



County Offices
Newland
Lincoln
LN1 1YL

2 February 2024

Definitive Map and Statement of Public Rights of Way Sub-Committee

A meeting of the Definitive Map and Statement of Public Rights of Way Sub-Committee will be held on **Monday, 12 February 2024 at 11.30 am in the Council Chamber, County Offices, Newland, Lincoln LN1 1YL** for the transaction of the business set out on the attached Agenda.

Yours sincerely

A handwritten signature in cursive script that reads 'DBarnes'.

Debbie Barnes OBE
Chief Executive

Membership of the Definitive Map and Statement of Public Rights of Way Sub-Committee
(7 Members of the Council)

Councillors P A Skinner (Chairman), N Sear (Vice-Chairman), I D Carrington, K J Clarke, I G Fleetwood, R A Gibson and C Matthews

**DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY SUB-COMMITTEE AGENDA
MONDAY, 12 FEBRUARY 2024**

Item	Title	Pages
1	Apologies for Absence/Replacement Members	
2	Declarations of Members' Interests	
3	Minutes of the previous meeting of the Definitive Map and Statement of Public Rights of Way Sub Committee held on 3 July 2023	5 - 6
4	Appeal against the prioritisation of Definitive Map Modification Order (DMMO) Case 430 Addlethorpe - Proposed addition of a public footpath between Rectory Lane and St Nicholas' Church	7 - 30
5	Appeal against the prioritisation of Definitive Map Modification Order (DMMO) Case 565: North Kyme - Proposed addition of a public footpath between Public Footpath 3 and Ferry Lane	31 - 42

Democratic Services Officer Contact Details

Name: **Rachel Wilson**

Direct Dial **01522 552334**

E Mail Address democraticservices@lincolnshire.gov.uk

Please note: for more information about any of the following please contact the Democratic Services Officer responsible for servicing this meeting

- Business of the meeting
- Any special arrangements

Contact details set out above.

Please note: This meeting will be broadcast live on the internet and access can be sought by visiting [Agenda for Definitive Map and Statement of Public Rights of Way Sub-Committee on Monday, 12th February, 2024, 11.30 am \(moderngov.co.uk\)](https://www.lincolnshire.gov.uk/council-business/search-committee-records)

All papers for council meetings are available on:
<https://www.lincolnshire.gov.uk/council-business/search-committee-records>

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**DEFINITIVE MAP AND STATEMENT OF
PUBLIC RIGHTS OF WAY SUB-COMMITTEE
3 JULY 2023**

PRESENT: COUNCILLOR P A SKINNER (CHAIRMAN)

Councillors N Sear (Vice-Chairman), K J Clarke, I G Fleetwood, R A Gibson and C Matthews

Officers in attendance:-

Chris Miller (Head of Environment) and Rachel Wilson (Democratic Services Officer)

1 APOLOGIES FOR ABSENCE/REPLACEMENT MEMBERS

Apologies for absence were received from Councillor I D Carrington.

2 DECLARATIONS OF MEMBERS' INTERESTS

There were no declarations of interest at this point in the meeting.

3 MINUTES OF THE PREVIOUS MEETING OF THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY SUB COMMITTEE HELD ON 9 DECEMBER 2020

RESOLVED

That the minutes of the previous meeting held on 9 December 2020 be signed by the Chairman as a correct record.

4 APPEAL AGAINST THE PRIORITISATION OF DEFINITIVE MAP MODIFICATION ORDER (DMMO) CASE 580: WELL - PROPOSED ADDITION OF A BYWAY OPEN TO ALL TRAFFIC ("BOAT") BETWEEN LOW LANE AND PUBLIC FOOTPATH 79 AT ST MARGARET'S CHURCH

(Note: Councillor C Matthews joined the meeting at 12.44pm)

RESOLVED (Unanimous)

Application	Current priority	Decision	Reasons for decision
Appeal against the prioritisation of DMMO Case no. 580 – Well – proposed addition	299	The appeal was upheld and would be moved to number 26 on the priority list.	The Committee noted that the blocking of the route had made access to the

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**DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY SUB-COMMITTEE
3 JULY 2023**

<p>of a byway open to all traffic (“BOAT”) between Low Lane and Public Footpath 79 at St Margaret’s Church</p>			<p>church yard difficult, which was still in use for funerals, and people visiting the graves of loved ones. It was also noted that there was significant ill feeling within the community with reports of hostility from the owners of Well Vale Hall when people have tried to access the Church Yard via the claimed route.</p>
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5 APPEAL AGAINST THE PRIORITISATION OF DEFINITIVE MAP MODIFICATION ORDER (DMMO) CASE 623: WOODHALL SPA - PROPOSED ADDITION OF A FOOTPATH BETWEEN THE BROADWAY AND MANOR DRIVE

RESOLVED (5 in favour, 1 against, 0 abstentions)

Application	Current Priority	Decision	Reasons for Decision
<p>Appeal against the prioritisation of DMMO case 623 – Woodhall Spa – Proposed addition of a footpath between The Broadway and Manor Drive</p>	<p>343</p>	<p>That the appeal be upheld and the position on the priority list be upgraded to 27</p>	<p>This path had been in use for many years by the local population.</p>

The meeting closed at 1.19 pm

Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Definitive Map and Statement of Public Rights of Way Sub-committee
Date:	12 February 2024
Subject:	Appeal against the prioritisation of Definitive Map Modification Order (DMMO) Case 430 Addlethorpe – Proposed addition of a public footpath between Rectory Lane and St Nicholas' Church

Summary:

An appeal against the prioritisation of DMMO Case 430 which seeks to record a public footpath between Rectory Lane and St Nicholas' Church, Addlethorpe.

Recommendation(s):

That consideration is given to the appeal to upgrade the priority of the DMMO Case 430.

1. Background

As the Surveying Authority for the area, the County Council has a statutory duty to keep under continuous review the Definitive Map and Statement of Public Rights of Way for Lincolnshire and to make orders to take account of events requiring the map and statement 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 Guidance Note 9.2, Prioritisation of Definitive Map Modification Orders, 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 follow:

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 taxpayer) 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.

Addlethorpe Parish Council has appealed the current priority of DMMO Case 430 being an application seeking to record a public footpath between Rectory Lane and St Nicholas' Church in Addlethorpe. **Appendix A** provides a brief synopsis including the reasons for the appeal.

2. Conclusion

That Addlethorpe Parish Council has made a valid appeal against the current prioritisation of the DMMO case which requires consideration by the sub-committee.

3. Consultation

a) Has the Local Member been consulted?

Yes, but no comments were made in response to the consultation.

b) Has the Executive Councillor been consulted?

Not required.

c) Scrutiny comments

Not required.

d) Risks and impact analysis

None carried out.

4. Appendices

These are listed below and attached to the end of the report.

Appendix A	Case Synopsis – DMMO 430 Addlethorpe
Appendix B	Plan showing the location of the alleged footpath in context of the wider local area
Appendix C	Addlethorpe Parish Council’s appeal email of 31 October 2023
Appendix D	Letter of 9 November 2020 from a parishioner to the Ramblers Association
Appendix E	Undated anonymous letter to Lincolnshire County Council
Appendix F	Letter of 19 December 2022 from a parishioner to Addlethorpe Parish Council
Appendix G	Letter of 20 December 2022 from a parishioner to Addlethorpe Parish Council
Appendix H	Handwritten documents detailing challenges made towards people who sought to the alleged footpath
Appendix I	Definitive Map Modification Order Case Priority Schedule

Please note that personal details and any information which might identify a person have been redacted from the correspondence listed in the above appendices to comply with the data protection legislation. Some of these documents are of low quality, but this how they were provided by the appellant.

5. Background Papers

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

Highways Guidance Note 9.2, Prioritisation of Definitive Map Modification Order (HGN 9.2)
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This report was written by Andrew Pickwell, Senior Definitive Map Officer, who can be contacted on 01522 553083 or andrew.pickwell@lincolnshire.gov.uk.

