

**LINCOLNSHIRE COUNTY COUNCIL
COMMUNITIES
HIGHWAYS AND TRANSPORTATION**

RIGHTS OF WAY & COUNTRYSIDE ACCESS

**PATH PRIORITISATION POLICY, STANDARD ISSUE
RESOLUTION TIMESCALES & INSPECTION
REGIMES**

DOCUMENT HISTORY	Revision	Date
Draft Version 0.1	Initial Draft	16/2/2011
Draft Version 0.2	Revised for LAF Consultation Response & Inclusion of Equality Impact Assessment Screening	13/12/2011
Draft Version 0.3	Revision to Service Timescales	14/12/2011
Draft Version 0.4	Amendments following comments from Highways & Transportation Management Group	01/03/2012
Draft Version 0.5	Amendments following Scrutiny Committee pre- meeting	27/04/2012

1. Introduction

- 1.1. The current priority system for Lincolnshire's rights of way was set in 1994 and was based on the following principles:

Priority 1	Recreational routes promoted by the County Council <u>or</u> entire paths included in the Parish Paths Partnership agreement.
Priority 2	Recreational routes published by other bodies and endorsed by the County Council or paths which serve (or would serve) regularly as a communication between centres of population or an important local route.
Priority 3	Paths less vital than those in 2 above or paths used seldom, or if at all, where there is no indication that there would be any greater significantly greater use if improvement works were carried out.

- 1.2. This system of prioritising rights of way was endorsed in both the Milestones policies of 1996 and 2000 and, although the system was often challenged in the 1990s the Local Government Ombudsman has thus far accepted that it is a reasonable system for the allocation of limited resources.
- 1.3. The main complaint regarding the system is that the majority of routes were logged as Pr3 and as a consequence no timescale was given for reported problems. Following an increase in the number of officers dealing with rights of way maintenance and enforcement in 2002, it was recognised that once a route was available for use with no significant problem the priority should be upgraded from Pr3 to Pr2 as necessary. As a consequence the majority of paths are currently logged as either Pr1 or Pr2 as can be seen from the table below.

Priority	2000	2011	2012	2012 (km)
1	22.4%	26.1%	26.4%	1058.67 Km
2	21.3%	51%	50.8%	2041.04 Km
3	54.2%	21.8%	21.8%	873.55 Km
Urban ¹	2.1%	1.1%	1.0%	41.97 Km
Total	100%	100%	100%	4015.23 Km

¹Urban paths were being reprioritised to either Pr1, 2 or 3. They had formerly been the responsibility of the Highways Dept rather than Recreational Services although there are some that, as yet, have not been officially re-categorised

2. Amendments to Path Prioritisation Policy

- 2.1. Now that many more routes are available and in the knowledge that there is a diminished resource in terms of staffing and it is believed to be prudent to review the logged priorities of paths.

- 2.2. It is considered that Priority One routes ought to be redefined to include only those routes actively promoted by the County Council (current, leaflet-based, recreational walk routes, the Viking Way, Bridle Trails etc.) and as a consequence any routes allocated through the P3 scheme or as part of the older, no longer published, recreational walks series should be re-prioritised. It was also felt that only those sections of paths that are promoted should be classed as Priority One.
- 2.3. Priority Two status would be allocated to those remaining routes reflecting the highest usage, or routes promoted by other bodies and specifically endorsed by the County Council. This would have the effect of ensuring that those routes considered to be of the *most* importance to the public will have the appropriate resources allocated.
- 2.4. The County Council has worked hard over the last decade to ensure that many routes have been made available and that the majority of path furniture is in a good, usable condition. As a consequence it is suggested that there be a revision of the lower priorities and that the Priority Three routes will include all the remaining available routes not prioritised as Pr1 or Pr2 and Priority Four routes will reflect those that require significant capital investment or have a particular legal problem and as a consequence will be resource intensive to resolve.

Priority 1	Routes actively promoted by Lincolnshire County Council (e.g. Viking Way, Bridle Trails, Recreational Walk Routes)
Priority 2	Routes that are known to be well used, predominantly close to settlements <u>or</u> routes promoted by other bodies and specifically endorsed by Lincolnshire County Council
Priority 3	All other available routes.
Priority 4	Routes that could only be made available by the significant investment of capital resources or requiring extensive legal work to resolve alignments and obstructions.

3. Amendments to Service Standards - Timescales

- 3.1. In tandem with the alteration to priorities it is considered that the Service Standards Timescales should also be altered to reflect both the priority of the routes, the types of works that may be required and the time it may take to formally resolve any complaint to the Authority.
- 3.2. The timescales for commonly encountered issues were set in 1994 at the same time as the priority of routes themselves.

