed this appeal at the sitting of 14th September 2009 on the grounds that the claimed route would have a significant impact on the implementation of the Countryside Access & Rights of Way Improvement Plan.

After conducting research and assessing the evidence the County Council made an order on 16th July 2010. The Order was **CONFIRMED**

Horncastle – Claimed Public Footpath along Holt Lane to Banovallum Gardens

See above.

The sub-committee prioritised the case on the grounds that new information suggested that there was “a risk to children on County Council owned property or where routes are likely to be used by children to provide safe access to schools, play areas or other local amenities”.

The case has been **CONFIRMED** with modifications following submission to the Secretary of State.

19th January 2009

Burgh le Marsh – Claimed Public Footpath from Faulkners Lane to Orby Road.

This case was number 77 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

No further progress has been made on this case.

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

Dogdyke (Chapel Hill) – Claimed Public Footpath from The Crown Inn Public House to the River Witham.

This case was number 94 on the priority list. The sub-committee allowed the appeal on the grounds that legal proceedings against the County Council were likely to be instigated and it is possible that the Authority has a liability.

Following the relevant investigations the County Council made an order on 1st June 2010 and, with no objections being made, the Order was **CONFIRMED**

29th June 2009

Lincoln - Claimed Public Footpath from Dunkirk Road to Breedon Drive

This case was number 141 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

No further progress has been made on this case.

Mumby - Realignment of Public Footpath No. 59

This case was number 142 on the priority list. The sub-committee allowed the appeal on the grounds that legal proceedings against the County Council were likely to be instigated and it is possible that the Authority has a liability.

Following investigation an Order was made and with objections withdrawn the Order was **CONFIRMED**.

14th September 2009

See 30th June 2008 above

12th October 2009

Raithby & Hundleby – Claimed Byway Open to All Traffic (BOAT) & upgrade of Public Bridleway No 133 to BOAT

This case was number 155 on the priority list. The sub-committee declined the appeal as it was felt that the arguments made by the appellant did not match any of the exception criteria.

No further progress has been made on this case although it has been subject to protracted correspondence and a corporate complaint. The applicant also exercised their right of appeal to the Secretary of State following the expiration of one year since the application was made. The Secretary of State felt that LCC's Schedule of Priorities was fair and declined to order that a decision be made.

4th October 2010

Caistor – Claimed Public Footpath between Buttermarket & Plough Hill

This case was number 153 on the priority list. The sub-committee allowed the appeal on the grounds that there was "sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of that community,

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

and that in processing the case early there is a strong likelihood that this will reduce”.

CONFIRMED following the withdrawal of objections

5th September 2011

Mablethorpe & Sutton – Claimed Public Footpath from Sandhurst Road to the Promenade

The case was 129 on the priority list. The sub-committee did not allow the appeal based on the grounds that there was “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” also the Town Council felt that the claimed route may be useful to the fire-brigade in dealing with the regular arson attacks to the beach huts at Sandilands.

Wrangle – Claimed Byway Open to All Traffic “Cockleshell Alley”

This case was number 94 on the priority list. The sub-committee allowed the appeal on the grounds that there was “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”.

CONFIRMED as a Public Bridleway on the strength of available evidence

3rd October 2011

Bourne – Claimed Footpath from Beaumont Drive to Bourne Woods (No.142 on the Priority List).

This case was number 142 on the priority list. The sub-committee deferred its decision pending the planning decision due to be considered by South Kesteven District Council. Having received this no further action is currently required.

Holbeach – Claimed Footpath between Langwith Gardens & Stukeley Hall Drive

This case is number 67 on the priority list. The sub-committee allowed the appeal on the grounds that there was “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”

CONFIRMED

16th July 2012

Sturton by Stow – Claimed Public Footpath from Bransby to Tillbridge Lane

The case is at No.124 on the priority list. The sub-committee did not allow the appeal as it did not consider that the planning permission granted for the land adjacent had an effect on the right of way

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

5th November 2012

Utterby – Claimed Public Footpaths Grange Lane to Holywell Lane and Former Railway

The Committee allowed the appeals for these two separate cases and were in agreement with the applicant that the routes fulfilled Criteria 8 “*Where the route will significantly assist in achieving a Countryside and Rights of Way Improvement Plan Objective or Statement of Action*”.