Wildlife and Countryside Act 1981, section 53

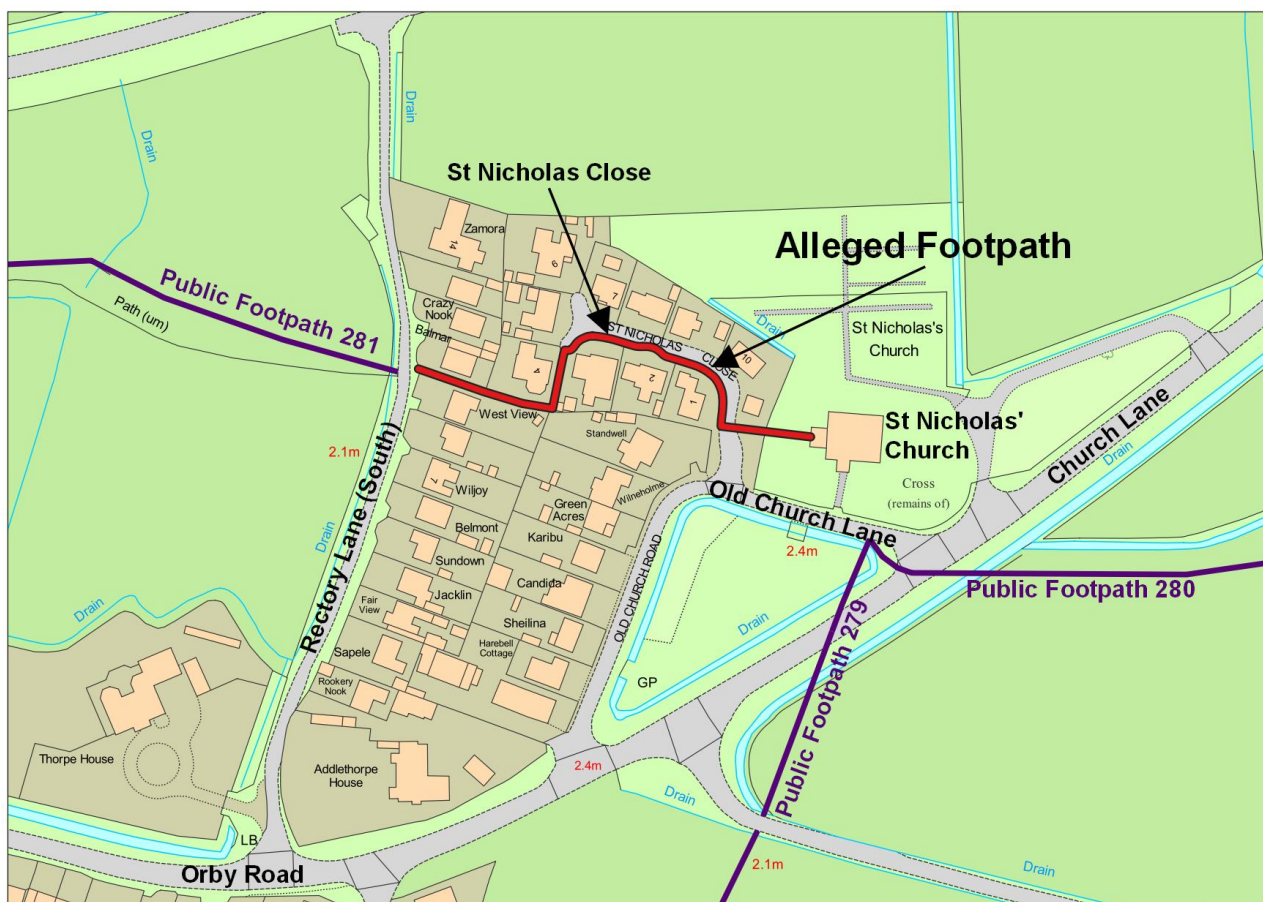
Definitive Map Modification Order Case 430

Addlethorpe – Alleged footpath between Rectory Lane at St Nicholas' Church

1. Application

An application made by Addlethorpe Parish Council in May 2021 under section 53(5) of the Wildlife and Countryside Act 1981 seeks a definitive map modification order to record a public footpath between Rectory Lane and St Nicholas' Church in Addlethorpe.

2. Location plan of the route



See **Appendix B** for a plan showing the alleged footpath in context to the wider local area.

3. Evidence in support of the application

11 user testimonies have been submitted in support of the proposal indicating usage over a period between 1953 and 2021. However, it should be noted that the route has changed course during this period of usage due to the construction of St Nicholas Close and 10-14 Rectory Lane in circa 2000, and the alleged footpath claimed is the one that has been used following the development. Several other documents were also submitted in support of the application include extracts from the minutes of several meetings of the Addlethorpe

Parochial Charity (also known as the Mottram Trust) over the period November 1983 to September 2002, correspondence and documents of 1986 relating to the sale of land owned by the Addlethorpe Parochial Trust that is now occupied by St Nicholas Close and 10-14 Rectory Lane, and correspondence of 2001 between Addlethorpe Parochial Charity, Addlethorpe Parish Council and Lincolnshire County Council.

The County Council's letter of 23 November 2001 suggests that efforts were made seeking the agreement from the developer of St Nicholas Close for a route across the site, but this came to no avail. As a result, Addlethorpe Parish Council were advised to apply for a modification order seeking to record the route as a public right of way, and they were provided with an application pack in December 2001 to facilitate this. However, 20 years passed before an application was made.

4. Background

The alleged footpath runs east from a point on Rectory Lane down a snicket between the properties West View and Balmar (9 and 10 Rectory Road respectively) and then north between 3 and 4 St Nicholas Close. It then continues along St Nicholas Close before turning east to run through the grounds of and to the entrance to St Nicholas' Church. Both Rectory Lane and St Nicholas Close are adopted highways. Evidence held on the file suggests that the application was made following the discovery by a parishioner that the passageway between Rectory Lane and St Nicholas Close it is not recorded as a public right of way and to prevent its close to the public.

5. Current Priority & Original Officer Assessment

Officer opinion following the initiation of the proposal was that none of the exception criteria applied to it. The case is currently ranked 158 out of 458 cases in the Priority Schedule (as of 18 January 2024), with the first 20 cases actively being progressed (see **Appendix I**). It should be noted that there are seven cases that have been given higher priority and are awaiting officer availability for progression.

6. Appeal

An appeal request for a change of priority relying on criterion 1 of the Policy has been received from Addlethorpe Parish Council (**Appendix C**). This criterion is as follows:

1) Where there is sustained aggression, hostility and ill feeling within a community that is causing severe disruption to the life of the community, and that in processing the case early there is a strong likelihood that this will reduce.

Addlethorpe provided in the following documents in support of their appeal:

- Letter of 9 November 2020 from a parishioner to the Ramblers (**Appendix D**)

- Undated anonymous letter Lincolnshire County Council (**Appendix E**)
- Letter of 19 December 2022 from a parishioner to Addlethorpe Parish Council (**Appendix F**)
- Letter of 20 December 2022 from a parishioner to Addlethorpe Parish Council (**Appendix G**)
- Handwritten documents detailing challenges made towards people using the route (**Appendix H**)

The letter of 9 November 2020 (**Appendix D**) and the undated anonymous letter (**Appendix E**) suggest that the path has been used for the last 50-100 years. They suggest that 15-20 years ago the builder of St Nicholas Close closed the path but then subsequently agreed to reopen it on a different alignment with a width of 1-1.5 metres and with a gate being provided at the point where there was a step to mitigate a trip hazard. They suggest that the path is in regular use, but the occupants of some of the adjacent properties wish to close the route and incorporate the land over which it runs into their gardens. One of the authors suggests that the occupants of one of the properties had blocked the path and someone had sawn down and removed the gate that was located on the route.

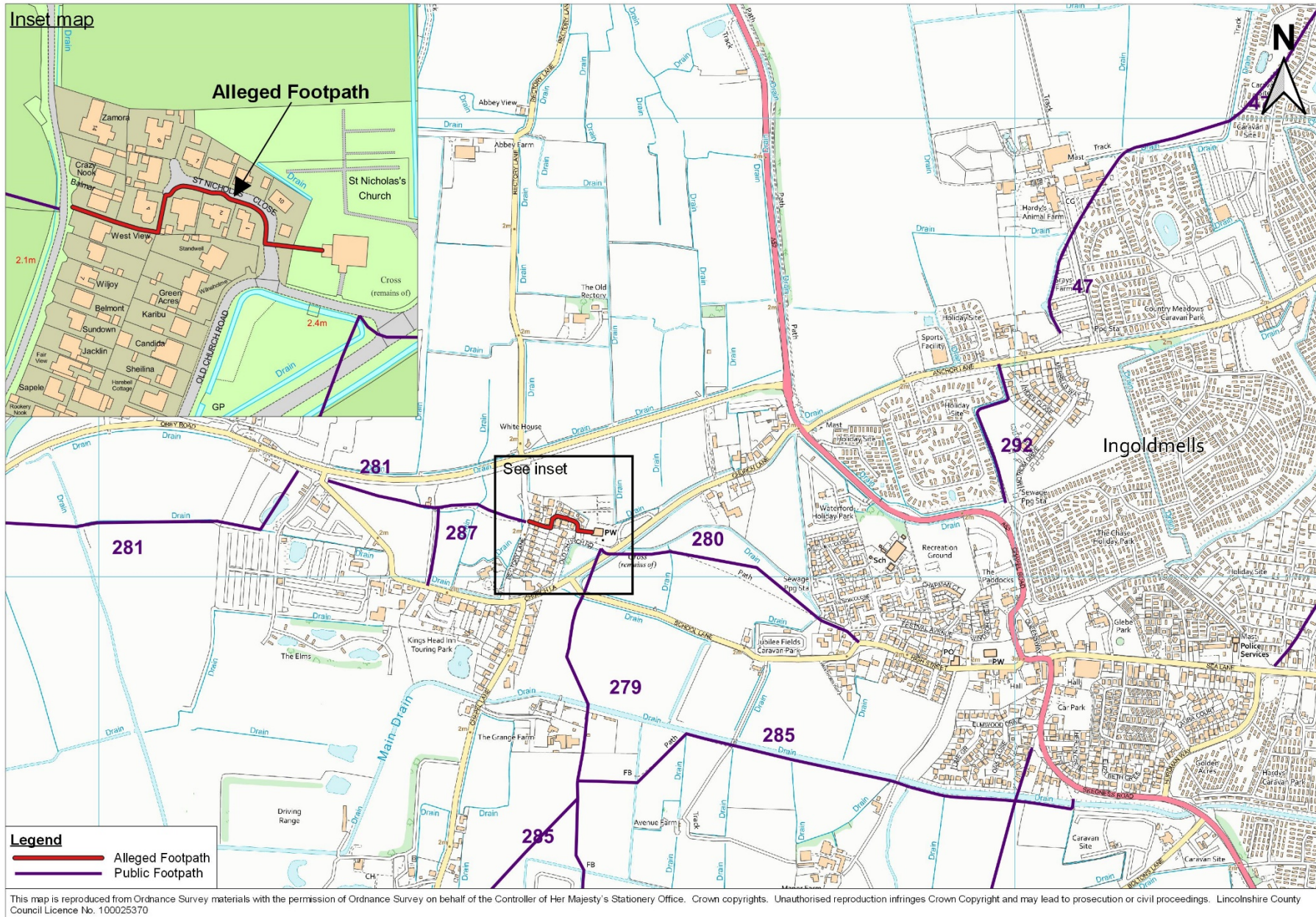
The letters of 19 December 2022 (**Appendix F**) and 20 December 2022 (**Appendix G**) do not provide evidence supporting sustain aggression, hostility, or ill feeling towards anyone who sought to use the path. However, one of the authors suggests that they may only seek to remove any of the fences and reopen the path should it be recorded as a public right of way. This suggests that the route was obstructed at the time when the letter was authored. It should be noted that it is typical for modification order applications supported by user witness testimony to be made for routes where access has been barred following long usage.

