

Rights of Way Improvement Plan



Contents

Foreward

What is a Rights of Way Improvement Plan?

The Assessment

Statement of Action

Foreword

There are about 334 miles of public rights of way across North Lincolnshire, of which about 270 miles are footpaths and about 60 miles are bridleways. A footpath is exactly that: a path for use on foot; whereas bridleways may be used on foot, with a horse or by pedal bicycle. There are also about three miles of byway open to all traffic and one mile of restricted byway (the latter is available to all but mechanically-propelled vehicles).

Not all our public rights of way are found in the countryside, though as North Lincolnshire is predominantly rural, most are. The network is largely an historical legacy developed by centuries of customary use and is as much a part of the broader highway network as the roads upon which we drive our cars. Some paths continue to be used for practical reasons: the simple process of getting from A to B. These are generally the ones in and around our towns and villages. The rest, however, are today, it should be fair to presume, used mainly, if not exclusively, for the simple pleasures of exercise, and exploring and enjoying the countryside away from motorised traffic.

Though often taken for granted, this is a precious inheritance, without which ordinary people would largely have no access into the countryside beyond metalled roads.

All public rights of way are shown on Explorer and Landranger Ordnance Survey maps. They cost nothing to use and are open round the clock. The start of each is clearly indicated and intermediate signing aids navigation en route.

This is your countryside; these are your paths. Each has its own character and will show you North Lincolnshire, even close to home, as you have never seen it before. So, what are you waiting for? Get out there and explore!



What is a Rights of Way Improvement Plan?

Essentially the Rights of Way Improvement Plan (ROWIP) is a business plan setting out how to make the rights of way network in North Lincolnshire better than ever.

The requirement to produce a ROWIP derives from the Countryside and Rights of Way Act 2000. All local authorities with responsibility for rights of way must produce one.

In particular, a ROWIP must assess: a) the extent to which local rights of way meet the present and future likely needs of the public; b) the opportunities provided by local rights of way for exercise and other forms of open-air recreation and the enjoyment of the authority's area; and c) the accessibility of local rights of way to blind or partially-sighted persons, and others with mobility problems.

The ROWIP has to be reviewed at no greater than ten-yearly intervals.

It is intended that the ROWIP should build on the Milestones approach, a previous Government-inspired business plan that sought to identify and resolve all understanding issues relating to rights-of-way maintenance and enforcement.

On the following pages are: a) the Assessment and b) the Statement of Action. The Assessment looks at eleven key areas in which rights of way in North Lincolnshire might be improved; and the Statement of Action recommends action, estimates cost and stipulates a completion date for each of these areas.

The eleven key areas do not refer to specific improvements on particular paths or ways. This is deliberate. Government guidance asks instead that such detail be included in subsequent annual progress reports.

Queries about the ROWIP, or rights of way in general, should be made to the Senior Public Rights of Way Officer, Environment Team, North Lincolnshire Council, Church Square House, Church Square, PO Box 42, Scunthorpe, North Lincolnshire, DN15 6XQ (tel. 01724 297391).

North Lincolnshire Council's Rights of Way Improvement Plan

The Assessment

The following headings comprise the categories under which improvements to North Lincolnshire's public-right-of-way network might be effected:

1. Provide 'positive' signposting and better intermediate signposting

By 'positive' signposting it is meant that destination and distance, as well as the usual status (e.g. footpath, bridleway, restricted byway), should be included on fingerposts at the start of paths as a matter of course and at selected intermediate junctures too.

Waymarking should also be carried out on a considerably more extensive basis than is the case at present. Adherence to the nationally recognised colour codes (i.e. yellow for footpaths, blue for bridleways, victoria plum for restricted byways, red for byways) would, of course, be continued.

Advantages: a public right of way loses its anonymity when the fingerpost at its beginning informs users where it leads to and over what distance. If the purpose of the path is made plain to those potential users who might otherwise have overlooked the relevance of a particular way to them, its usage might be increased. This would be to the benefit of all, because better-used paths are less likely to be obstructed and are usually well delineated on the ground.

Disadvantages: because each fingerpost has to bear bespoke information, the cost of routing (in North Lincolnshire we use wooden fingerposts, believing them to be more aesthetically pleasing) increases significantly. Allied to which consideration, there is a constant attrition rate amongst fingerposts owing to natural wear, accidental damage and vandalism.

