

## APPENDIX 4

### **Schedule of Representations & NELC Responses (in italics) resulting from Draft RoWIP Consultations 27<sup>th</sup> February 2020 to 1<sup>st</sup> June 2020**

Comment received:	Response
With New Housing, care must be taken when plans are submitted and they later lead to an issue with rights of way having been ignored, or leading to an issue with residents who use them.	The Public rights of Way Team are consulted on any planning applications that affected Public Rights of Way.
I have not seen intent to educate dog owners about the dog fouling on public rights of way and bridleways. It is the legal responsibility of dog owners to clean up after their dog. It is unpleasant and dangerous. There is a big problem of dog fouling, and to make it worse, a lot of dog owners who have put the poo in a bag, then throw it into the bushes or food crops when passing through them. At certain areas of easy public access there are 10s of poo bags on the ground.	
As we have planning going through for 118 new homes in Station Road, Habrough. Are we able to protect existing rights of way, and register what over the years has become a footpath as a right of way before it is fenced off for the new estate. It's not clear as yet whether we will still have access when the estate is completed, Are we able to register the path before building commences.	Public Rights of Way can be claimed if they have been used for more than 20 years with enough witnesses to show that the public used the way without interruption for 20 years or based on documentary evidence you'll need to submit copies of the documents on which your claim relies.
My main comments are that some of the timescales are rather long (e.g. 5 to 10 years). This tends to imply that there is a good chance that they may never get done.	The Rights of Way Improvement Plan is a plan set over 10 years.
The maintenance and restoration of rights of way should be monitored. Several I know are ploughed up at harvest time and never reinstated making them very difficult to walk across. The landowner makes clear he doesn't want people on the paths.	<p>Paths crossing fields are inspected to make sure they are reinstated, and the line is visible crossing the field.</p> <p>Section 134 of the Highways Act 1980 permits a farmer, to plough or disturb the surface of a cross-field path for the purposes of agriculture. Section 134 requires that any cross-field path ploughed or disturbed must have its surface restored within fourteen days of being first ploughed or disturbed and within 24 hours for any successive instance in that year.</p>
I think the emphasis on creating bridleway links to allow a circular route and considering	

<p>Pegasus crossings for safety is an amazing idea and will encourage far more activity! I personally struggle to ride out often as all the longer distance endurance style routes are across the A16 and even though it's an opposite route, it doesn't feel safe to cross</p>	
<p>I find it very important now living in and around Lincolnshire that our right of way are kept and made accessible to all and as away of helping maintain for our children and future generations.</p>	<p>Public Rights of Way are a legally protected right to pass and re-pass and will be available to future generations.</p>
<p>would love to see the Definitive map on the website and kept up to date there, like North Lincs have done. also would love to see exploration of opportunities for permissive paths to create circular walks without long distances done on busy roads, but expect few landowners would be keen. like the way that new housing developments are sometimes able to link into path networks. Final comments is about bridleways - as a horse rider the terror of having to cross and use roads is truly awful, as many drivers think frightening horses is some kind of sport. We riders are lucky to be alive after most trips into our countryside. what more can be done to enable riders to have the safety they need to enjoy the countryside? goes for off-road cycling too. Thanks for all your hard work, it is much appreciated.</p>	<p>From drafting the ROWIP to the final copy, all Public rights of Way in North East Lincolnshire can be viewed on the Council website.</p> <p>Permissive Paths are concessionary and are the responsibility of the landowner and up to them to create.</p> <p>Theme 3 deals with Creating Links and improving connectivity, seeking opportunities to increase the bridleway network and developing a strategy and a procedure for improving crossings over busy roads.</p>
<p>Natural England response:</p> <ul style="list-style-type: none"> <li>• P8 You refer to Indices of Deprivation 2015 and a 2018 activity/inactivity level survey was that the Sport England Active Lives survey? <a href="https://www.sportengland.org/know-your-audience/data/active-lives">https://www.sportengland.org/know-your-audience/data/active-lives</a> ? (no reference on that page) You're also probably aware that NE's MENE survey <a href="#">Monitor of Engagement with the Natural Environment</a> can now be queried at a local authority level? The data about how people are access the outdoors, what they're doing and their engagement with it is being increasingly used to inform and support access policy and actions. There's also the ORVAL <a href="#">Outdoor recreation Evaluation Tool</a> ,developed by Exeter University, that assigns financial values to the potential of improving access (on</li> </ul>	<p>Amended in the report to reference the survey undertaken.</p> <p>I am aware of the MENE surveys and the ORVAL did not seem that relevant.</p>

