

APPENDIX C – Consultation Responses

Local Access Forum Comments

A report outlining the proposals was submitted to both Lincolnshire's Local Access Forums who provided a joint response as follows (with comment in *italics*)

a) Rights of Way Priority System

New category of 'Priority 4' paths – concern expressed that this category might not be 'Ombudsman-proof', as it is dependent on the availability (or otherwise) of resources and not on any characteristic of the path itself.

The current system has been tested through complaint previously and it is not considered that the introduction of a further intermediate priority between Pr1 and Pr4 would be significantly different. Whilst under the new scheme Pr3 routes would, for most issues, be subject to the availability of resources it is expected that service request/complaints will be resolved in a timely manner.

The new priority system was felt to be weakened by the removal of links to the PPP scheme. This seems to remove any incentive to encourage new PPP groups to be set up.

The PPP scheme is currently undergoing re-evaluation as its impact has lessened over the years. It has also been notable that some Parishes have treated the scheme as a way of gaining preferential treatment from the Council (due to higher priority routes) rather than undertaking to assist in the resolution of problems or maintenance. Evaluation has shown that of the 90 members of the Scheme only 30 are active and of that number, in 2010-11 only 2 submitted proposals further than claiming vegetation clearance costs.

A separate proposal regarding the re-launch/rebranding of PPP and of other community involvement schemes will be considered in 2012.

Sub-division of paths might cause more work than it would solve.

It is agreed that there will be an initial officer time (central and divisional) input to re-categorise paths however for the majority of routes this should not be a difficult task using CAMS.

Addition of extra tiers may cause more work for LCC and the effect of their introduction is not fully understood.

Officers feel that the reduction in workforce and budget dictates that not everything the authority has been capable of in recent years can be

continued and, bearing in mind the desire to ensure that the RoWIP is successful careful consideration into the officer time resource is required.

b) Service Timescales.

Concern expressed that the ploughing cropping timescale has been reduced, given that this is probably the biggest single problem in Lincolnshire.

It is felt that the slightly extended timescale will reflect the Authority's ability to resolve specific complaint within an appropriate timescale.

Hard for anyone to assess what the effect of the new service timescales will be, as the number of paths in each new priority category is not yet known.

If LCC fails to maintain the parts of the network that are their own responsibilities (e.g. field-edge paths), it is felt that this is likely to have an effect on landowners' willingness to maintain their own parts.

This has been an issue in the past however the current enforcement protocols would mean that we would not take official enforcement action against non-compliance where the rest of the route is unavailable due to surface vegetation growth.

H&S issues should bypass the usual timescales.

Agreed – Report amended (above) to reflect this point

c) Inspection regimes

Priority 1 – proposals were felt to be satisfactory – but if volunteers are to be used, the system will need a large number, all of whom will require training.

Priority 2 & 3 – Not clear what the effect of these changes might be.



ramblers
at the heart of walking

LINCOLNSHIRE AREA

20th April 2012

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Dear Chris,

**Re: REVISION TO THE PUBLIC RIGHTS OF WAY PATH PRIORITISATION POLICY
& ASSOCIATED STANDARD ISSUES TIMESCALES**

Further to receipt of these proposals to the current policy we respond as follows:

The Ramblers' Association in Lincolnshire does acknowledge and recognise the great work over recent years in the vast improvement that has been achieved in the county's rights of way network undertaken by Lincolnshire County Council. What was once a forbidding area to walk with a low tolerance towards the walking public and a 'bottom of the league performance' has been transformed to a place where walkers find a more welcoming place to come and one which we ourselves are particularly proud to promote both locally and to a national audience.

Much of this can be attributed to the increase in resources made available several years ago resulting in a structure for staffing of the Rights Of Way Dept with officers determined and able to improve the previous abysmal situation which had been allowed to develop. The loss of the Enforcement Officer posts is a retrograde step and leads to an increase in the abuse rights of way law in our county.

The increase in the popularity of walking continues unabated and is likely to form greater importance in national policies as a means of peaceful recreation, tourism and wide-appeal healthy exercise.

Therefore, we have several concerns regarding the proposed changes as outlined in your Revision Policy paper:

1. Of particular concern is the introduction of a new category, Priority 4. We can see a situation arising where Priority 3 paths, already without a timescale to complete action, being further downgraded into Priority 4. Similarly, paths currently in Priority 2 could be downgraded into Priority 3 if resource becomes temporarily unavailable.
2. A major concern in the county is seasonal obstructions such as ploughing & cropping. These formed the basis of the Rights Of Way Act 1990 and by extending timescales to 3 and 4 months is likely to result in these illegal obstructions not being resolved until after harvest resulting in many paths being out of use for much of the summer, a time when many people like to get outdoors for a walk in their local countryside.

3. The definition of each Priority category also needs consideration. We regard many paths to be 'recreational' as most of our 650+ led walks each year use currently Priority 2 and 3 paths. Can paths be reclassified and 'climb' up to the next Priority category? Currently, Priority 3 paths are rarely maintained and no maintenance or enforcement is to blame for their 'unavailability for use'.
4. We welcome recognition of community involvement in the annual surveys of path conditions and the Ramblers' Association is keen to continue with this work. This could be extended to include some undertaking of the formal Inspection Regimes. In fact, we further offer where possible, our assistance in the maintenance of the rights of way network. Over the years, some of our local groups have helped with signage, waymarking, path furniture, vegetation clearance and are currently helping with this, particularly in the Boston area. Engaging the community in such endeavours is welcomed by all. We would like further involvement with such schemes as is occurring with other local authorities across England.

In conclusion, we believe extending timescales and introducing a Priority 4 category will be detrimental to the users of the rights of way network and set a poor standard in the county. That is a situation which is unacceptable to the Ramblers' Association and to the people of Lincolnshire.

Yours sincerely,

STUART PARKER

Hon. Area Secretary
Ramblers' Association - Lincolnshire Area
(Reg.Charity No.1093577)