PRIORITY	Rights of Way Act Infringements (Ploughing & Cropping)	Minor Obstructions & Missing Signposts	Repair / Installation of Essential Bridges
1	2 Months	3 Months	6 Months
2	3 Months	6 Months	12 Months
3	Work Subject to the Availability of Resources		

3.3. It is now considered that with the diminished available resource and increased numbers of available rights of way that these timescales are not sustainable.

3.4. It is therefore submitted that the following scheme should be adopted to reflect these points and to widen the scope of commonly encountered issues

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

3.5. These timescales are **for guidance only** and there may be times when it may not be possible to meet these service standards. In such instances the County Council will inform respondents as to the reasons why and what action is being taken. One such example could be where a request is made that vegetation and hedging needs clearing from the line of a right of way. Bearing in mind the Authority's obligations concerning protecting biodiversity, stemming from the Natural Environment & Rural Communities Act 2006 and various other wildlife legislation, it may be prudent to defer works until a more appropriate time providing that the route is not wholly obstructed.

3.6. It is also considered that in responding to a correspondent the Authority will provide a reason, where appropriate, as to why a service request cannot be met in a given timescale rather than merely stating that the work will be subject to the availability of resources.

3.7. Whilst undertaking the review of the priorities of paths it may also be possible to identify those routes also recorded on the List of Streets (Highways Act 1980, Section 36(6)). These routes tend to be short, urban, surfaced routes in nature and listed in the Council's scheme as Category 4 footways however there will also be a number recorded as unsurfaced, unclassified county roads (UUCR's or "Green Lanes"). In identifying these routes it will be possible to ensure that inspection regimes are not duplicated by both the "Countryside" and "Highways" Teams.

4. Revised Inspection Regimes

4.1. One of the successes of recent years in reducing complaints regarding rights of way has been the proactive inspection regime enabling officers to undertake path audits and ensure repairs are made and issues resolved before they have a detrimental impact on users of rights of way. The audits have also enabled better asset management through the Countryside Access Management System software whereas records were not previously readily available. The inspection regimes also provide a defence against claims made in litigation.

4.2. To reflect the reduction in staffing it is submitted that the regimes will have to be altered and consideration also given to how best to involve the general community in inspecting routes.

4.3. Currently the regime is as follows:

Priority 1:	Annually
Priority 2:	One half of the network each year
Priority 3:	One third of the network each year although if substantial problems are found it is expected that they will not be re-inspected until these are resolved.

4.4. It can therefore be seen that the whole network should be inspected over a three year cycle although in the Highways (South) divisional area the sparse nature of the network allows for a greater frequency and all routes in that area are currently inspected on an annual basis.

4.5. The proposed alternative regime reflecting the possible new priority system is as follows and is considered the minimum requirement:

Priority 1:	Once per annum.
Priority 2:	Split over two year cycle.
Priority 3:	Split over a three year cycle.
Priority 4:	When routes are programmed for reopening based on available resources.

4.6. It is possible that as new community involvement schemes are progressed, such as a revision to the Parish Paths Partnership scheme and any potential new “adopt-a-route” or “adopt-a-trail” schemes, that voluntary input into the inspection regimes may increase allowing for less officer input into the frequency of route review and thereby enabling greater scope for progressing improvement work on the network.

5. Community Involvement in the Annual Conditions Survey

5.1 The Annual Conditions Survey (formerly Government Best Value Performance Indicator 178) is conducted in May and November each year with 5% of the network randomly selected for each month. The data is currently collected by officers.

5.2 It is considered that at this time it is still of use to continue to collect the data even though, since the demise of BVPI178, there is no obligation to do so. The survey does highlight trends and priorities (e.g. ploughing and cropping) and will be used as an indicator as to the “health” of the network relative to the diminished resource available to maintain and develop it. The figure at 5.6 indicates the general trend of improvement in the ease of use of the network:

- 5.3 Throughout November 2011 a scheme involving the Ramblers and Local Access Forum Members in conducting the Annual Condition Surveys was undertaken thereby incorporating the ideals of localism and "Big Society".
 - 5.4 Previously the ease of use surveys have been a burden on officers during months which have a significant impact on the amount of ploughing / cropping enforcement undertaken. Enlisting the resource of willing volunteers has removed this burden allowing officers more time in those months to concentrate on the continuing need to maintain, enforce and improve the network.
 - 5.5 Following a review of the outcomes of the November 2011 survey the County Council will continue to engage with volunteers to undertake these surveys
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