Waymarks should at the very least serve to supplement use of an Ordnance Survey 1:25,000 scale map (which are detailed enough to show field boundaries, enabling the reader to navigate across country). Their value, therefore, varies in accordance with a user's map-reading proficiency. It might also be argued that a profusion of plastic discs bearing coloured arrows is out of keeping in a rural setting. Moreover, experience shows that the discs are frequently vandalised and the posts to which they are often attached uprooted. And being away from the roadside, such vandalism generally goes unnoticed by rights of way officers for longer than would be the case with a roadside fingerpost.

2. Formulate recreational routes for walkers, horseriders and cyclists

Since the creation of North Lincolnshire Council in 1996, the thrust of right-of-way work has been towards fulfilment of statutory obligations. Constrained by resources, publicity of the rights of way in which so much time and effort has been invested has not so far been possible. Schemes

such as the admirable 'Walking the Way to Health' have ensured that there has been some attempt to bring the existence of rights of way and the possibilities afforded by them to a wider audience. But in terms of what right-of-way staff themselves could offer in this regard, this potential remains untapped.

As the authority's inherited problems gradually reduce and in turn the confidence with which North Lincolnshire Council feel able to present the right-of-way network as 'fit for purpose' increases, the time to draw in that wider audience might be approaching.

Rights of way *per se* could be advertised through the selection and publicity of specific routes, preferably circular and not necessarily of a great distance. Walkers, horseriders and cyclists could each be catered for in accordance with perceived demand in each instance and leaflets produced for distribution through council and tourist offices, libraries, local shops, pubs and so on. And if local newspapers could be persuaded to carry some of these routes as part, say, of a summer feature on rambling, so much the better. Especially if each route is seen to have a given character by linking it with a theme (e.g. John Wesley) or a tourist attraction (e.g. Thornton Abbey). Named ways also seem to attract attention and can in some cases be featured on Ordnance Survey maps.



3. Provide recreational routes specifically for persons with poor sight and impaired mobility

The ROWIP assessment must take account of the needs of blind or partially sighted people and others with mobility problems (Countryside and Rights of Way Act 2000, section 60). It is suggested, therefore, that amongst the recreational routes created for all, particular ones be earmarked as easy-going trails for those for whom use of rural rights of way might ordinarily present undue difficulty.

4. Create new paths

Notwithstanding the statutory power at the disposal of a highway authority to create new footpaths and bridleways by order, often this objective is not an easy one to achieve. Historically, the right-of-way network fulfilled a utilitarian purpose. So the distribution of the path network that we have inherited does not readily lend itself to recreation. Not that today's right-of-way network is just about recreation (see below). But it is clear that the majority of paths no longer serve any other use.

Nevertheless, the existing network provides the basic outline from which we have to work. In order to enhance that network, therefore, it might be prudent to identify how new footpaths and bridleways might plug missing links, provide links to areas of open access and bring previously isolated paths back into use. Furthermore, built-up areas require traffic-free links to the surrounding countryside and some areas of particular scenic merit, such as the Lincolnshire Wolds, have at present very few paths indeed.

The creation of new paths is, of course, a separate issue from the discovery of paths missing from the definitive map.

In creating new paths, due regard will be given to agriculture, forestry and nature conservation in accordance with current legislation.

5. Create new bridleways and cycle tracks

Again as a result of historical accident, equestrians and cyclists fare less well than walkers across North Lincolnshire as a whole. Concentrations of bridleways exist in areas such as Haxey and Crowle. In the main, though, most rights of way are footpath only. Because horseriders and cyclists generally cover greater distances and are more inclined to combine use of rights of way with minor roads, there might be an argument for seeking to upgrade to bridleway those footpaths that lie well away from other footpaths and, therefore, are little used owing to their isolation.

6. Provide car parks at selected sites

The creation of simple car-parking facilities at or close to the start of publicised walks and rides might be necessary if such routes are to be a success. For most people, the car is the only realistic means by which the countryside can be visited, as demonstrated by the popularity of walks at places where car parking is already provided, such as Twigmoor Woods.

7. Eradicate superfluous structures

In an ideal world, there would be no need for stiles or gates on rights of way. Unauthorised stiles and gates are obstructions and should be dealt with accordingly. And where these do exist legally, efforts should be made to replace stiles with gates or, better still, to remove the structure altogether. Stiles in particular, even those that comply with the latest

British Standard, render an otherwise suitable walk unusable for certain people. North Lincolnshire is largely arable. Therefore, most fields do not need securing. And even where fields do securing, gates can provide the necessary stock-proofing perfectly well, as shown by the North York Moors, where there is livestock in abundance, yet few stiles.

