

Appendix 15

North East Lincolnshire Right of Way Improvement Plan





1. Executive Summary

The Countryside and Rights of Way Act 2000 section 60 requires every Local Highway Authority to prepare and publish a Rights of Way Improvement Plan which contains:

a) The Authority's assessment of:

- The extent to which local rights of way meet present and likely future needs of the public;
- The opportunities provided by local rights of way (and in particular by footpaths, cycle tracks bridleways and restricted byways) for exercise and other forms of open air recreation and the enjoyment of their area;
- The accessibility of local rights of way to blind or partially sighted persons or others with mobility problems;

b) A Statement of Action the Authority proposes to take for the management of rights of way, and for securing an improved network of rights of way, with particular regard to the matters dealt with in the assessment and such other material as the Secretary of State may direct.

This Public Rights of Way Improvement Plan (ROWIP2) considers the status of the rights of way network in North East Lincolnshire, including the needs of its users, and how the network could be improved to reflect changing patterns of use, and the changing requirements being placed upon it. It provides an update to the first Rights of Way Improvement Plan published by North East Lincolnshire Council in 2007. This updated plan provides the long-term strategy for how North East Lincolnshire Public Rights of Way network will be managed for the next ten years. The previous Rights of Way Improvement Plan will hereafter be referred to as ROWIP1.

In November 2007, North East Lincolnshire Council produced its first Rights of Way Improvement Plan (ROWIP1). This fulfilled requirements under section 60 of the Countryside and Rights of Way (CROW) Act 2000.

The ROWIP is used to:

- inform and guide members of the public, land owners, potential developers and officers at North East Lincolnshire;
- ensure improvements are undertaken which are necessary to improve the access;
- Encourage, more use of the Public Rights of Way Network.

This plan reviews the achievements of ROWIP1, sets out the context for the new plan and takes into account new legislation and guidance, which affects the management of the Public Rights of Way.

The statutory guidance states that the plan itself should not contain information on site specific assessments but draw broader, generic conclusions which focus on the delivery on the ground.

In the Statement of Action the council sets out five themes with a number of supporting tasks. Each supporting task identifies objectives which explain how the theme will be achieved.

The overriding aim of this plan is to identify and complete improvements, which provide best value for our both existing and new users of the rights of way network in North East Lincolnshire.

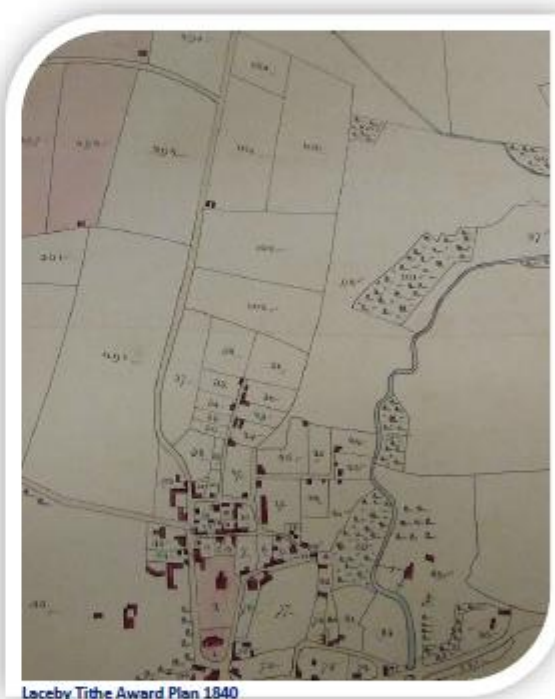
Before finalising the Rights of Way Improvement Plan, North East Lincolnshire Council published (27th February 2020) the Draft Rights of Way Improvement Plan Appendix 4 contains a summary of the representations made during this period with any further justification explained and any mitigating measures and modifications which have been included in the final RoWIP.





reduce the length of Public Rights of Way in North East Lincolnshire.

There are eighty seven anomalies identified where the line on the ground and the line on the Definitive Map do not match. Examples of these anomalies could be that the path shown on the Definitive Map is one side of a hedge, however on the ground it is walked on the other. Alternatively, the Public Right of Way may have been extinguished and no Order can be found to show this, or there is a missing link between the right of way and the highway.



Definitive Map Modification Orders (DMMOs)

Definitive Map Modification Orders can only be made by the surveying authority. North East Lincolnshire Council have a range of discretionary functions including Public Path Orders in particular change the network through extinguishments, creations and diversions.

Anybody can apply for a modification order provided they have evidence in support of the change. This could be in the form of historic records (until 2026) or statements from members of the public who have used the route regularly for many years. Applications are explored thoroughly and evidence is collated such as historic documents and interviews carried out with users. Where there is sufficient evidence that a path exists then the Council has a legal duty to make an order and add it to the Definitive Map.

The inconsistencies and anomalies on the Definitive Map when resolved, are likely to



Theme 4

Supporting Task RD1

Statement of Priorities

The Wildlife and Countryside Act 1981 placed a duty on this authority to keep the Definitive Map and Statement for North East Lincolnshire under continual review. The purpose of the Statement of Priorities is to set out, in priority order, the issues which the Council will address in discharge of its duty with respect to the Definitive Map and Statement. The implementation of the Statement of Priorities will be carried out via the everyday work of the Public Rights of Way team.

The Council aims to process uncontested applications for Public Path Orders and Definitive Map Modification Orders (claims) within 1 year of receipt. Having a set out priority of what is likely to be worked on in the following year concentrates the work undertaken.

Action Plan - Statement of Priorities

Objective		Conclusion from research	Action	Monitoring	Costs	Time scale and Resources	Funding
RD	Statement of Priorities	Ensure that DMMOs and PPOs are prioritised and dealt with within a reasonable timescale.	Publish a report between 1 year and 18 months to go to Planning Committee for recommendation.	Reports regularly submitted to Planning Committee.	£	Ongoing Low	Non required