The case has now been allocated to a case officer and is in progress. User interviews are complete and Orders have been made.

Colsterworth – Deletion of Public Footpath No. 14

The Committee allowed the appeal on the basis that it felt that the route was the subject of much local concern and had given rise to a number of incidents of ill-feeling in the community and had become a particular problem for the occupiers.

The case is at No.3 in the priority list and has been allocated to an officer.

8th April 2013

Heapham - Variation of Particulars contained in the Definitive Statement for PF 57

The Committee allowed the appeal on the basis that it felt that the route was the subject of much local concern and had given rise to a number of incidents of ill-feeling in the community.

The case is at No.9 in the priority list and has been allocated to an officer.

17th March 2014

Skegness – Claimed Public Footpath Along Sea Bank Adjacent to North Shore Golf Course

The Committee allowed the appeal on the basis that it felt that the route was the subject of much local concern and had given rise to a number of incidents of ill-feeling in the community.

It was also felt that the potential addition of the route to the Definitive Map & Statement may bring benefits to the local economy and PRow network generally and fulfilled a RoWIP aim.

The case is at No.18 in the priority list and awaits allocation to an officer

Appendix B - Progress of Modification Order Cases where Appeals to Prioritisation Have Been Made.

8th September 2014

Glentworth & Harpswell – Claimed Public Footpath between Homeyard Farm and Hermitage Farm

The Committee did not allow the appeal made on the grounds of ill feeling and aggression in the Community as it did not believe that the issues were sustained. Also the Committee did not believe that the route, on its own merit, would substantially assist in achieving a ROWIP aim or objective.

Appendix C – Outstanding Modification Order Cases

NB: Shading indicates cases being currently progressed by officers				23/09/14		
PF: Public Footpath, PB: Public Bridleway, RB: Restricted Byway, BOAT: Byway Open to All Traffic, PROW: Public Right Of Way						
Parish	File	Status	Further details	Application/Acceptance	Active	Priority Ranking
Ancaster	2	RB	to BOAT	13/11/1991	Yes	1
Colsterworth / Stainby	259	PF	Colsterworth FP14 & Stainby FP 1(pt)	06/05/2004	Yes	2
Carlton Scroop/Ancaster	308	BOAT	Upgrade of PF 11 & PB 11 in Carlton Scroop and RB 13 in Ancaster to BOAT	20/03/2006	Yes	3
Ancaster	309	BOAT	Addition of a BOAT along Heath Lane in the parish of Ancaster	23/03/2006	Yes	4
Utterby	354	PF	Claimed Footpath from Grange Lane to Holy Well Lane	08/05/2012	Yes	5
Utterby	355	PF	Claimed Footpath from Grange Lane to former railway and beyond	08/05/2012	Yes	6
New Leake	353	PF	Claimed Footpath from Spilsby Rd to Spilsby Rd	30/05/2012	Yes	7
Heapham	360	PF	Variation of Statement for PF 57	20/12/2012	Yes	8
South Willingham / Benniworth	96	PF	Claimed PF from Grange farm, Low Barns to road south of Skirbeck House	30/04/1986	Yes	9
South Willingham	97	PF	Hainton Rd to High St	30/04/1986	Yes	10
South Willingham / Hainton	98	PF	Moors Lane to A157	30/04/1986	Yes	11
South Willingham	99	PF	Moors lane to Poplar Fm	30/04/1986	Yes	12
Saltfleetby St Clement/Skidbrooke with Saltfleet Haven	82	PB	PB from Sea View to Gowts Farm	06/08/1991	Yes	13
Woodhall Spa	193	PF	Mill Lane to R.Witham Bank	12/05/1998	Yes	14
Belton / Gt. Gonerby	12	PF	Belton to Great Gonerby (Gads Lane)	01/11/1983	Yes	15