The handwritten documents suggests that the author was first told by a resident that they were closing the route. This was followed by the gate on the path being padlocked in April 2020, but the padlock was removed two days later. The documents detail five instances of alleged abuse towards people seeking to use the path during the remainder of 2020. The appellants' appeal email suggests that there was an alleged altercation between two parties in 2023 and that this is being investigated by the Police.

7. Maps and photographs

The Senior Definitive Map Officer, Andrew Pickwell, will provide a verbal report with slides at the meeting.

Appendix B – Location plan showing the alleged footpath in context to the wider local area



Appendix C – Appeal submitted by Addlethorpe Parish Council

From: addlethorpe parish council <clerk@addlethorpeparishcouncil.gov.uk>

Sent: Friday, October 27, 2023 11:46 AM

To: Sharon James

Subject: Request For Priority Processing of DMMO Application

Caution external: This email originated from outside of the council. Do not click on links or open attachments unless you are confident the email is legitimate

Good morning Sharon

I am the new Clerk for Addlethorpe and I am told that you have been dealing with Kerry about a disputed footpath in Addlethorpe.

You may have already received this communication, an apologies if that is the case – I just did not want it to have been overlooked in the changeover.

Kind regards

Alan Vassar

Clerk to Addlethorpe Parish Council

----- Original Message -----

Subject: Request For Priority Processing of DMMO Application

Re: Addlethorpe Footpath DMMO Application

Thank you for your email dated August 15, 2023 addressed to Kerry Cullen, the former Clerk of Addlethorpe Parish Council concerning the above noted matter. Please note that Alan Vassar is the new Addlethorpe Parish Clerk.

We understand that, in order to satisfy the criteria for priority processing of our DMMO application, you have requested additional evidence of the sustained aggression, hostility and ill-feeling within the community resulting from the attempts by certain residents of Addlethorpe to take possession of the subject footpath.

We are now enclosing the following evidence:

1. Letter to Ramblers Association from resident Hilary Ashton in 2020 summarising the contentious history of this issue.
2. Letters from two disputants in December 2022 setting out their claims to be entitled to take possession of the footpath and their intention to take legal action.
3. Contemporaneous and other notes of Hilary Aston between 2019 and 2021 describing confrontations and threats by certain disputants.

In addition, a recent confrontation between a disputant and neighbouring resident in St. Nicholas Close resulted in the resident being physically assaulted. A video of the incident has been submitted to the police for review.

Appendix C – Appeal submitted by Addlethorpe Parish Council

Please advise if you require further information to support our request for priority processing of our application.

Yours truly,
Roger Dawson
Vice Chair of Addlethorpe Parish Council

TEL No

[REDACTED]

[REDACTED]

ADDLETHORPE

TO RAMBLER ASSOC

SEEGNESS

09. 11. 20

[REDACTED]

Dear Sir/MADAM

I am writing to you for any help you can give in trying to keep open a path in our village. Enclosed is an old map dated 1906 showing the path, it was in use up to the late 1990's when the land to the north of it was sold as building land, but the path was to remain in situ. In the late 90's the builder began to build 4 properties fronting on Rectory lane 10-13 & the path was left in position & the first owners of [REDACTED] were told they could use the path for maintenance etc but not block it, however further along the path the builder started putting waste & soil piles on the path making it impassable.

When no 1, 2, 3, St Nicholas Close were complete the path had been incorporated into their gardens, the builder stating he had run out of space. The [REDACTED] wrote to the Director of place at the council complaining about the closure & he met up with us & the builder, he said the path should be opened up & it was suggested that the builder should remove some garden space from No 4 St Nicholas. We [REDACTED] aimed to this. The council provided a gate

as the 'New path' was higher than the old & it was a trip hazard

This has been ok for 18 years now the occupiers on [REDACTED] Rectory lane & [REDACTED] St Nicholas have verbally stated they want to close the path & put the area into their properties

In June the occupiers to [REDACTED] blocked the path near the gate & in the last month someone has sawn down the gate & post & removed it.

[REDACTED]

I am in contact with the parish council but wheels turn very slowly. I have also included other maps that may be useful you will see that the path is between two 'public' footpaths that would enable our summer visitors to reach Ingoldwells without having to walk alongside busy roads

The path is well maintained being mown 2 weekly & trimmed when necessary.

MAP 1 Shows original path in Red
& 'New' path in Blue.

MAP 2 Shows path in 1906 in
allotment garden & area 259/266 is the
building plots

MAP 3 Shows paths that used to link up to
reach Ingoldmills:

also enclosed is a letter received from the
Council.

Thank you for your time

FOOTPATH BETWEEN RECTORY HANE & ST NICH CHS
PEZZLE WTH - PEZZLE WTH

15-20 YEARS AGO WE WROTE TO YOUR OFFICE
RE THE ABOVE FOOTPATH WHICH THE BUILDERS OF ST. N. C.
HAD BLOCKED OFF. A REPRESENTATIVE FROM YOUR OFFICE CAME
TO MEET [REDACTED] & THE BUILDER
[REDACTED] HE SAID THE PATH SHOULD BE REOPENED AS IT
HAD BEEN IN EXISTENCE FOR OVER 100 YRS & HAD ORIGINALLY
BEEN A PATH TO THE CHURCH. IT WAS AGREED THAT THE
BUILDER WOULD USE GARDEN SPACE FROM [REDACTED] [THIS PROPERTY
WAS UP FOR SALE & [REDACTED] BOUGHT THE PROPERTY & MOVED THE
FENCE BACK BY 1-1/2 METERS & I BELIEVE THE COUNCIL PROVIDE
A GATE TO BE ERECTED NEAR TO THE SPOT WHERE THERE
WAS A STEP TO HELP TO PREVENT TRIPPING.

UPTO NOW THIS HAS BEEN FINE THE PATH IS WELL
MAINTAINED, MOWN EVERY 2 WEEKS & STRIMMED WHEN NECESSARY,
& IT IS IN REGULAR USE. NOW TWO PROPERTY OWNERS (ONE AT
EACH END OF THE PATH WANT THE PATH CLOSED & AREAS
ADJOINING THEIR PROPERTIES FENCED & ADDED TO THEIR PROPERTY
THE OWNER IN ST N. CHURCH IS NOT THE OWNER OF THE
PROPERTY THAT HAD THEIR GARDEN FENCE MOVED.

ALSO ALONG THE PATH IS THE INSPECTION MANHOLE
TO MAIN SEWER, A EASY ACCESS WOULD BE LOST

IS THERE ANY ASSISTANCE YOU CAN GIVE OVER
THIS SITUATION

[REDACTED]
Addlethorpe

[REDACTED]
19/12/2022

Dear Addlethorpe parish council

As you requested [REDACTED] sending you some facts regarding the land between number 3 and number 4 St Nicholas close.

When number 4 was bought back by the [REDACTED] and they moved the fence 1 meter into number 4's land, they did not register it with land registry and sold the bungalow as it was. I enclose a copy of [REDACTED] land registry plan dated the 19th of December 2022 which shows no spare land or footpath between number 3 and 4 therefore the land still belongs to [REDACTED]

I have also written an objection to the wildlife and countryside definitive map modification with our reasons on why this should not be opened as a footpath.

