

UPDATE ON THE IMPLEMENTATION OF THE COUNTRYSIDE ACCESS STRATEGY 2014–18

To - SCRUTINY MANAGEMENT TEAM

Date of meeting – 23rd JANUARY 2018

Notes of - NEIGHBOURHOOD SERVICES
MANAGER

BRIEFING NOTES

Background

1. This report has been prepared to give members of the Committee an update on progress towards implementing the Countryside Access Strategy.
2. The Council's Countryside Access service underwent a full scrutiny review in 2012. The conclusion of the review was that the service represents good value for money for the people of Pendle whilst acknowledging that there are some limited areas for improvement. One of the recommendations of the review was that in renewing the Pendle Countryside Access Strategy the Council should focus on targets which are realistic and achievable in contrast to the more ambitious targets of the 2008-2013 Strategy.
3. The new strategy was devised during 2013 following the scrutiny review and implementation started in 2014.
4. The Countryside Access service experienced a significant change which became effective from 1st April 2015. From this date an agreement with Lancashire County Council for Pendle to carry out public rights of way management ended. The termination of the agreement included the cessation of annual funding for the function and by agreement the Countryside Access Ranger was transferred to Lancashire County Council and immediately made redundant under its' voluntarily redundancy policy.
5. The net cost of the service in 2016/17 was £79,000 including salary costs, the cost of works carried out, transport and internal market costs (i.e. the notional costs as apportioned for heating, lighting, IT, administration staff, management and so forth). The cost of the service is given as a net figure because takes account of the income received for diversion applications and ad hoc payments from Lancashire County Council for specific jobs which have been completed.

Current Position

6. As a result of these changes the strategy has only been implemented to a limited extent. However, the strategy is still actively used to prioritise issues affecting the rights of way network which come to our attention based on the matrix shown in Appendix A. The loss of the Countryside Access Ranger meant that our capacity for to carry out work was severely reduced. The remaining officer will still carry out some practical work such as waymarking and removing minor obstructions but all other work needs to be carried out by contractors or the Environmental Action Group (EAG) and this puts pressure on the limited countryside access budget. The administrative costs of procuring numerous countryside access jobs involves work such as site visits, liaison with landowners, ordering materials, sending detailed work orders, follow up site visits, record keeping and paying invoices. Therefore, in addition to the costs of using contractors or EAG there is an impact on staff time which has reduced our capacity in other areas such as dealing with more complex projects, handling diversion applications and organizing the Pendle Walking Festival.

7. We set out four main objectives for the strategy. Our performance against these objectives has been as follows:

7.1. **OBJECTIVE 1 We will deliver a countryside access service which contributes to our vision, and which is well balanced between delivering statutory and non-statutory functions.**

We no longer have any formal agreement with Lancashire County Council to deliver LCC's statutory duty, which is to maintain the rights of network and to assert and protect the rights of the public. However, there is a close working relationship with Lancashire County Council's public rights of way team at Officer level. This includes some funding for maintenance and improvement work being carried out in Pendle. The Council retains certain powers under the Highways Act 1980 to assert and protect the rights of the public.

7.2. **OBJECTIVE 2 We will ensure that the work which we carry out provides for a significant element of income generation for the purpose of reducing the net cost of delivering the service.**

We have continued to work on diversion applications received from landowners who have agreed to pay the costs incurred. We seek to ensure that if possible a diverted footpath is at least as good as, or better than the existing footpath so that we improve the network as well as generating income. We have also worked on a pilot project to work on 6 diversion applications on sites outside Pendle on behalf of Lancashire County Council. Work on these 5 of the 6 cases has largely been completed but we have found that Lancashire County Council have needed to be involved at numerous stages. This has generally delayed our progress which has been frustrating for the applicants and added complexity to an already complex process. We do not intend to take on any more cases from LCC. Applications from within Pendle should be sufficient to maintain a sufficient level of income.