ACTIVE CASEWORK

Appendix C – Outstanding Modification Order Cases

Alford	344	BOAT	Claimed BOAT from Hanby Lane to to New Cemetery	01/04/1993	No	16
Skegness	364	PF	Claimed Footpath from PF 969 to PF 301 along sea defence	30/05/2013	No	17
Coningsby	182	PF	School Lane to Dogdyke Road	06/11/1997	No	18
Heydour	48	PF	PF to be diverted - from Southern end of PF 3 to church Lees	01/01/1985	No	19
Aunsby & Dembleby	5	PROW	see file	11/07/1985	No	20
Mablethorpe and Sutton	106	PF	High St to Broadway	16/09/1985	No	21
Grimoldby	43	PF	from Mill Lane	23/10/1985	No	22
Hogsthorpe	49	PF	Sea Lane to Maiden Lane	11/12/1986	No	23
Burgh-le-Marsh	18	PF	Faulkers Lane	10/02/1987	No	24
Stamford	101	PF	Cherry Holt Lane to Priory Rd	03/04/1987	No	25
East Stockwith/ Morton	27	PF	PF from Willowbank Lane to Walkerith Road	04/06/1987	No	26
Linwood / Market Rasen	60	PF	Buslingthorpe R/way Bdge	18/06/1987	No	27
Middle Rasen	72	PF	Caistor Rd to Gatehouse Lane	05/08/1987	No	28
Gainsborough	36	PF	Whites Wood	07/09/1987	No	29
Belchford	11	PB	Ings Lane	25/01/1988	No	30
Skidbrooke with Salthaven	85	PF	The Haven	30/03/1988	No	31
Leasingham	272	PF	Claimed PF from PF2 to PF3 in the Parish of Leasingham	21/10/1988	No	32
Friesthorpe/Buslingthorpe/Lissington etc	32	PB	BW from Lissingley Lane to Shortwood Lane	08/05/1989	No	33
Linwood/Legsby	59	PF	Linwood Church to Bleasby	11/07/1989	No	34
Great Gonerby/Marston	41	PF	Cliff Lane	01/01/1990	No	35
Sutton St James	108	BOAT	Badgate	01/02/1990	No	36
Market Rasen/Tealby	68	PF	from PF163	15/03/1990	No	37
Welbourn (etc..)	117	BOAT	Ermine St	04/04/1990	No	38
Castle Bytham	136	RB	RB 3	22/10/1990	No	39
Glentham	38	PF	From church gates	07/04/1991	No	40
Middle Rasen	69	PB	PB514 to BOAT	22/05/1991	No	41
Kettlethorpe	55	BOAT	Know as Westmoor Lane	19/08/1991	No	42
Fulletby	35	BOAT	Mill Street	22/05/1992	No	43
Rothwell / Cabourne	81	BOAT	PB24 to BOAT	15/06/1992	No	44
Great Gonerby	40	PF	PF6 to join RB 5	21/12/1992	No	45
Bassingham	9	PF	Claimed PF from Brocklebank Close to playing field	27/10/1993	No	46
Navenby	154	PF	'The Smoots'	22/05/1996	No	47
Fulletby	162	PF	School Lane	10/10/1996	No	48
Beckingham/Brant Broughton	167	PF	PF 5 to BW and missing link	12/12/1996	No	49
Little Carlton/Legbourne	185	PB	'Blind Lane' from PB 624 (Manby)	22/01/1998	No	50
Uffington	188	PB	Newstead Rd, Belmesthorpe to Seven Acre Wood (county bdy)	30/01/1998	No	51
Louth	186	PB	Grimsby/Louth Railway Line (part from Keddington Rd crossing to Little Grim	03/02/1998	No	52
Horncastle	195	PF	Boston Road to the Wong	23/05/1998	No	53