The total measurements from the fence to the curb edge is 3.5 meter's how can any persons obtain access on to St Nicholas close by illegally crossing over 1.71 meters of my land/ driveway this is taking into consideration the 1.8 meter service strip.

[REDACTED]

If the land does open as a footpath is the Addlethorpe parish council have purchased it are you the Addlethorpe parish council going to be responsible and liable for any damage caused to my property or any other surrounding properties that this issue concerns.

We will be willing to take this matter to court if necessary.

I await your response

[REDACTED]

Appendix G – Letter of 20 December 2022 from a parishioner to Addlethorpe PC

**Enclosed it*

Addlethorpe

Skegness

20/12/2022

Dear Addlethorpe Parish council

As requested by yourselves, here is the report detailing how the land between 3 and 4 came about.

No body came to maintain it in 15 years other than [redacted] and [redacted] gardener, so I decided to investigate who owned it.

1, I went to [redacted] house the parish clerk and asked [redacted] if [redacted] knew, [redacted] had no knowledge of the land.

2, I then telephoned LCC they said it had nothing to do with them.

3, I then telephoned ELDC they said the same and advised me to telephone highways.

4, I telephoned highways who then checked on the ordnance survey map and told me it was not a public right of way or a footpath, they advised me to telephone land registry to see if I could find out who owns it.

5, I telephoned Land registry who told me there was nothing registered and had no knowledge of any spare land between 3 and 4 St Nicholas close.

6, I spent nearly 2 hours with [redacted] explaining what [redacted] planning to do, but if [redacted] would like the land back then [redacted] could apply for it, [redacted] said [redacted] was not bothered now, so I explained [redacted] would be looking into buying it

7, I then telephoned [redacted] as I was aware that they had bought [redacted] back and moved the fence before reselling it. I asked [redacted] if they would be willing to sell it to [redacted] [redacted] said [redacted] would have to speak to [redacted] and get back to me. [redacted] spoke to me after [redacted] conversation with [redacted] and agreed to sell the land to [redacted] and to contact [redacted] solicitor at [redacted] as [redacted] never wanted to have it there in the first place and the police had said it was a security issue.

A contract was drawn up and [redacted] signed our side of the contract. Time seemed to be going at a slow pace so [redacted] went to see [redacted] solicitor explaining [redacted] would like to start the work by removing the fence and making the land nice. He advised to go a head as it will only take 5 minutes for the seller to sign.

[redacted] took the fence down and the next thing we received a letter from [redacted] s to say they had changed their minds and would not be selling the land.

Only to find out they were selling it to the Addlethorpe parish council.

[redacted] then received a letter from the wildlife and countryside act 1981 definitive map modification order saying [redacted] clerk had applied for a modification, I and other

members of the close signed to object against this and gave the reasons why. [redacted] now waiting their decision.

[redacted] who was on the Parish council at the time Knew [redacted] had applied to buy this land but obviously was good friends with the sellers and it seems strange the sale fell through, and the Parish council was purchasing it.

I am pleased [redacted] did not purchase the land as in looking into it, it still belongs to [redacted]

[redacted] bought [redacted] and on [redacted] deeds, there is 1 fence between the properties [redacted] bought [redacted] and on [redacted] deeds, it is the same one fence between the properties.

So, while the [redacted] bought back [redacted] and moved the fence it is obvious they did not register the new boundaries before selling it to [redacted].

[redacted] will not be removing any fences to open it back up before hearing from wildlife and country, also are you going to be liable as you own the land if it does get opened for any damage caused to my property that is caused by the public if it is opened.

[redacted] prepared to go to court to fight this.

I hope you find this information useful

From [redacted]

Appendix H – Handwritten documents detailing the challenges made towards people who sought to use the alleged footpath

AT THE SAME TIME WE WROTE TO PATHS JUST
 [REDACTED] SENT A LETTER TO
 ADDLETHORPE PC.

IN AUTUMN 2019 I WAS APPROACHED BY [REDACTED]
 [REDACTED] & TOLD [REDACTED] WAS GOING TO CLOSE THE PATH
 THEN [REDACTED] WOULD TELL COUNCIL IT WAS WASTE GROUND
 & [REDACTED] WOULD CLAIM IT TO GO INTO HIS PROPERTY. I TOLD
 [REDACTED] I WOULD OBJECT AS IT IS REGULARLY USED. A FEW
 WEEKS LATER [REDACTED] CLAIMED TO HAVE FOUND DRUG ITEMS
 ON THE PATH. [REDACTED] ALSO PUT A PADLOCK ON THE GATE
 WHICH [REDACTED] WAS TOLD TO REMOVE OR IT WOULD BE
 CUT OFF WITH BOLT CUTTERS [REDACTED] DID REMOVE IT.

THEN [REDACTED] WAS STOPPING PEOPLE
 USING IT SAYING IT WAS ONLY A MAINTENANCE PATH
 & COULD NOT BE USED BY ANYONE ELSE.

BOTH PARTIES AT [REDACTED]
 & [REDACTED] HAVE TOLD ME
 THEIR INTENTION IS TO TAKE THIS LAND INTO THEIR PROPERTY

WHEN [REDACTED] PURCHASED THE OLD ALLOTMENTS & CHURCH
 COTTAGES & STARTED TO BUILD 10-13 REEDLEY LANE THEY
 STARTED TO BLOCK THE ORIGINAL PATH BY PUTTING
 HIGH PILES OF BRICK RANMUL & SOIL MAKING IT
 IMPOSSIBLE TO USE THE ORIGINAL PATH. THEY DIDN'T
 PUT IT ONTO THE ACTUAL BUILDING SITE.

[REDACTED]

[REDACTED]

- Apr 2019 [REDACTED] TOLD ME HE WAS CLOSING PATH
- 24 04 20 [REDACTED] PADLOCKED GATE
- 26 04 20 " REMOVED PADLOCK
- 29 05 20 ABUSE FROM [REDACTED] WHILE STEERING PATH
- 5 06 20 MORE ABUSE [REDACTED] SAID SHE HAD
 PERMISSION FROM PARISH C&P COME TO CLOSE IT
 LETTER FROM LAND REGISTRY TO SAY [REDACTED] HADN'T ^{SENT} AN APPLICATION
- 15 06 20 WE WERE IN [REDACTED] GARDEN & GOT MORE
- 25 06 20 ABUSE (FOUL LANGUAGE) [REDACTED]
- 27 06 20 [REDACTED] NEW OWNER OF [REDACTED] QUITE HAPPY
 FOR PATH TO STAY OPEN
- 04 07 20 LETTER FROM COUNCIL - PLANNING NEEDED
 TO MOVE BOUNDARY FENCES.
- 19 07 20 [REDACTED] ABUSED BY [REDACTED]
- 21 07 20 [REDACTED] BLOCKED CHAIRMAN [REDACTED]
 ABUSED.
- 22 07 [REDACTED] COMMENCED FENCING PATH OFF
 TO
- 28 07
- 02 08 20 [REDACTED] ABUSED
- 14 10 20 GATE & POST SAWN OFF & REMOVED
 & SCEN IN [REDACTED] YARD
- 09 11 20 LETTER TO RAMBLEE!
- Jan 21 [REDACTED] CONTACTED COUNCIL GOT REPLY
 FROM CHRIS MILLER
- 29 1 21 KAREN BARRE CONTACTED ME TO SAY
 WE NEEDED TO APPLY FOR DEFINITIVE MAP
 MODIFICATION.

Appendix H – Handwritten documents detailing the challenges made towards people who sought to use the alleged footpath

JONATHAN STOCKDALE

SAID PLANNING PERMISSION NEEDED
TO ~~INSTEAD~~ MOVE BOUNDARY FENCE

Mrs KAREN BARKER ADVISED

IF PATH WAS CLOSED
[REDACTED] & [REDACTED] WOULD ONLY BE ENTITLED TO 1/2
THE WIDTH OF THE PATH

Mrs ANSON BEAN

COUNTRYSIDE SERVICES [REDACTED]

