

**REPORT FROM: HOUSING, HEALTH AND ENGINEERING SERVICES
MANAGER**

TO: POLICY AND RESOURCES COMMITTEE

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**LOMESHAYE EXTENSION PHASE 1 – ESIF BID
PROPOSED DEDICATION OF FOOTPATHS TO BRIDLEWAY**

PURPOSE OF REPORT

To seek authorisation from the Council for the Head of Legal Services to enter into an agreement with all Freehold properties on the proposed new bridleway route. This is required under Section 25 of the Highways Act 1980.

RECOMMENDATION

That authority is delegated to the Head of Legal Services to allow us to enter into an agreement with all Freehold properties on the proposed bridleway route.

REASON FOR RECOMMENDATION

In order to dedicate the existing footpaths to bridleway we require signed Agreements with all the Freehold landowners on the route under Section 25 of the Highways Act 1980. Section 25 is the creation of footpath (bridleway or restricted bridleway) by agreement.

Background

1. As part of Lomeshaye Extension phase 1 the Council successfully submitted a bid to European Structural Investment Fund (ESIF) which has enabled us to include environmental enhancements to the scheme including converting the existing footpaths along the river (both sides) to bridleways.
2. These routes will create an important missing link for cycling between Nelson and Brierfield and Lomeshaye Industrial Estate. With connections to the canal tow path it will form a traffic

free route making it easier to access the estate for employees by bike and on foot as well as creating a circular leisure route with links to Pendle's countryside.

3. The bid to ESIF also includes creating wildlife habitats with planting along the bridleways and stabilising the river bank which will be done in partnership with The River Ribble Trust as well as doing some improvements to Lomeshaye Marsh Nature Reserve which will be a stop off and point of interest along the route.
4. It will achieve a route identified in the Pendle's Cycling Legacy Strategy as well as actions identified in the Climate Emergency Action Plan.

Issue

5. In order to convert an existing footway to bridleway we need permissions from all Freehold landowners on the route, without exception or any gaps, and we need to enter into an Agreement with them.
6. To start the process we will write to all the Freehold landowners and ask them to sign and return a duplicate copy of the letter, if they have no objections, which will form an Agreement in Principle; followed by the full Agreement.
7. We have already written courtesy letters to the landowners to explain the process and to establish if there are any objections. However, we need the Agreement in Principle stage to ensure the Agreements are reaching the relevant addressee.
8. Where there are no objections from the landowners we need Committee approval for our Legal Services Manager to enter into Agreement with all the Freehold properties on the route.

IMPLICATIONS

Policy: The bridleways will achieve actions from Pendle's Cycle Legacy Strategy as well as actions from the new Climate Emergency Action Plan.

Financial: In order for the paths to be maintained by the Highway we will work towards getting the new bridleway added to the definitive map, maintainable at public expense, in the longer term.

Legal: We need to enter into a legal Agreement with the Freehold landowners on the route in order to dedicate the existing footways to bridleway under Section 25 of the Highways Act 1980.

Risk Management: We will seek to add the bridleways to the definitive map, so that they are maintainable by the Highway Authority. If this fails the route will be maintained by Pendle Council using the existing cycle budget and so no additional revenue funding would be required.

Health and Safety: None as a result of this report.

Sustainability: The new bridleways will enable people to access Lomeshaye Industrial Estate from both Nelson and Brierfield on foot and by bike thereby improving sustainable transport links.

Community Safety: None as a result of this report

Equality and Diversity: None as a result of this report.

APPENDICES

Proposed bridleway route in green

LIST OF BACKGROUND PAPERS

None