Needless to say, all gates should be easy to operate, openable with ease by a mounted rider where situated on bridleways and meet British Standard guidelines.



8. Prevent disturbance of cross-field paths

Being a largely arable area, North Lincolnshire has a path network with the potential to be badly affected by ploughing and cropping. The law forbids the disturbance of headland paths. Cross-field footpaths and bridleways, on the other hand, can be disturbed subject to certain criteria providing the disturbance is made good within a specified period.

The situation is far from ideal. Disturbances have to be policed and users are inconvenienced whilst awaiting reinstatement (which can be as long as fourteen days for a first disturbance during a particular cropping cycle, or up to six weeks by prior agreement with the highway authority for reasons such as adverse weather).

In many cases it could be argued that the disturbance of a particular cross-field path is not merited, even if traditionally it has been. Some farmers leave cross-field paths undisturbed, effectively working the field bisected by the path as two separate enclosures. In such instances, it is very important that North Lincolnshire Council wayclear the undisturbed footpath regularly during the growing season to minimise contamination of the adjacent crop by weeds.

Such practicalities aside, it is suggested that the right-of-way network would benefit from as many farmers as possible being encouraged not to disturb cross-field paths and that North Lincolnshire Council should work with individual farmers and farming organisations to achieve as far as possible this objective.

9. Identify, publicise and improve, where beneficial/necessary, paths that can provide and encourage use of alternative routes to shops, work and school in safe environments away from motorised traffic

With roads becoming filled with ever-increasing numbers of motorised vehicles and concern growing for the effect of carbon-dioxide emissions on the environment, dependence on the internal-combustion engine needs to be reduced. Many local journeys could be made on foot or by bicycle. However, danger and pollution arising from motorised traffic make walking and cycling along roads unattractive. Rights of way, on the other hand, can provide perfect alternatives to car-choked roads.

In particular, rights of way within substantial settlements (such as Scunthorpe, Bottesford, Barton and Brigg) and those that lead into substantial settlements from outlying areas have the potential to give people who wish to walk and cycle instead of drive the opportunity to do so. Such rights of way need to be in good condition and feel safe. People making use of a right of way for reasons other than recreation want to arrive at their destination with clean shoes and clothes. Muddy, puddle-strewn surfaces are unacceptable. Routes should be wide, well-lit and not show signs of neglect.

A useful route in a built-up area can benefit many people by affording more opportunity for exercise, reducing congestion and road-traffic accidents, and improving air quality if the car is left at home more often.

10. Eradicate all long-term problems

Since its inception in 1996, North Lincolnshire Council has reduced considerably the number of long-term problems. Efforts are being made to reduce that amount yet further. However, while some remain, North Lincolnshire Council's statutory duty to assert and protect the rights of the public to the use and enjoyment of all highways is not being complied with. The long-term problems left are generally the most difficult to sort out. Correspondingly, resolving them uses up disproportionate amounts of time and money, lending the impression, perhaps, that some will be around for

ever. Therefore, a strategy should be set out showing where the residual long-term problems are, what they are, how they will be dispensed with and when.

11. Update and consolidate all definitive maps covering North Lincolnshire

Two full definitive maps (the former Lindsey rural districts of Glanford Brigg and Isle of Axholme) and part of one definitive map (the former West Riding of Yorkshire) cover North Lincolnshire. Each of these is the original definitive map for the area in question. Many modifications, therefore, have taken place since publication. Covering ninety five per cent of North Lincolnshire, the Lindsey maps, at 1:25,000, are, despite being within legal limits, drawn at too a small scale.

Until recently, there was no provision in law to consolidate definitive maps to reflect local government boundary changes. Now that there is, consolidation should be a priority task. A single map for North Lincolnshire at a scale of 1:10,000 would clear up many, many anomalies and prepare North Lincolnshire for 2026, by when Government intend all paths and ways not shown on a definitive map be extinguished.

Statement of Action

The statement of action is a business plan that seeks to demonstrate two things: 1) how local rights of way are to be managed and 2) how local rights of way are to be improved.

The following table details objectives derived from the assessment. Alongside each is a recommended action, an estimated cost, a proposed completion date and the associated key organisations. This is the means by which it is hoped local rights of way in North Lincolnshire might be improved.