LAND REGISTRY

0844 892111
0300 006411

- Aug - Sept 2009 [REDACTED] TRIED ME HC
- [REDACTED] IN 1990'S GATE CLOSED CLAIM AS
- 24 04 2009 GATE AND POST REMOVED [REDACTED] ^{WASTEGROUND}
- 26 04 [REDACTED] Paddock Removed
- 29 05 * ABUSE OVER Stumping Path
- 05 06 * MORE ABUSE OVER PATH
- 22 06 20 [REDACTED] SAID NEEDED PERMISSION ^{FOR} _{TO} ^{ENTER} _{THE} ^{AREA} _{OF ^{THE} _{LAND ^{BEHIND} _{THE} ^{HOUSE} _{TO ^{GO} _{TO ^{THE} _{ROAD ^{TO} ^{REACH} _{THE ^{PATH}}}}}}}
- 25 06 * MORE ABUSE - ^{ALSO} _{FOR} ^{BEING} _{IN} ^{THE} _{REAR} ^{GARDEN}
- 27 06 [REDACTED] WANTED PATH OPEN
- 26 06 [REDACTED] PAINTED HOUSE FENCE
- 04 07 * LETTER FROM COUNCIL PLANNING
NEEDS TO HAVE BOUNDARY LINE
- 19 07 * [REDACTED] ABUSED
- 21 07 * GAIL BARKER [REDACTED] VISITED ^{THREATS} _{MADE}
- 22 07 [REDACTED] COMMENCED FENCING
- 28 07 [REDACTED] PHONED FOR PACKS RE PATH
- 02 08 * [REDACTED] ABUSED
- 14 10 GATE & POST SAID OFF & REMOVED
[REDACTED] SAID HAD TO HAVE FENCE 100
YARDS
- 17 12 [REDACTED] MAN WENT DOWN LANE - STOPPED BY HOUSE
- 09 11 LETTERS DETAILS TO RAMBLEYS PTC

Appendix H – Handwritten documents detailing the challenges made towards people who sought to use the alleged footpath

JAN 2021
 [REDACTED] WRITTEN TO COUNCIL
 Received reply from CHRIS MILLER
 [REDACTED] checking with
 [REDACTED] to see about forms
 being completed
 9.1.21 My copy of DEF MAP MODIFICATION
 9.1.21 KAREN BARKS PHONED WE NEED AN
 APPLICATION FOR DEFINITIVE MAP MODIFICATION
 ORDER. [REDACTED] WAS SUPPOSED TO HAVE SENT
 THIS IN ~~THE~~ MAY - JUNE

2021 A.P.C.
 08.06 Parish Council Meeting.
 7 PARISHIONERS
 6 COMMISSIONERS + CLERK
 THIS DISCUSSED
 PATH A [REDACTED]
 WE WERE ASKED WHAT EXACTLY WE WANTED
 REGARDING THE PATH. THE PATH FULLY OPEN
AS IT IS NOW OR BACK TO ORIGINAL PATH
 IF ANY DIFFICULTIES. AND GATE & BARRIERS WERE TO
 BE REMOVED OR NOT.
 10.06 [REDACTED] (COUNCILLOR) SPOKE TO ME & TOLD ME
 IT HAD BEEN FOUND OUT
 WHEN THE ALTERNATIVE FENCING WERE
 PUT UP FOR APPROX (145,000) A FEW DAYS
 BEFORE [REDACTED] DIED AN OFFER OF
 27,500 ACCEPTED [REDACTED]
 OF COUNCIL. ALSO ON MORTGAGE STATE A
 THE SELLER SHE WANTED FOR DEATH WITH THE
 SALE Highly interested
 13.06 [REDACTED] (COUNCILLOR) FOUND IN SEP. IT WAS THIS WHEN NEX AT
 15.06 TONY SMITH (COUNCILLOR) PHONED TO SAY
 A.P.C. HAD AN OFFER FOR THE PATH
 ACCEPTED BY [REDACTED] Awaiting completion
 (THE MORTGAGE BANK'S QUESTIONS REFINANCED TO
 BE AGRED) [REDACTED] A FEW DAYS
 BEFORE [REDACTED] DIED. THE PATH WAS
 REMOVED IN 2022. THE PATH WAS REMOVED.
 ALSO KAREN BARKS HAS BEEN [REDACTED]
 THIS HENRIETTA [REDACTED] [REDACTED]
 I WAS QUITE FULL OF INFORMATION
 BUILDING UP THE CASE
 W/C 14/7/21 GATE AT RL EVIDENCE UNABLE TO

Appendix H – Handwritten documents detailing the challenges made towards people who sought to use the alleged footpath

Path to be purchased by
the Council from [redacted]
Still awaiting final A: Nov 2001

July 2001 letter to
APC for [redacted]
Re Path - same time [redacted]
[redacted] & myself contacted
Path Dept
re removal of gate classed
as damage to Council property
or theft
C. Aker Post M. [redacted]
10/1/20
Shown to Council [redacted] (9/1/01)

Appendix H – Handwritten documents detailing the challenges made towards people who sought to use the alleged footpath

Run out of space? 12-18 months before
start building the house had soil delivered to site
& piled it on Path (8-10ft high) - impossible to walk
through at all.

Miss Benn said something about ^{Householders} claiming
 $\frac{1}{2}$ the width of the path. what happens with
other $\frac{1}{2}$

LANDS GATE

cut the path from their garden.
So opening up the path again
about original path + DIVERSION

4 Yes 2000 - 2002 when site was
sold to builders
Soil & Builders rubbish

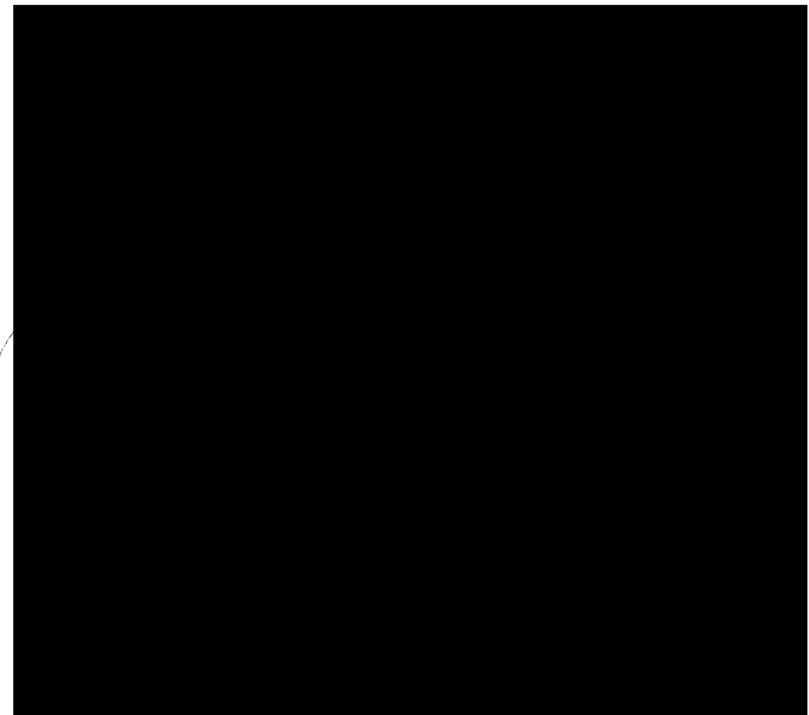
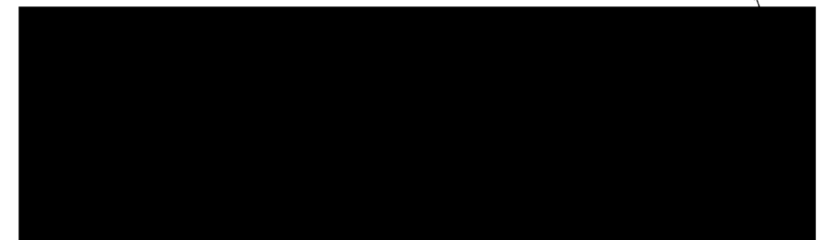
Dumped on the path route
not on the building site.

7
July 2000
occupier [redacted] have boarded
up the gate unable to see if
any other obstructions on

8
As completion of the Close we
write to path Dept at ELDEA.
Someone came to meet us along with
the builder the Council Rep said the path
should be repaired & builder agreed to
direct path - [redacted] Resurfaces plot 104 &

