

Public Rights of Way and Access Forum

Minutes of the Meeting held on Tuesday, 20th July, 2021 at 10.00 am in Zoom Virtual Meeting - Zoom

Present:

Chair

County Councillor Sue Hind

Committee Members

County Councillor Carole Haythornthwaite
Alison Boden, (Wyre Borough Council representative)
Neil Herbert, Lancaster Ramblers Association
David Kelly, Ramblers Association
Mrs Shirley Northcott, (Peak and Northern Footpaths Society representative)
Ms Chris Peat, (British Horse Society representative)
Roger Wright, (Highways Agency/Red Rose Land Rover Club representative)

Officers

David Goode, Public Rights of Way Manager, Lancashire County Council
Alison Boden, Wyre Borough Council
Garth Harbison, Legal and Democratic Services, Lancashire County Council

Lancashire Local Access Forum members Richard Toon, Lorraine Mellodey and Paul Withington were also in attendance.

Brian Dearnaley, representing the Peak and Northern Footpath Society, attended as an observer.

1. Welcome and Introductions

The Chair, County Councillor Sue Hind, welcomed everyone to the meeting.

2. Apologies

Apologies were received from County Councillor Cosima Towneley, Mrs Rosemary Hogarth and Michael Prescott.

3. Minutes of the Last Meeting held on the 26 January 2021

The minutes of the meeting held on the 26 January 2021 were agreed as a correct record.

4. Matters Arising

There were no Matters Arising.

5. Highways Act Orders and Town and Country Planning Act Orders

Regarding Highways Act Orders the forum was informed that Legal Services had 79 live files. Since the last forum they had received 2 new applications and 5 matters had been closed. 35 applications had not yet been to Committee and 7 applications were awaiting Order making.

4 Orders were in the objection period, 2 Orders were awaiting confirmation authorisation and 5 Orders needed to be submitted to the Planning Inspectorate as they had received objections.

2 Orders were awaiting confirmation as they required groundworks to be undertaken before they were confirmed and 24 Orders had been confirmed but were awaiting to be certified fit for use.

In terms of Town and Country Planning Act Orders, Legal services had 2 live files. 2 matters were waiting to be confirmed following further advice from the Public Rights of Way Team.

The question of why there was such a high number of live files was raised. There was a mixture of live files that were still waiting to start the process. There was a number that had gone through the process and were waiting for the applicant to put the new path into condition before the county council would accept it and the diversion took effect.

The issue with the files was that they sometimes took a long time to process. Sometimes the applicants did not want the footpath at all but the diversion was the least worst option.

LCC had a good Public Paths Officer in place who took an overview of the Orders being made by the districts as well. It was up to the members of the Regulatory Committee of the county council whether to make an Order or not.

There were Town and Country Planning Act Orders that were made by LCC only where it was the planning authority. These were few as most of the Town and Country Planning Act Orders were made by the districts.

The forum was informed that around 90% of the Highways Act Orders did not get objected to.

6. Definitive Map Modification Orders

Members were informed that Legal Services had 177 live files and since the last forum they had received 24 new applications with 3 matters being closed.

109 matters either were in the consultation period or were being investigate before going to committee. 8 matters were awaiting Order making.

4 Orders had been made and were in the objection period and 49 Orders had received objections and would need referral to the Planning Inspectorate. 3 Orders had been submitted to the Planning Inspectorate for determination.

3 Orders were awaiting confirmation and 1 Order had been confirmed by the council and was in the high court application window.

It was noted that there had been an increase in Definitive Map Modification Orders. It was pointed out that around 90% of Definitive Map Modification Orders had to be submitted to the Planning Inspectorate because there were objections. During the Covid period there had been an increase in applications and there had been a significant hold up at the Planning Inspectorate. The time taken for some Definitive Map Modification Orders would be greater.

7. Backlog of Reported Defects and Obstructions on the Public Rights of Way Network

It was noted that in 2010 there were less than 1000 faults and defects that had not been dealt with. From 2018 figures of the statistics were no longer being published. There had been a freedom of information request in March 2021 for the statistics from David Kelly of the Ramblers Association. From this request the figures showed that there were now about 10,000 faults and defects that had not been cleared. There was now a massive increase in the backlog.

The forum was shocked by the figures and enquired about what Lancashire County Council was going to do about the situation. There was a recruitment problem and a skill shortage in the Rights of Way Team and the county council was looking seriously at the situation.

The forum was informed that the reason the statistics had stopped being released by the county council was because the information was being misused. LCC was aware of rising expectations in the public and was looking to improve access in general and raising its standards.

It was pointed out that there was no team in place at Lancashire County Council whose remit included management of open access areas. It was hoped that the county council would look at training and recruitment and consider open access areas.

It was pointed out that there used to be 17 staff in the Public Rights of Way Team and this was now down to 11. Also there used to be 14 rangers and now there were only 3.

8. Missing Bridle Bridge at Penwortham

The bridle bridge at Penwortham had been damaged by a storm in February 2020. The bridge was undermined by washed-out foundations and abutments. Engineers tried to block off the bridge with barriers for safety but members of the public kept climbing over the barriers. Due to this the bridge was removed completely.

The forum was informed that funding for a replacement bridge was secured in July 2020 and work would commence on the replacement bridge in August 2021. The work would take about three months to complete.

9. Signage of Public Rights of Way

Regarding the subject of signage on Public Rights of Way the county council had now changed the letter that it sends out to acknowledgement of reports. There had been no change in the policy regarding signage. The replacement of signage would be looked at a district at a time.

The forum enquired about what the schedule was for the replacement of signage on Public Rights of Way was and how long it would take. A timetable of schedule for the replacement of signage would be circulated to forum members after the meeting.

10. Any Other Business

The Chair, County Councillor Sue Hind, welcomed Brian Dearnaley, representing the Peak and Northern Footpath Society, as a new member of the Public Rights of Way and Access Forum.

Chris Peat stated that a gate was still locked across a bridleway at Height Barn Farm. The landowner had been asked to unlock it but had not complied. David Goode, Public Rights of Way Manager, would investigate the matter and contact the landowner.

Roger Wright brought up the subject of the unclassified road over Salter Fell. The route linked the Hodder Valley and the Lune Valley. The route had been closed to four wheel vehicles for about thirty years with a Traffic Regulation Order. The route was open to motorcycles and trial bikes. There was a request for the traffic Regulation Order to be rescinded or possibly modified to allow permit use. The forum was informed that there was a scheme in Kent which allowed unclassified routes to be used by permit holders as well as another scheme in the Lake District. David Goode, Public Rights of Way Manager, stated that these kind of options could be considered and he would have conversations with highways colleagues to see what their views on this were.

The question was raised about district councils and access to Map Zone. There had been some changes recently and districts were having difficulty accessing Map Zone. This would be looked into.

11. Date of Next Meeting

The next meeting of the Public Rights of Way and Access Forum would be on Tuesday 18th January at 10:00am.

L Sales
Director of Corporate Services

County Hall
Preston