7.3 **OBJECTIVE 3 We will prioritise maintaining the existing network of public rights of way in a fit condition for public use, and enforcement action to protect the network, over improvements to upgrade existing paths or the creation of new public rights of way.**

During 2017 we became overwhelmed with the number of live issues which had not been inspected or prioritised. We changed our approach during the year to prioritise issues based on the information which was reported to us and scoring each issue according to the matrix which is included as an Appendix to the Strategy (and is included as Appendix A to this report). Using these scores we can manage the workload by only looking at and acting on issues which score above a threshold level. This has saved time by avoiding time spent looking at lower priority issues. At the end of 2017 we are currently only tackling issues which score 16 and higher. As higher priority issues are resolved we are gradually able to start working to a lower threshold.

7.4 **OBJECTIVE 4 Notwithstanding Objective 3 we will give careful consideration to any opportunities which arise to carry out public rights of way improvements.**

The majority of work in 2017 was for maintaining existing rights of way rather than for new improvements.

8. The strategy includes a number of specific actions which are set out below together with our progress on implementation.

ACTION 1 We will keep a schedule of footpaths and bridleways which rely on existing drainage systems to prevent damage to the surface or muddy conditions.

A system has been set up and a small volume of routine maintenance is carried out.

ACTION 2 We will operate a system of routine inspection and clearance of drains for paths on the schedule.

A small volume of routine maintenance is carried out.

ACTION 3 We will limit summer vegetation clearance only to well-used paths where the work will have a significant impact.

We have removed some paths from the strimming list, but further work on this is required

ACTION 4 We will investigate the costs and benefits of clearing vegetation by chemical spraying.

This has been investigated with the conclusion that we will not be changing to spraying.

ACTION 5 We will attempt to recruit local walkers and riders to identify and report high priority issues affecting countryside access routes in their local areas.

This takes place largely as a result of walking festival leaders checking the footpaths when preparing for walking festival walks.

ACTION 6 We will not pursue cases which have been reported to us if we consider that the issue is low priority, even if there has been valid report.

This approach is working effectively and means that we concentrate our efforts on the most important issues.

ACTION 7 We will assess faults objectively in accordance with the Fault Prioritisation Matrix

The priority matrix included in the strategy is generally working well. However, there are some areas when using the matrix objectively means that some issues which ought to be dealt with quickly do not achieve a high score and are therefore left to be dealt with at a later date.

ACTION 8 We will resolve the highest priority issues first.

We are working on this basis.

ACTION 9 We will make use of site visits to check the provision of sign posting and waymarking.

Waymarking is routinely assessed during site visits.

ACTION 10 We will waymark all new stiles and gates which we install.

This is being implemented.

ACTION 11 When we are waymarking public rights of way through farm yards and gardens we will install regular waymarks along the path.

This is being implemented.

ACTION 12 We will seek funding from area committee capital programmes for the use of “Fingerpost” sign posts signs at the junction of three or more footpaths.

A limited number of fingerpost signs have been installed.

ACTION 13 For popular footpaths we will seek funding for road side sign posts which give a destination and distance.

This has not been achieved.

ACTION 14 We will keep a schedule of non-definitive footpaths and bridleways which provide important links in the countryside, and record the extent to which we will maintain them.

We have completed work on the schedule of non-definitive paths.

ACTION 15 We will report on the progress towards achieving our strategy to the Countryside Access Forum and the Council’s Scrutiny Management Committee each December during the life of the strategy.

This is being implemented.

ACTION 16 We will continue to provide excellent customer service.

We try to provide excellent customer service but this can be challenging when operating with limited resources.

ACTION 17 We will make greater use of e-mail, and the Council's Facebook and Twitter accounts to keep people updated on significant countryside access developments.

A limited number of Facebook posts have been made with updates on work carried out. Most written communication with customers is now by email.

ACTION 18 We will review the membership of the Countryside Access Forum and see if there are any other groups, or keen individuals who would wish to be involved.