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Grantham	194	PF	Denton Ave to PF 16	28/05/1998	No	54
Halton Hologate	201	PF	Northorpe Road to Ashby Road	17/08/1998	No	55
Anderby Creek	203	PF	Occupation Road to Beach (via Rowan Court)	10/10/1998	No	56
Rothwell / Swallow	220	PF 23	Realignment of Footpath 23	02/01/2001	No	57
Hundleby	224	PF	PF366	26/02/2001	No	58
Barrowby	237	PF	PF13 to PB, Casthorpe Rd to parish boundary	08/05/2002	No	59
Skillington & Stoke Rochford	239	BOAT	BOAT from Crabtree Rd to parish boundary between Stoke Rochford & Easton	05/06/2002	No	60
Skillington	240	BOAT	Claimed BOAT from Skillington village to "The Drift" along Buckminster Lane	05/06/2002	No	61
Tealby	238	PF	Claimed footpath from footpath 132 through Thorpe Mill to The Road	25/06/2002	No	62
Woolsthorpe by Belvoir	242	BOAT	Claimed upgrade from PB to BOAT "Longmoor Lane"	03/07/2002	No	63
Barrowby/Grantham	245	BOAT	Upgrade of RBs 10 and 922	10/10/2002	No	64
Osbourneby/Aunsby & Dembleby	248	BOAT	Upgrade from RB (Mickling Meadow Rd)	02/04/2003	No	65
Harlaxton/Grantham	247	BOAT	Claimed BOAT from Gorse Lane to Great North Road)	23/04/2003	No	66
Branston & Mere	253	PF	Claimed PF along bank of river Witham from Bardney bridge to Bardney Lock	29/10/2003	No	67
Spilsby	254	BOAT	Claimed BOAT along Pooles Lane	24/11/2003	No	68
South Somercotes	257	PF	Claimed PF Southfields Lane / Town street of the Church	02/03/2004	No	69
Norton Disney	263	PB	Claimed PB at Norton Disney Newark Rd to Swinderby Rd	13/05/2004	No	70
Holton Le Clay	266	BOAT	Claimed BOAT "The Smooting" Holton Le Clay	21/09/2004	No	71
Leasingham	267	BOAT	Upgrade of PB 10 Moor Lane to Leasingham Parish Boundary	16/11/2004	No	72
Leasingham / Sleaford	268	BOAT	Upgrade of PB 6 New Lane Claim from Leasingham Parish Boundary	16/11/2004	No	73
Heckington	269	BOAT	Upgrade of PF 3 Heckington Claim from A17 to PF 3 Heckington	15/12/2004	No	74
Snitterby	270	PF	PF from High St to Bridle Walk and PF 70	04/01/2005	No	75
Aslackby & Laughton	277	BOAT	Upgrade of RB 12 to BOAT	22/02/2005	No	76
Pointon & Sempringham / Aslackby & Laughton	276	BOAT	Upgrade RB 9 & 13 to BOAT (Pethley Lane)	24/02/2005	No	77
Threkingham / Billingborough	275	BOAT	Upgrade PB 4 Claim from Parish boundary to Folkingham Road	25/02/2005	No	78
Allington/Foston	271	BOAT	Upgrade of RB 5 and RB 7 (Marston Lane)	14/03/2005	No	79
Kirkby La Thorpe	274	PF	Claimed PF from The Hoplands to PF 1	17/03/2005	No	80
Belton & Manthorpe / Syston	278	BOAT	Claimed BOAT from Heath Lane to High Dike "Beggars Lane"	13/06/2005	No	81
Asterby	279	PF	Claimed Public Footpath from Goulceby Lane to Public Footpath No.18	18/07/2005	No	82
Ropsley & Humby / Ingoldsby	281	BOAT	Upgrade of PB 30 & PB 14 to BOAT	27/08/2005	No	83
Ingoldsby/Bitchfield & Bassingthorpe	282	BOAT	Upgrade of PB 16 to BOAT and Claimed BOAT	27/08/2005	No	84
Osgodby / Owersby	285	PF 91	PF 91 Osgodby realignment	30/09/2005	No	85
Helpingham	286	BOAT	Upgrade of RB 17 to Boat	23/10/2005	No	86
Pointon & Sempringham/Billingborough	290	BOAT	Upgrade of RB 15 to BOAT & Realign " Primrose Lane"	25/10/2005	No	87
Ropsley & Humby/Boothby Pagnell	287	BOAT	Upgrade of PF27 Ropsley & Humby to BOAT and claimed BOAT in Boothby f	26/10/2005	No	88
Boothby Pagnell/Old Somerby	291	BOAT	Upgrade of PF 7 to BOAT Claimed BOAT from PF7 to BW7 Upgrade of BW7	29/10/2005	No	89
Pointon & Sempringham	289	BOAT	Claimed BOAT from West Road to Pethley Lane	30/10/2005	No	90
Irnham/Edenham	294	BOAT	Claimed BOAT from Irnham Lane to Bulby Lane, Irnham	05/11/2005	No	91
Lenton Keisby and Osgodby	292	BOAT	Upgrade of PB 3 to BOAT	06/11/2005	No	92
Lenton Keisby and Osgodby / Irnham	293	BOAT	Claimed BOAT from RB 12 to PB 9 and Upgrade of PB 9 to BOAT	06/11/2005	No	93
Lenton Keisby and Osgodby / Irnham	295	BOAT	Claimed BoAT from Irnham BR9 to Elsthorpe Road	09/11/2005	No	94

