



LEICESTERSHIRE LOCAL ACCESS FORUM – January 2019
New Themes For Revised Rights Of Way Improvement Plan.

Purpose of Report

To seek initial Forum views on new ROWIP themes and invite responses before the next meeting.

Background

The County Council is proposing to produce a new Rights Of Way Improvement Plan in the first half of 2020. The first Rights of Way Improvement Plan was produced by the authority in 2006. A further Improvement Plan was then published in 2011 featuring a revised Action Plan.

Below are six items of current consideration. In each instance the views of the Forum are sought.

Path Hierarchy

The last ROWIP did distinguish between urban and rural paths. However, the routes were not formally put in categories that would dictate frequency of inspection.

The authority has produced a Highway Infrastructure Asset Management Plan that sets out how best to maintain the highways asset and any infrastructure along it. At the time of publication, most of the Rights of Way network was not formally included in the hierarchy.

The hierarchy reflects stakeholder expectations of use and importance. Accordingly, it also considers how best to allocate resources. A surfaced path with street lighting in an urban area, represents a greater asset investment than a cross field path in a rural area.

How best to define hierarchies of the Rights of Way network is not straight forward. The simplest model is to split the network into two, surfaced urban and unsurfaced rural. Sadly, not everything fits into this model. There are other requests such as village to village, promoted routes, most used routes and recognising routes that fulfil little function, in some areas.

One possibility is to simply split the network in two. The surfaced urban and just beyond with surfaced cycleways being included with the wider network. The rest of the Rights of Way network being either lumped together or including any justifiable hierarchies. Promoted, status, surface, popularity, village to village, being just some of the possible considerations.

Views from the Forum including more formal responses after the meeting are sought.

Lost Ways

In 2026 it is proposed to extinguish historic highways that are not included on the Highway record. Government is also proposing further changes through Deregulation.

This will lead to the closure of the Definitive map other than routes claimed through usage over a period. It has left a period during which any missing routes can be claimed. The time available has now dropped to 6 years.

The authority resources tend to be consumed by undertaking the order making process from applications, including the almost inevitable public inquiry. The authority is grateful for the work undertaken by the Forum in this area and supportive of the efforts made.

The value of the routes under threat varies enormously. The authority research time is limited but proposes to focus on those gaps in the Highway record that would result in parts of the network being separated from others. In addition, the authority will continue to process applications from other parties. A wider historic research programme is not capable of being resourced and the voluntary work is invaluable.

Should the Forum wish to continue research routes then more support is needed from the authority. This is proposed to also include the release of data sets that would assist the group more effectively.

Should Deregulation come into force then the revised process will be implemented. This includes notices to occupiers from the authority and interim and final decisions being processed more rapidly due to changes.

The authority currently, will focus on obvious missing sections of the Highway network.

Views from the Forum including more formal responses after the meeting are sought.

Unsurfaced County Roads & Byways

The authority continues to face challenges on a number of routes in the county that have carriageway rights but are not sealed with asphalt. The popularity of certain routes with 4 x 4 vehicles and some cases heavy farm machinery results in damage to the highway. The mud and rutting can also make the routes unusable to horse riders and walkers.

Closure, even temporary, to allow routes to recover are expensive. The route also needs some form of repair. This will only assist in the short term and the process will repeat itself. Although not legal, some of the routes are also ploughed from time to time. Others are remote and not driven.

A preliminary proposal is to schedule the routes concerned and draw up a list to routes that may be suitable to reclassify as bridleways. This would protect some routes from further damage and ensure their availability as well as showing them on the map. This would only proceed with the full support of respective occupiers and local councils.

Views from the Forum including more formal responses after the meeting are sought.

Vegetation

More than 40% of the reports the authority receives is related to vegetation or crops. This last year has been a particularly challenging due to so many wet periods and the warmth.

There is a set programme of cuts based around previous requests and other individual reports. The programme consists of two cuts, one in May and one in September. The amount of vegetation cut by the authority on the path network is the equivalent of asking someone to strim a route between Glenfield and the Scottish border.

Customer expectations have changed, especially in built up areas but it is also recognised that even with the current efforts' paths will have considerable growth between the two dates. Some of the urban paths are now within the carriageway cuts which are more frequent.

With finite resources the question arises of the best way to allocate cuts and what percentage of budgets is reserved for it. Parish Councils also have to power to cut footpaths and bridleways.

Views from the Forum including more formal responses after the meeting are sought.

Planning

The authority does make responses to many applications every month affected by rights of way. Currently the authority has produced separate guidance for developers regarding Rights of Way.

The authority is seeking to integrate more effectively, all responses, associated with Highways, Travel Planning, Sustainable Travel and Rights of Way. It is proposed to integrate the information into a single resource, a revised online Design guide for Developers.

Views from the Forum including more formal responses after the meeting are sought.

Performance Indicator for Rights of Way

Having a yearly comparable figures for the Rights of Way network that allows for year comparisons has always been a challenge. For a number of years, the authority has measured the ease of use of the network based on a process developed to measure a former Best Value Performance Indicator. Each section of path needs to pass a series of measures such as if it has a fingerpost, it is signed, if there are any obstructions etc.

This produces an output but no outcome. It measures the state of the path not if anyone is using it or how many. Although open paths are likely to lead to more users. The authority would like to consider if there are other methods of measuring the network on a yearly basis.

Views from the Forum including more formal responses after the meeting are sought.

Officer To Contact

Edwin McWilliam, Access Manager

E-mail: footpaths@leics.gov.uk