The mailing list of the Forum has been reviewed to extend the membership to include Pendle Walking Festival leaders.

ACTION 19 We will encourage greater liaison with town and parish councils.

All town and parish councils were invited to subscribe to an enhanced countryside access service. All of those which opted in (Barnoldswick, Brogden and Bracewell, Colne, Earby, Laneshaw Bridge and Trawden have been contacted and invited to contact us with details of issues within their area which need to be resolved.

ACTION 20 We will play close attention to the needs of elderly and disabled people, and others with protected characteristics as defined by the Equality Act.

Stiles can cause particular difficulties to elderly and disabled people. Therefore we seek to replace stiles with gates where possible. In addition we ensure that when a right of way is diverted there are no stiles across the new route.

ACTION 21 We will carry out a safety inspection of every path which we use when investigating new service requests.

A system for carrying out safety inspections during site visits is now well established. If we discover a hazard we carry out a risk assessment and prioritise any remedial work required accordingly.

ACTION 22 We will look for the most efficient and cost effective solutions to achieve our objectives.

We continue to explore innovative ways of working.

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Background Papers: Countryside Access Strategy 2014 - 18

Date: 11th January 2018

Appendix A – Fault Prioritisation Matrix

The matrix below will be used to assess faults on the public rights of way network by using a scoring system. Priority will be given to the highest scoring faults.

Impact Assessment				
Popular path/ Big Impact	10	16	19	24
Moderate use path/ Big Impact	9	12	18	23
Popular Path/ Moderate Impact	4	11	17	22
Moderate use path/ Moderate Impact	3	7	14	21
Little used path/ Big Impact	2	6	13	20
Little used path/ Moderate Impact	1	5	8	15
	Larger contractor jobs/ Complex landowner negotiation	Minor contractor jobs/ Straight forward landowner negotiation	Practical jobs which may be carried out by the Countryside access service	Quick and Easy Jobs
	Difficulty/Cost Assessment			

High 16–24	Priority 1 issues – We would normally seek to deal with these cases without significant delays.
Medium 9–15	Priority 2 issues - We would seek to deal with these cases in order of priority, with the higher scoring cases first.
Low 1–8	Priority 3 issues - We would keep the details on file and only take action if the opportunity arose. If there had been a service request then the customer would be informed.

Impact Assessment – Definitions

Popular path	Popular paths would include most urban ginnels, promoted
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	routes and other important rural paths.
Moderate use path	Would include the majority of rural paths which we would expect to form good links for traffic-free circular walks or rides.
Little used path	Dead end paths or paths which are little used because they appear to be unnecessary.

Big Impact	A big impact would occur if work was carried out which resulted in significant improvements for the public. For example, by making a path fully accessible where it was not before. By removing an obstruction such as a fallen tree which completely obstructed a path. By repairing a stile which had completely broken. Or by re-opening the legal line of a path (or securing a diversion) where an unofficially diverted path was poor or inconvenient.
Moderate impact	A moderate impact would occur by replacing a difficult stile with an easy access gate. Or by re-opening the legal line of a path (or securing a diversion) where people had been unofficially diverted onto a reasonably acceptable alternative route.

Difficulty/ Cost Assessment – Definitions

Quick and Easy Jobs	For example, cutting back hawthorn branches which have overgrown a stile, installing waymark discs on an existing gate post or removing some walling stone which has fallen across a path.
Practical jobs carried out by the Countryside access service	Jobs which can be carried out by the countryside access service with our own tools and equipment. For example replacing broken stile with a small gate.
Minor contractor jobs	Small scale jobs where specialist skills and equipment have to be bought in with costs up to about £500.
Large contractor jobs	Larger contract work will require us to secure addition funding, usually by bidding to one of the Councils five area committees.

Straightforward landowner negotiations	Where the site specific issues are unlikely to result in protracted landowner negotiations.
Complex landowner negotiations	Where the site specific issues could give rise to lengthy landowner negotiations.