The objectives are deliberately generic in nature to avoid mention of individual schemes. This accords with Government guidance (“Rights of Way Improvement Plans: Statutory Guidance to Local Highway Authorities” – Department for Environment, Food and Rural Affairs), which anticipates the setting out of more detailed plans and targets in subsequent annual business plans instead.

Funding is crucial to implementation. Success may depend, therefore, on being able to secure monies from such as lottery bodies, the local transport plan, agri-environment schemes and charitable trusts. So it is important that rights of way are not seen in isolation, but as part of wider policy objectives: improved health through exercise, less reliance on cars, a boost to the rural economy and so on.

The Government want highway authorities to forge partnerships with other organisations where this would help to secure objectives. They also prefer a voluntary approach to securing objectives, but insist, for example, that new paths be created under section 26 of the Highways Act 1980 (compulsory powers for creation of footpaths and bridleways) when agreement cannot be reached “within a reasonable time”.

How local rights of way are to be managed

The rights of way section’s present structure is an established one, appears to work well and, perhaps, should not therefore be altered. Although a second definitive map officer would be useful, the existing complement of one senior public rights of way officer, two public rights of way officers, one definitive map officer and a two-person workteam succeeds, just about, in managing not only rights of way, but open access, including commons and greens, as well.

The rights of way side of the work encompasses broadly the following areas: policy, maintenance, enforcement, improvement, public path orders, land search queries, planning applications and the definitive map.

North Lincolnshire’s roughly 350 miles of rights of way are divided for operational purposes more or less equally into an east area and a west area. The two public rights of way officers have day-to-day supervision of one of these two areas each and their respective remits extend in varying degrees to all aspects of the job save the definitive map and policy.

North Lincolnshire Council have a duty to keep rights of way free of obstructions, encroachments and nuisances. Rights of way that are maintainable at public expense – nearly all of them – must, moreover, be so maintained. An important distinction, however, is that between duty (i.e. dealing with maintenance/obstructions etc) on the one hand and power (i.e. carrying out improvements) on the other. The latter is a luxury; the former a necessity.

All paths that require it have their undergrowth cut back at least four times a year. Paths across or alongside arable fields are inspected several times throughout the year, its being an offence in essence to obstruct a path by either ploughing or cropping. All bridges are checked once a year and tarmacked paths are inspected every six months.

The law requires that the definitive map be kept under continuous review. This means that it must be modified “as soon as reasonably practicable” whenever certain events occur. That is, it must be kept up to date to reflect every single change, whether that be as a result of a creation, diversion or extinguishment, or because evidence has been discovered to show that a particular path should be added, omitted, upgraded, downgraded etc. The same applies to the map’s accompanying written schedule, the definitive statement.

Anyone may apply to modify the definitive map and statement using a procedure laid out in the Wildlife and Countryside Act 1981. Investigating the validity of a claim can be slow, though, given available resources. In the interests of fairness, therefore, North Lincolnshire Council have a statement of priorities for applications, which roughly means that claims will be dealt with in more or less chronological order.

On the “power” side, the law allows in situations where an authority’s area is covered by two or more definitive maps for the consolidation of those maps into a single one. Not only is this the situation in North Lincolnshire, the quality of the maps, inherited from the previous administrations, is extremely poor, making consolidation urgent. The intention is to redraw the existing 1:25,000 maps at a considerably more legible 1:10,000 scale. But because discrepancies have to be rectified by the making of contestable modification orders in each and every case, the size of the undertaking is monumental. For but one definitive map officer, with all the other aspects of the job to perform as well, this is an ambitious undertaking.

The rights of way section is headed by the senior public rights of way officer, who, in turn, reports to the manager of the Environment Team. All are based at Church Square House in Scunthorpe.

Small-scale improvements

“In developing their statements of action”, reads the Government guidance, “local highway authorities should have regard to small-scale improvements ... which may be capable of being implemented at an early stage.” Those that

North Lincolnshire Council feel fall into that category are identified in the “conclusion from assessment” column by an asterisk.

Conclusion

The rights of way improvement plan is a commendable initiative that serves to focus minds on how best to exploit the basic rights of way network’s not inconsiderable potential. Maintenance of what is already there will always take precedence. But where funding permits, the improvements that have now been identified will provide clear goals over the next few years, progress towards which the public can transparently observe through the plan’s subsequent annual updates.