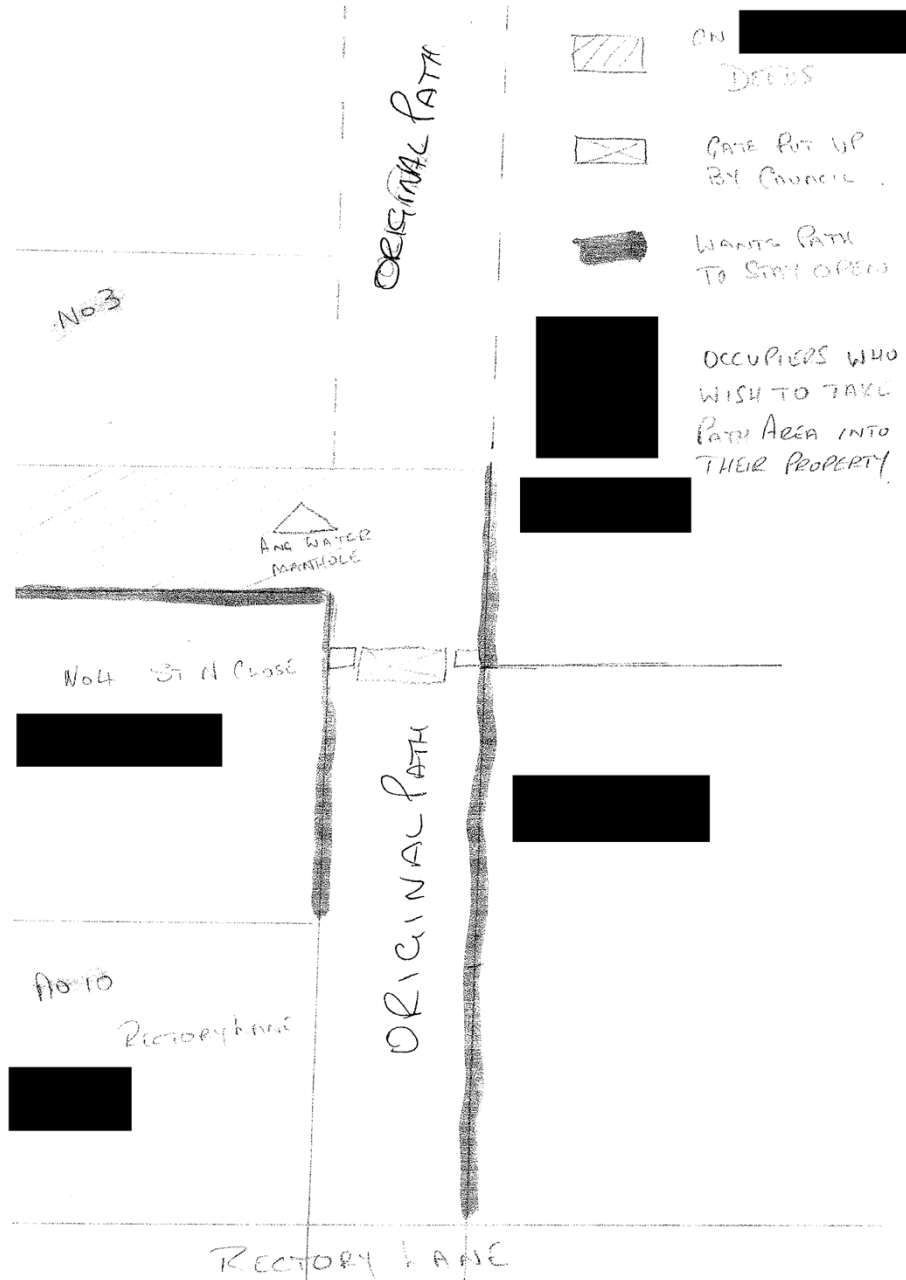
3

9



10

Appendix H – Handwritten documents detailing the challenges made towards people who sought to use the alleged footpath



CN [REDACTED]
DEEDS



GATE PUT UP
BY COUNCIL



WANTS PATH
TO STAY OPEN



OCCUPIERS WHO
WISH TO TAKE
PATH AREA INTO
THEIR PROPERTY



Appendix I – Definitive Map Modification Order Case Priority Schedule

Key: Grey – Cases currently being progressed. Yellow – Cases given higher priority which are awaiting officer availability for progression.

Parish	File	Route description	Application / Acceptance	Priority Ranking
Mumby	410	Claimed footpath from A52, Mill Lane south then east to A52, public house	08/01/2020	1
Glentworth/Harpswell	371	Claimed footpath between Homeyard Farm & Hermitage Farm	20/05/2014	2
Belchford	421	Claimed footpath from Ford at Ings Lane to Public Footpath 27	17/11/2020	3
Cranwell & Byard's Leap	375	Addition of PF between PF754 and PB1	27/08/2014	4
Lincoln	390	Claimed bridleway between riverside cycle path and Hall Drive	29/06/2017	5
Holbeach/Fleet	392	Claimed footpath between Damgate Road and Branches Lane	01/09/2017	6
Heighington	323	Claimed footpath along Bracken Hill Lane and Third Hill Road	04/10/2007	7
Ingoldsby	405	Claimed footpath known as Ascoughy Lane running from Lenton Road to Public Footpath 13	05/06/2019	8
Aslackby & Laughton	277	Upgrade of RB 12 to BOAT	22/02/2005	9
Lenton Keisby and Osgodby	292	Upgrade of PB 3 to BOAT	06/11/2005	10
Lenton Keisby and Osgodby / Irnham	293	Claimed BOAT from RB 12 to PB 9 and Upgrade of PB 9 to BOAT	06/11/2005	11
Lenton Keisby and Osgodby / Irnham	295	Claimed BOAT from Irnham BR9 to Elsthorpe Road	09/11/2005	12
Chapel St Leonards	404	Claimed footpath from Ancaster Avenue & St Leonards Drive to Roman Bank & the beach	31/05/2019	13
Lincoln	334	Claimed Public Bridleway from Boswell Drive to Doddington Road	29/09/2008	14
Belchford	11	Ings Lane	25/01/1988	15
Colsterworth	426	Claimed footpath from Newton Way to Water Lane (Giles Hill)	04/05/2021	16
Bucknall	579	Claimed footpath from Chestnut Avenue to Platts Lane	21/09/2022	17
Belchford	620	Claimed bridleway from Ings Lane to the Bluestone Heath Road	19/12/2022	18
Westborough and Dry Doddington / Stubton / Claypole	307	Addition of a BOAT in Westborough and Dry Doddington, upgrade of RB 5 & 6 in Stubton, and upgrade of BW 8 in Claypole	22/03/2006	19
Greetham with Somersby	403	Upgrade of part of Public Footpath 53 to bridleway	12/07/2012	20
Bourne	420	Addition of public footpath from Public Footpath 3 to South Street	02/11/2020	21
Lissington / Holton Cum Beckering	303	Upgrade of PB 904 in Lissington and PB 904 in Holton Cum Beckering to a BOAT	06/02/2006	22
Wragby	435	Claimed footpath from Cemetery Road along the field edges to the A158 Horncastle Road	16/07/2021	23
Ludford	470	Claimed bridleway along Thorpe Road from PB123 to the highway	08/02/2022	24
Lincoln	635	Claimed footpath from Grosvenor Avenue to Pig Lane	16/01/2023	25

Appendix I – Definitive Map Modification Order Case Priority Schedule

Well	580	Claimed BOAT from Low Lane to PF79 at St. Margaret's Church	22/09/2022	26
Woodhall Spa	623	Claimed footpath from Manor Road to The Broadway	16/01/2023	27
..... 130 Definitive Map Modification Order cases				
Addlethorpe	430	Claimed footpath from Rectory Lane South to St. Nicholas Church	17/06/2021	158
..... 300 Definitive Map Modification Order cases				

Open Report on behalf of Andy Gutherson, Executive Director - Place

Report to:	Definitive Map and Statement of Public Rights of Way Sub-committee
Date:	29 January 2024
Subject:	Appeal against the prioritisation of Definitive Map Modification Order (DMMO) Case 565: North Kyme – Proposed addition of a public footpath between Public Footpath 3 and Ferry Lane

Summary:

An appeal against the prioritisation of DMMO Case 565 which seeks to record a public footpath between the easternmost end of Public Footpath 3 and Ferry Lane in the parish of North Kyme.

Recommendation(s):

That consideration is given to the appeal to upgrade the priority of the DMMO Case 565.

1. Background

As the Surveying Authority for the area, the County Council has a statutory duty to keep under continuous review the Definitive Map and Statement of Public Rights of Way for Lincolnshire and to make orders to take account of events requiring the map and statement 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 Guidance Note 9.2, Prioritisation of Definitive Map Modification Orders, 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 follow:

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 taxpayer) 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.

North Kesteven District Councillor Mervyn Head and John Beaven of the Ramblers have separately appealed the current priority of DMMO Case 565 being an application seeking to record a public footpath between the easternmost end of Public Footpath 3 and Ferry Lane in the parish of North Kyme. **Appendix A** provides a brief synopsis including the reasons for the appeal.

2. Conclusion

That Councillor Mervyn Head and John Beaven have made a valid appeal against the current prioritisation of the DMMO case which requires consideration by the sub-committee.

3. Consultation

a) Has the Local Member been consulted?

Yes, but no comments were made in response to the consultation.

b) Has the Executive Councillor been consulted?

Not required.

c) Scrutiny comments

Not required.

d) Risks and impact analysis

None carried out.

4. Appendices

These are listed below and attached to the end of the report.

Appendix A	Case Synopsis – DMMO 565 North Kyme
Appendix B	Plan showing the location of the alleged footpath in context of the wider local area
Appendix C	North Kesteven District Councillor Mervyn Head’s appeal email of 14 November 2023
Appendix D	John Beaven’s appeal email of 19 November 2023 made on behalf of the Ramblers
Appendix E	Definitive Map Modification Order Case Priority Schedule

5. Background Papers

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

Highways Guidance Note 9.2, Prioritisation of Definitive Map Modification Order (HGN 9.2)
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This report was written by Andrew Pickwell, Senior Definitive Map Officer, who can be contacted on 01522 553083 or andrew.pickwell@lincolnshire.gov.uk.