<p>foot) in a defined area - potentially useful for supporting ROWIP actions</p> <ul style="list-style-type: none"> <li>• P12 You're expecting a reduction in ROW length due to Definitive Map anomalies? I appreciate it's a small area so there are presumably few presumed dedication claims or claims based on historic evidence? But to note we're expecting Defra to make some decisions re: the cut-odd date in the not too distant future.</li> <li>• Good to see the opportunities identified with the Deregulation Act, ECP etc. Lockdown has highlighted just how important local access/greenspace and sustainable travel can be. It's become major news and there are indications people are going to want to carry on being more active and have better facilities for recreation and exercise. and there are going to be opportunities to take advantage of this in planning and funding suitable provision. The ROWIP has identified opportunities to work with planning and further improve the network I think now could be a good time to be ambitious in putting forward ROWIP/LTP/Local Plan proposals that refer to the recent demand and requirements.</li> <li>• <b>Climate Change:</b> Again good to see this recognised as an issue for the maintenance and use of rights of ways via adaptation and mitigation. and again Post C19 there should be opportunities to exploit this and bring GI, active travel and recreation. Important too to recognise future impacts - particularly in coastal areas, of the predicted effects of a changing climate on recreational resource and visitor behaviours. We've recently published an updated <a href="#">Climate Adaptation Manual</a> which now includes a chapter on access provision which might be of interest.</li> </ul>	<p>We are aware of the 2026 cut off date and have undertaken a small project looking at lost ways.</p> <p>The draft was written before Covid-19 and the Public Rights of Way became an important for people to use during the pandemic. It also showed that these are an important resource to many people.</p> <p>The Climate Adoption Manual has been noted and will be considered when surfacing Public Rights of Way and adoption responses.</p>
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<ul style="list-style-type: none"> <li>• There's a reference to joint working on walking information in the ROWIP but it might be helpful to explain how NE Lincs works with neighbouring authorities functionally and with access planning.</li> <li>• <b>Green Infrastructure standards:</b> Part of Defra's 25 year plan commitments these will be rolled-out hopefully reasonably soon – but will be another tool for improving access generally.</li> <li>• <b>Agri-environment schemes post Brexit:</b> There's a brief mention of schemes on P42 but, despite the area being relatively small, worth checking the Environmental Land Management Scheme when it is rolled-out since, at the moment anyway, it contains public access provision measures and there will be an opportunity at some point to comments on the proposals.</li> <li>• <b>Local Enterprise Partnerships;</b> Potential for working with them in greenspace/access provision? I know some Local Access Forums are managing to liaise with then e.g. the Shropshire Great Outdoors Strategy Board (covers LAF functions)</li> <li>• <b>Local Access Forum:</b> I mentioned the Shropshire Board above and we'd encourage authorities and LAFs to look at new ways of engaging with access - virtual meetings, embracing different groups such as LEPs, investigating charity status etc to better face new access landscape – even more so post C19. .</li> <li>• NMA1E With only 13 stiles you are close to having an unusually accessible network - again something to highlight for the area Post C19?</li> </ul>	<p>Noted</p> <p>The benefits of having a small area to manage. This figure includes horse stiles which seem to be hinder motor cyclists and other unauthorised use.</p>
<p>I was interested to note that in the introduction it is stated that there are no BOATS OR RB's in the area therefore carriage drivers and 4 x 4</p>	<p>We understand the requirements of carriage driving and looked at potential routes where bridleways could be upgraded to a restricted</p>

drivers should continue to use the existing highway network.

Carriage drivers are not at all like recreational 4 x 4 drivers and I am quite surprised and not a little concerned that they should be afforded the same measure of attention.

I refer to Carriage drivers in this instance as for the most part recreational users..the carriage is pulled by a living, breathing animal and they regularly, as do horse riders meet with extreme danger on the public highway from other road users who often either do not understand how to approach and pass safely or conversely do not seem to feel they should even be on the highway. Road rage incidents are something which as riders and drivers we experience on a regular basis. Also sometimes the carriage may be adapted for disabled use. I would be interested to know if the circular routes planned for riders could include carriage's also? Horse riders and carriage drivers are often more vulnerable on the public highway than cyclists. I know this since I partake in all three disciplines as well as being a walker. Also dedicated parking for trailers and horse boxes although a real bonus should not preclude a route just because it does not have any.

I will re-read the document further but felt it important to draw attention to this straight away.

Angela Tomlin  
LAF member for Lincolnshire  
Rights of Way Officer for Lincolnshire British  
Driving Society.

byway however there was no suitable routes and the highway routes were the safest and the only option.

I am looking at the potential to increase the bridleways in the area as part of the ROWIP.