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Burton Coggles / Corby Glen	297	BOAT	Upgrade of BC BW1, RB2 & CG RB9	05/12/2005	No	95
Great Sturton/Ranby/Hemingby/Belchford	296	BOAT	Upgrade of RB61 to BOAT	12/12/2005	No	96
Aunsby & Dembleby	298	BOAT	Upgrade of RB5	06/01/2006	No	97
Folkingham	299	BOAT	Upgrade of PF 8 to BOAT	27/01/2006	No	98
Hough on the Hill	300	BOAT	Upgrade of RB22 to BOAT	27/01/2006	No	99
Kirkby Underwood	301	PB	Claimed bridleway from Rippingale Br16 to Stainfield Road	30/01/2006	No	100
Great Gonerby/Barrowby	302	BOAT	Upgrade of RB 7 and PF6 in Great Gonerby and PF 11 in Barrowby to BOATS	07/02/2006	No	101
Lissington/Holton Cum Beckering	303	BOAT	Upgrade of PB 904 in Lissington and PB 904 in Holton Cum Beckering to a B	14/02/2006	No	102
Long Bennington	304	BOAT	Upgrade of RB 12 to BOAT	14/02/2006	No	103
Foston	305	BOAT	Upgrade of PB 3 and RB 5 to a BOAT	16/02/2006	No	104
Westborough and Dry Doddington/ Stubton	306	BOAT	Upgrade of PB 12 (W&DD) and PF 3 & RB 7 (Stubton) to a BOAT	22/02/2006	No	105
Westborough and Dry Doddington/ Stubton / Claypole	307	BOAT	Addition of a BOAT in Westborough and DD, upgrade of RB 5 & 6 in Stubton	22/03/2006	No	106
Searby	311	PB	Addition of a bridleway from Owmbay Road to Howsham Lane	03/08/2006	No	107
Lincoln	313	PF	Claimed footpath from Church Drive to Tritton Road, Lincoln	27/12/2006	No	108
Skegness	317	PF	Claimed footpath from Albany Close to Albany Road, Skegness	15/03/2007	No	109
Lutton	325	PF	Claimed footpath from School Lane to Blazegate	17/07/2007	No	110
Gainsborough	319	PF	Claimed footpath from Bowling Green Rd to Bayard StY	20/08/2007	No	111
Lincoln	320	PF	Claimed footpath from Dunkirk Road to Breedon Drive	21/09/2007	No	112
East Ferry	321	PF	Claimed footpath from East Ferry High St. to River Trent (county boundary)	24/09/2007	No	113
Heighington	323	PF	Claimed footpath along Bracken Hill Lane and Third Hill Road	04/10/2007	No	114
West Ashby/Fulletby	327	PB	Upgrade of PB No. 57 to RB	28/03/2008	No	115
Sturton by Stow	328	PF	Claimed footpath from Bonniwells Lane (PF82) to Tillbridge Lane	10/04/2008	No	116
Swineshead	329	PF	From Tarry Hill to Station Road	21/07/2008	No	117
Lincoln	330	PF	Claimed Footpath between Skellingthorpe Road and Rochester Drive	30/07/2008	No	118
Mablethorpe and Sutton	331	PF	Claimed Public Footpath from Sandhurst Road to The Promenade	12/08/2008	No	119
Scotter / East Ferry	332	PF	Claimed Public Footpath from Becks Lane to Gainsborough Road	28/08/2008	No	120
Scotton	333	PF	Claimed Public Footpath from Gainsborough road to pf 4	28/08/2008	No	121
Lincoln	334	PB	Claimed Public Bridleway from Boswell Drive to Doddington Road	29/09/2008	No	122
Old Somerby	335	PB	Claimed Public Bridleway from junction of Church Lane and The Pastures to PE	15/05/2009	No	123
Ropsley & Humby	337	PB	Claimed Public Bridleway & upgrade of Ropsley FP9 (pt) and FP18 Somerby	15/05/2009	No	124
Snitterby/Bishop Norton	336	PF	Claimed Public Footpath Snitterby Carr PF68 (Brown's Bridge) to Grid Ref TF0	06/07/2009	No	125
Upton	338	PF	Claimed Public Footpath from High Street to PF 50	27/07/2009	No	126
Raithby/Hundleby	339	BOAT	From B1195 road along Raithby PB 133 & part Hundleby PB 133 to Raithby d	07/09/2009	No	127
Billingham	341	PF	Claimed Footpath Low Street to Whiteleather Square	27/01/2011	No	128
Colsterworth	345	PF	Claimed Footpath from Old Woolsthorpe Rd to Bridge End	20/02/2011	No	129
Grantham/Londonhorpe and Harrowby	346	PF	Claimed Footpaths in Londonhorpe and Harrowby	21/03/2011	No	130
Boston	347	PF	Claimed Footpath from Ingelow Ave to Punchbowl Lane	24/06/2011	No	131
Bourne	348	PF	Claimed Footpath from Beaufort Drive to Bourne Woods	29/06/2011	No	132
North Somercotes	349	PB	Claimed Bridleway from Warren Road around North Somercotes Warren	09/08/2011	No	133
Heapham & Upton	350	PB	Claimed Bridleway from Common Lane to Cow Lane	02/12/2011	No	134
Long Bennington	351	PF	Claimed Footpath from Back Lane to PF17	29/02/2012	No	135
Long Bennington	352	PF	Claimed Footpath from Wheatsheaf Lane to PF17	11/04/2012	No	136