Wildlife and Countryside Act 1981, section 53

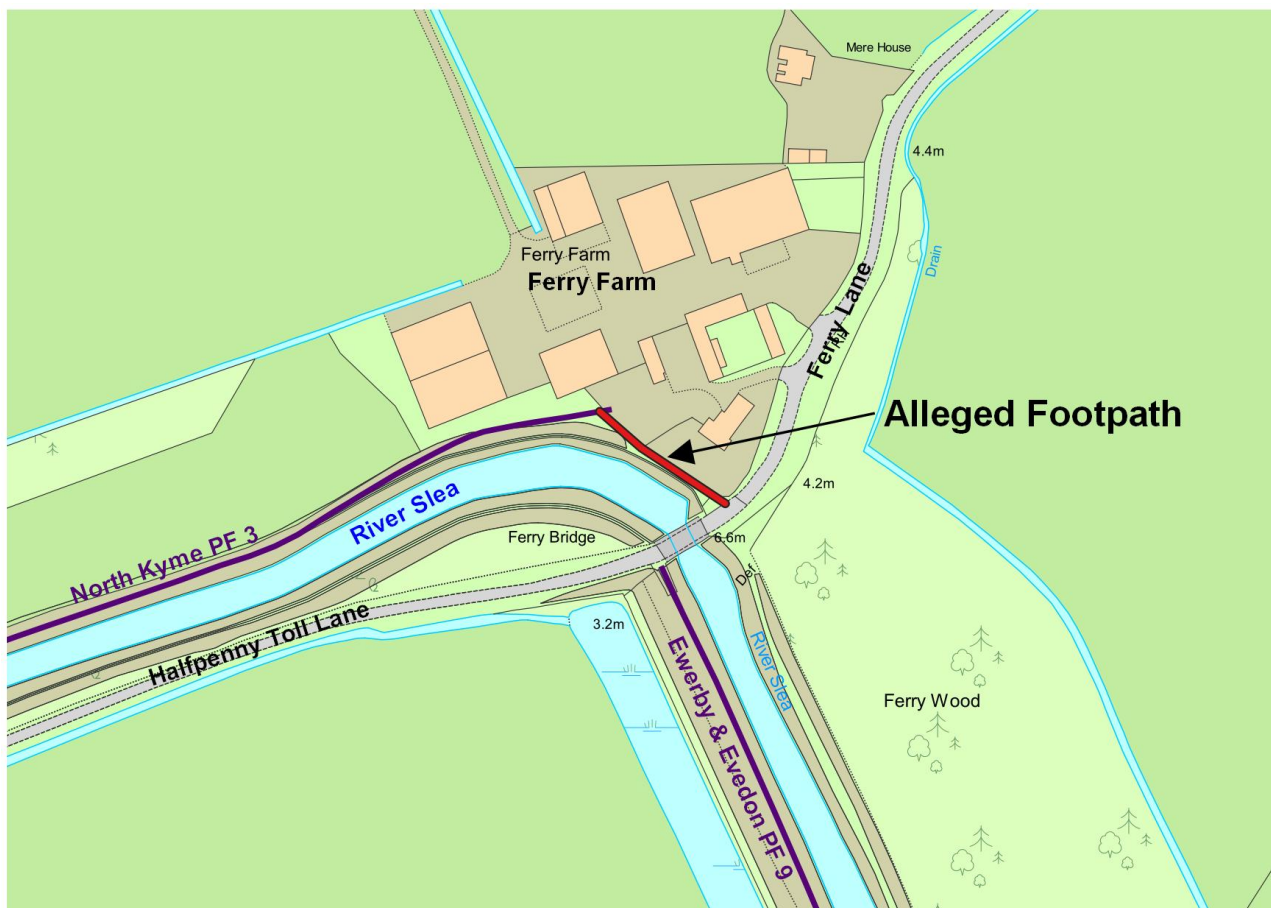
Definitive Map Modification Order Case 565

North Kyme – Alleged footpath between the easternmost end of Public Footpath 3 and Ferry Lane

1. Application

An application made by North Kesteven District Councillor Mervyn Head in August 2022 under section 53(5) of the Wildlife and Countryside Act 1981 seeks a definitive map modification order to record a public footpath between the easternmost end of Public Footpath 3 and Ferry Lane in the parish of North Kyme.

2. Location plan of route



See **Appendix B** for a plan showing the alleged footpath in context to the wider local area.

3. Evidence in support of the application

15 user testimonies have been submitted in support of the proposal indicating usage over a period between 1981 and 2019.

4. Background

The easternmost end of Public Footpath 3 ends on the bank of the River Slea approximately 60 metres short of Ferry Lane, a publicly maintainable highway. Councillor Mervyn Head and John Beaven (“the appellants”) suggest in their appeals that access between the easternmost end of the public footpath and Ferry Lane is blocked by wooden panel fencing of a height of at least 6 feet. Councillor Mervyn Head’s appeal suggests that the application may have been made to resolve the “missing link” in the public rights of way network to enable riverside public access along the River Slea between Sleaford and the River Witham, and to connect to the Water Rail Way (a Sustrans route for walkers and cyclists which runs adjacent to or in close proximity to the River Witham between Lincoln and Boston) to complement the investment being made by North Kesteven District Council in the Sleas Corridor.

5. Current Priority & Original Officer Assessment

Officer opinion following the initiation of the casefile for the proposal was that none of the criteria applied to it. The case is currently ranked 288th out of 458 cases (as of 29 January 2024), with the first 20 cases actively being progressed (see **Appendix E**). It should be noted that there are currently seven cases that have previously been given higher priority that are awaiting officer availability for progression.

6. Appeal

Neither of the appellants have specified the criteria of Definitive Map Modification Order Case Priority Policy under which they seek the application to be given higher priority and raised in the Priority Schedule.

Both appellants suggest that most of the cases in the Priority Schedule are currently in use and that all that is required is for their status to be legalised (i.e., recorded as public rights of way) or their classification changed (e.g., from a public bridleway to a byway open to all traffic), whereas the alleged footpath is impassable as it is obstructed by a 6-foot-high wooden panel fence. It is not possible to identify from the Priority Schedule whether the routes subject to any of the cases listed are currently available for public use. In fact, of the 298 modification order applications which have been made over the last 3 years seeking to record historical public rights of way, and the majority of these (if they are subject to a public right of way) are not available on the ground because they had fallen into disuse and were forgotten. Also, a lot of the user based public rights of way claims in the Priority Schedule have been made for routes where access has been barred following long usage.

Councillor Mervyn Head states that North Kesteven District Council has and continues to undertake considerable investment in the Sleas Corridor. This has included the recent completion of the £800,000 Witham-Slea Blue Green Project, and North Kesteven District

Council is investing a further £50,000 awarded by the UK Shared Prosperity Fund into a boat trip along part of the River Sleaford at its Sleaford end. He suggests that should the alleged footpath be recorded as a public right of way it could provide access for more than 20,000 people per year linking Sleaford to the villages along the route to the Water Rail Way which runs alongside or in the vicinity of the River Witham. He contends that the current obstruction of the alleged footpath and the resulting missing link in the public rights of way network may impact on North Kesteven District Council's medium to long term development plans for the improvement of the Sleaford Corridor.

Neither appeal seems to meet the first seven criteria in the Definitive Map Modification Order Case Priority Policy, but consideration should be given to whether they meet criterion 8, '*Where the route will significantly assist in achieving a Countryside and Rights of Way Improvement Plan Objective or Statement of Action.*' The following Countryside Rights of Way improvement Plan objectives and statements of action which may apply and should be considered are:

- SOA 1 – Identify and improve off road route linking communities with schools, employment centres and local services

The alleged footpath, if recorded as a public right of way, would result in a continuous public footpath connecting the villages of Ruskington, Anwick, South Kyme and Chapel Hill, and the services located therein.

- SOA39 – Identify areas deficit in access where access proposals would benefit the rights of way network

There are several "missing links" in the public rights of way network in the area local to the alleged footpath. Should the alleged footpath be recorded as a public right of way, it would resolve a missing link and enhance the local public rights of way network.

- SOA18 – Identify and develop circular and linear recreational routes to and from countryside/tourism sites, and
- CT9 – Develop longer distance route and trails

Should the alleged footpath be recorded as a public right of way, it would result in a 10-mile continuous public footpath running almost exclusively along the embankment of the River Sleaford from a point on the A153 opposite Priory Road in Ruskington to the River Witham at Chapel Hill and a public footpath that runs for 10 miles along the embankment of the River Witham to Boston. It would also connect the Spires and Steeples Arts and Heritage Trail promoted by North Kesteven District Council to the Water Rail Way promoted by Sustrans. The Spires and Steeples Arts and Heritage Trail runs between Lincoln Cathedral and St Denys Church in Sleaford passing through several villages in North Kesteven, and the Water Rail Way is mainly a traffic free route for walkers and cyclists running alongside or in the vicinity of the River Witham between Lincoln and Boston.