Statement of Action

Conclusion from Assessment	Recommended Action	Estimated Costs	Completion Date	Key Organisations
Provide "positive" signposting and better intermediate signposting.	Destination and distance as well as status on fingerposts and more extensive waymarking.	£12,000	April 2011	Town and parish councils, user groups and farming organisations.
Formulate recreational routes for walkers, horseriders and cyclists.	Identify, name and publicise specific routes of varying lengths.	£10,000	October 2010	Town and parish councils, user groups, farming organisations, Walking the Way To Health.
Provide recreational routes for persons with poor sight and impaired mobility.	Identify, create, name and publicise "easy-going" trails of suitable length and situation.	£25,000	April 2012	Blind and disabled persons' organisations, user groups, Walking the Way to Health, farming organisations and town and parish councils.
Create new paths, preferably through agreement with landowners.	Plug missing links between paths, provide links to areas of open access, provide links free of motor vehicles from built-up areas to nearby open country and provide more paths, particularly in scenic areas such as the Wolds, where few exist at present.	£30,000	April 2012	Town and parish councils, user groups.
Create new bridleways and cycle tracks.	Pay particular attention to areas where bridleway provision is sparse and upgrade footpaths as well as create bridleways from scratch.	£15,000	April 2012	Town and parish councils, user groups.
Provide car parks at selected sites.	Identify and create a small number of simple car parks, particularly where reaching the start of publicised routes would otherwise be difficult.	£200,000	November 2012	Automobile organisations, town and parish councils, Walking the Way to Health, user groups, farming organisations.
Eradicate superfluous structures.	Eliminate as many gates and stiles as possible, particularly stiles, and ensure that all new gates and stiles meet the latest British Standard.	£7,000	April 2010	Farming organisations, user groups, disabled persons' groups and town and parish councils.

Conclusion from Assessment	Recommended Action	Estimated Costs	Completion Date	Key Organisations
Prevent disturbance of cross-field paths.	Continue regular, systematic, four-times-a-year inspections, report persistent offenders to the Rural Payments Agency and take remedial action where offences are committed, either through default works or the courts.	£60,000	November 2007	Farming organisations, user groups.
Identify, publicise and improve, where necessary/beneficial, paths that can provide and encourage use of alternative routes to shops, work and school in safe environments away from motorised traffic.	Create clean, wide, suitably surfaced, well-lit footpaths and cycle tracks leading into, through and around substantial settlements and strive to bring these creations to the public's attention to maximise their use.	£250,000	November 2014	User groups, town and parish councils, Sustrans.
Eradicate all long-term problems in accordance with statutory duty.	Identify and systematically resolve long-standing problems of a complex nature, preferably by agreement, but otherwise using the full range of statutory powers at NLC's disposal.	£60,000	November 2012	
Update and consolidate all definitive maps covering North Lincolnshire.	Identify and systematically resolve all anomalies through the making of requisite modification orders and incorporate these into a single bespoke definitive map for North Lincolnshire at a scale of 1:10,000.	£60,000	January 2026	User groups, farming organisations and town and parish councils.
A need for "quiet lanes".	Assess the scope for designating "quiet lanes" in North Lincolnshire in a manner complementary to the PROW network.	Subject to future assessment	2012	
Safe crossing points over major roads.	Identify where safe crossing points are most needed and assess how these might be provided, and that any future major road has such points incorporated at the planning stage.		2010	

Conclusion from Assessment	Recommended Action	Estimated Costs	Completion Date	Key Organisations
Walking and cycling promotes better health.	The public are encouraged to walk and cycle and are given good information about where they might find suitable routes.	£10,000 pa	Taken 2007-2011	Walking the Way to Health and user groups.
User groups could offer voluntary assistance in helping to monitor and maintain paths.	Assess the scope for using user groups volunteers and engage them on appropriate tasks.	£3,000 pa	2009	User groups.
Promoted trails should be monitored and reviewed regularly.	Establish an inspection regime for promoted routes.	£20,000	Ongoing	
Cross-border issues should be looked at with neighbouring authorities.	Assess what cross-border issues there are with neighbouring authorities and the need for formalised arrangements in respect of these.	£0	2010	Neighbouring highway and surveying authorities.
Some paths emerge in dangerous places such as busy roads, blind bends or the brow of a hill.	Identify where these dangerous places are and assess the alternatives preparatory to amelioration where feasible.	£15,000	2012	