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Londonthorpe and Harrowby	356	PB	Claimed Bridleway from Turnor Road (RB 6) to Harrowby Lane	19/06/2012	No	137
Benniworth	357	PF	Part of PF9	25/07/2012	No	138
Caythorpe and Frieston	358	PF	Claimed Footpath between Old Lincoln Road and PF4 and PF to PF5	05/10/2012	No	139
Sudbrooke	359	PF	Claimed footpaths in Sudbrooke Park	04/12/2012	No	140
Foston	361	PB	Claimed bridleway from 16 Chapel Lane to Restricted Byway No.5	16/01/2013	No	141
Upton	362	BOAT	Claimed BOAT from Heapham Road to Slingers Wood	11/02/2013	No	142
Louth	363	PF	Claimed deletion of part of PF5 and addition of FP	08/03/2013	No	143
Tetford	365	PF	Addition of missing link to PF 33	30/09/2013	No	144
Welton Le Marsh	367	PF	Claimed footpath from junction of Beck Lane to entrance to Groves Farm, Mill	29/08/2013	No	145
Gainsborough	368	PF	Claimed footpath from Market Place to Caskgate Street	02/10/2013	No	146
Folkingham	369	PF	Claimed footpath from A15 to copse at end of PF3	30/12/2013	No	147
Glentworth	370	PF	Claimed footpath between PF91 and Dog Kennel Road	14/04/2014	No	148
Glentworth/Harpswell	371	PF	Claimed footpath between Homeyard Farm & Hermitage Farm	20/05/2014	No	149
Deeping St. James	372	PF	Claimed footpath between PF9 and PB12	25/06/2014	No	150
Sleaford	373	PF	Claimed bridleway between Lincoln Road (A15) to PF3	01/08/2014	No	151
North Somercotes/Marshchapel/Grainthorpe	374	PF	Upgrade of PF 18 to PB between Stonebridge Cottages, North Somercotes &	04/08/2014	No	152
Cranwell & Byard's Leap	375	PF	Addition of PF between PF754 and PB1	27/08/2014	No	153
Cranwell & Byard's Leap/Brauncewell	376	PF	Addition of PF between PF4 and Brauncewell PF12	27/08/2014	No	154