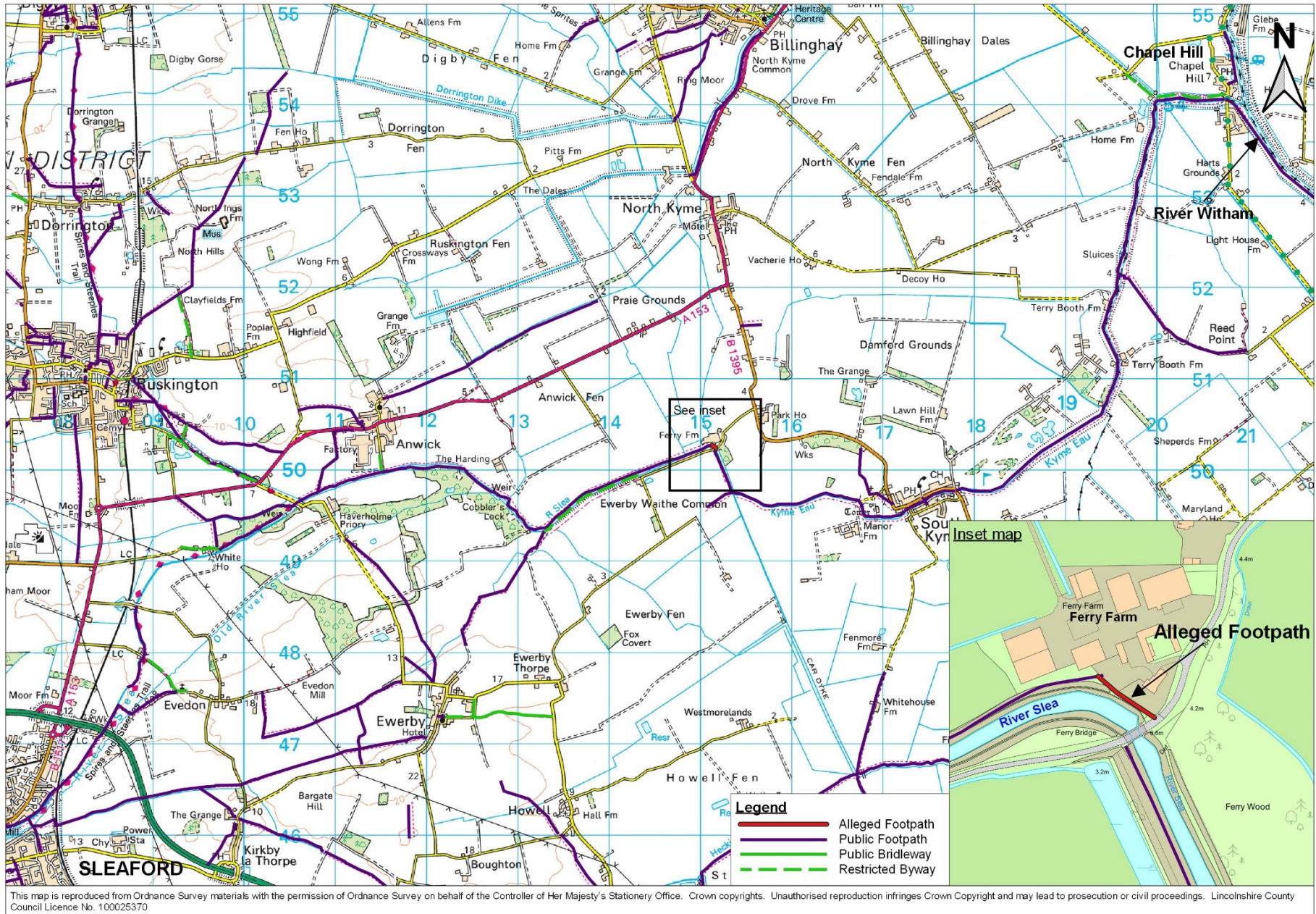
However, it should be noted that the Kirkstead Bridge – Chapel Hill – Langrick Bridge section of the Water Rail Way runs predominantly on public roads.

Should the alleged footpath be recorded as a public right of way, it would result in a continuous public footpath connecting the public footpath along the embankment of the River Witham to the Spires and Steeples Arts and Heritage Trail thus creating a continuous pedestrian route linking Boston to Sleaford and Lincoln.

7. Maps and photographs

The Senior Definitive Map Officer, Andrew Pickwell, will provide a verbal report with slides at the meeting.

Appendix B – Location plan showing the alleged footpath in context to the wider local area



Appendix C – Appeal submitted by North Kesteven District Cllr Mervyn Head

From: Cllr Mervyn Head

Sent: Tuesday, November 14, 2023 8:54 AM

To: Chris Miller

Cc: Alan Gray; Cllr Richard Wright

Subject: FW: Blocked Footpath at Ferry Farm - North Kyme/DMMO 565

Good morning Chris

A year has now passed, and having looked at your 'work list' it seems this footpath is currently 289th on the leaderboard, out of a total of 428. It would appear that only 19 cases are listed as being currently progressed by officers.

From analysis of the list it is evident that most of the paths being claimed are in fact already in use and are subject to applications to be legalised, or are requested upgrades from, say, bridleways to byways. At Ferry farm, we are looking at around 50 metres of path that has been illegally blocked off by a wooden panel fence, thereby preventing use of the footpath from Sleaford to access the river Witham and the Sustrans Water Railway path. This blockage is preventing the use of miles of pleasant riverside walk on a footpath that is also of strategic value to North Kesteven District Council (NKDC).

NKDC has and is investing considerably in the Sleas corridor (recent completion of the £800k+ Witham-Slea Blue Green project and a current £50k investment via the UKSPF fund into a trip boat on the Slea at the Sleaford End. The river is currently navigable from the Witham up to Cobblers Lock, yet an important part of footpath access along that section of the river is currently denied because of a 6 foot fence blocking off a very small and vital part of the link from Sleaford/Haverholme to Chapel Hill and beyond.

For this reason I feel that this case is deserving of a much higher priority than it has currently been given. I have copied both our Economic Development Manager, Alan Gray and the Leader of the Council, Cllr Richard Wright into this email so that they are aware of the current situation and its likely impact on NKDC's medium to long term development plans for improving the Slea Corridor.

As I have said, NKDC is investing in Sleaford and the river Slea and it is important to open up access for potentially upwards of 20,000 people/year to use this path between Sleaford and the villages along the route to the Water Railway path. Could you therefore please re-look at your priority listings and (hopefully) give this important footpath link a much higher ranking than it currently has.

Best regards

Mervyn



Cllr Mervyn Head

Councillor

Ward: Ward Member for Kirkby La Thorpe and South Kyme

Tel: [REDACTED] | Mob: [REDACTED]

Email: [REDACTED]

www.n-kesteven.gov.uk

Appendix D – Appeal submitted by John Beaven, The Ramblers

From: John Beaven
Sent: Sunday, November 19, 2023 11:41 AM
To: Countryside_Access
Subject: North Kyme FP3 - Ferry farm

Good morning CA team

At a very lively and interesting meeting between Andrew Fletcher and members of the Lincolnshire Area Ramblers committee on November 11th, I raised the issue of the "missing link" in front of Ferry Farmhouse.

A claim was submitted for re-instatement of this section of path in August 2022, along with 15 evidence-of-use forms. As you may know, this path has now been blocked by a 2m high panel fence.

On looking at the priorities schedule, this claim is 289th out of a total of 428, with 19 cases currently being classed as "Active" and being progressed by officers.

Looking at this list, it is evident that many of the ROWs submitted for DMMOs are currently in use, and just require their status to be legalised or changed, such as from bridleway to BOAT.

The situation at Ferry Farm, however, is that this short blockage is preventing the use of miles of pleasant riverside walk and effectively prevents foot traffic between two parishes.

For this reason, I feel that this case is deserving of a much higher priority than it has been given. At this rate of progress, most of the interested parties, including myself, won't live to see this issue resolved, which is very demotivating for anyone considering a similar course of action.

I have been in touch with the other applicants, including representatives of the Parish Councils involved, and they are fully supportive of the views expressed in this letter.

Kind regards

John Beaven (Footpath Officer for the Ramblers, South Lincs Area)

Appendix E – Definitive Map Modification Order Case Priority Schedule

Key: Grey – Cases currently being progressed. Yellow – Cases given higher priority which are awaiting officer availability for progression.

Parish	File	Route description	Application / Acceptance	Priority Ranking
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Ingoldsby	405	Claimed footpath known as Ascoughy Lane running from Lenton Road to Public Footpath 13	05/06/2019	8
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Lenton Keisby and Osgodby	292	Upgrade of PB 3 to BOAT	06/11/2005	10
Lenton Keisby and Osgodby / Irnham	293	Claimed BOAT from RB 12 to PB 9 and Upgrade of PB 9 to BOAT	06/11/2005	11
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Greetham with Somersby	403	Upgrade of part of Public Footpath 53 to bridleway	12/07/2012	20
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Appendix E – Definitive Map Modification Order Case Priority Schedule

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Woodhall Spa	623	Claimed footpath from Manor Road to The Broadway	16/01/2023	27
..... 260 Definitive Map Modification Order cases				
North Kyme	565	Claimed footpath from PF3 to Ferry Lane (missing link)	17/06/2021	288
..... 170 Definitive Map Modification Order cases				