

Phone: (01772) 532613  
Email: Linda.andersen@lancashire.gov.uk  
Your ref:  
Our ref: LA/NH  
Date: 7 July 2021

Dear Clerk

**LANCASHIRE COUNTY COUNCIL  
PUBLIC RIGHTS OF WAY - LOCAL DELIVERY SCHEME 2021-22**

The **Lancashire County Council Public Rights of Way - Local Delivery Scheme** is continuing this year and is an opportunity for parish/town councils and constituted community groups in the County to be involved in looking after public rights of way in their community. We apologise that the invitation to join the scheme is later this year – for the obvious reason the last year has been exceptionally busy for us.

Partners in the scheme can complement and support the work undertaken on the network by the County Council's Public Rights of Way Team and it provides an opportunity to identify certain works on public paths you think the community would benefit most from and use the grant accordingly. Lancashire County Council's Public Rights of Way Team has run the Local Delivery Scheme for a number of years and many parish and town councils/community groups have taken part.

The County Council has decided to continue to offer the grant at £500 per organisation and the scheme has also been varied slightly taking into account experience from past years. This year the scheme aims to provide greater focus for participants in order to get the maximum benefit to the public and improved alignment with Lancashire County Council policy whilst giving partners the freedom to set different priorities, if they so decide. As previously, it includes vegetation clearance, signposts, waymarks, steps and gates, but this year we are not including stiles and we are introducing assistance with public rights of way affected by proposed development. Please note that the guidance below is not the same as last year.

You are invited to opt into the scheme for 2021-22. If you participated in the scheme in 2020-21 and have not already submitted your report for 2020-21 please use the attached format which is also the format we ask you to use at the end of this year.

The grant should only be used in relation to the line of the public rights of way shown on the Definitive Map and Statement of Public Rights of Way and in accordance with the guidance below regarding what can lawfully be done, what can be done with/without the landowner's consent and what is the landowner's or the public's responsibility. It is a condition of application for this grant that all work will be carried out in accordance with the guidance and that at the end of the year participants submit a report of the work done.

The Definitive Map and a digital working copy can be found on the Lancashire County Council website's MARIO system (type "MARIO LCC" into Google or other search engine and it will be amongst the top results).

If you wish to opt into the scheme, please apply before 31 August 2021 and **any requests received after that date will be held over to the following year**. You will need to provide contact/bank details (even if you have participated in the scheme previously) and it would help us if previous applicants also would inform me if contact/bank details have changed since last year.

- Main contact
- Name and address of Parish/Town Council
- Telephone number of person responsible for authorising the work
- Email address for remittance advice
- Bank name
- Account name
- Account number
- Sort code

The deadline for opting in will be **31 August 2021** and **no further applications will be considered after this date**. **Note that the clerk, or chair, can apply provisionally if it is not possible to have a formal decision before the deadline**. Please return this form to [Linda.Andersen@lancashire.gov.uk](mailto:Linda.Andersen@lancashire.gov.uk).

Please report any work undertaken in relation to the Local Delivery Scheme by email to [proworkreports@lancashire.gov.uk](mailto:proworkreports@lancashire.gov.uk), along with any reports of overgrown hedges and other problems that you encounter on the public rights of way.

### Grant

£500 for the year 2021-22 per partner organisation paid in advance as a lump sum. (Unspent monies can be carried over to the following year with agreement from the Public Rights of Way Team).

### Relevant Public Rights of Way

The scheme includes any public path or byway on the [MARIO](#) system on the Lancashire County Council website.

- Footpath (walkers, runners, joggers) – shown as purple dashed line on MARIO
- Bridleway (as footpath plus ridden or led horses and pedal cycles) – shown green
- Restricted byway (as bridleway plus non-motorised vehicles) – shown red/brown
- Byway open to all traffic (any traffic, but not necessarily suitable) – shown olive

N.B. Temporarily closed routes are shown yellow and black dashed lines

It does not include:

- Permissive paths including those in parks, etc.
- Private paths (ones without public rights) such as access tracks
- Roads

- Unofficial or informal diversions except with prior agreement of both the landowner/tenant and the Public Rights of Way team

## Works Covered by the Scheme

Partners are invited to carry out works on behalf of Lancashire County Council on the public rights of way network. These fall into 2 categories of 'Core Works' and 'Additional Works'. The Core Works are those which we ask participants to do, as they are most helpful to our work and where the local knowledge and proximity can be used to best effect. Additional works are those which local knowledge and priorities may indicate should be done and partners can choose to do those as well or instead.

## Core Works

Condition of paths affected by development. The Parish Council and local residents are generally aware of proposed development before Lancashire County Council is consulted on planning applications. Similarly, they are often aware of works carried out under permitted development and of unauthorised works which may eventually be the subject of a retrospective application. By the time the Public Rights of Way Team have this information and a member of the team happens to be in the vicinity (we do not have enough staff to make visits to inspect such things), the original state of the path and the land has changed when construction vehicles have churned up the ground, fences been erected or structures added/removed. A record (digital photographs) of the paths taken before any works on the ground commenced can be very helpful. If participants in the Local Delivery Scheme can take such pictures and send a link to these to [PROWplanning@lancashire.gov.uk](mailto:PROWplanning@lancashire.gov.uk) this can help us to ensure it is eventually restored or replaced to a suitable standard.

Vegetation clearance around structures. This is particularly valuable because a single point (e.g. a stile or gate set in a hawthorn hedge) overgrown can prevent or deter people from using the whole path. It takes a disproportionate amount of time either to require the owner of a hedge, or to send someone from elsewhere in the County, to clear vegetation over very short distances around:

- signposts (where a hedge is trimmed mechanically it inevitably leaves a small amount around and often obscuring the sign)
- gaps, gates & stiles in hedges (where a hedge is trimmed for height and width the gap for the path is often missed)
- gates (although the gateway itself may be clear getting to the latch might involve reaching into a thorny hedge which can be remedied in a few seconds with a pair of snippers and thick gloves)
- gaps, gates and stiles (around the base of the structure itself weeds can grow which can impede access)
- corners of fields (where a margin has been left around an arable field or where an electric fence is used within a pasture the 2 or 3 metres to reach a gap, gate or stile in the corner can become overgrown)

However, local volunteers or Lengthsmen can keep on top of this throughout the year with shears, loppers or strimmer.

Waymarking where the route is not obvious. Waymarks (circular plastic discs with arrows on) attached to existing structures (with the agreement of their owner) or on posts erected for the

purpose can assist members of the public to find the route which reduces inadvertent trespass, removes the excuse for deliberate trespass and provides confidence to inexperienced walkers/riders. Waymarking sounds simple, but it requires thought and accurate map-reading, taking into account where users can see it when approaching from either direction and ensuring that it is the legal line which is indicated (not a bypass of an unlawful obstruction or a trodden line on the ground (these can lead to additional rights of way coming into effect). Please ask us for discs when you are planning to do waymarking and please do not nail them to trees.

### **Additional Works**

Partners can carry out works on our behalf where they consider them of benefit to users of the paths:

#### Surface Repairs:

- a. muddy path can be repaired by laying stone.
- b. drainage can be improved.
- c. ruts can be filled in.
- d. potholes can be filled where necessary for pedestrian or equestrian use (but not for private vehicular access).
- e. edge boards to prevent the surface slipping or washing off the side.

#### Signage:

- a. Fingerposts where a public path leaves a road.
- b. Waymarks where needed to assist the public following a right of way. Discs are nailed to stiles, gates and other posts. Please do not nail them to trees.
- c. Waymark posts installed where there is nothing else to affix waymarks to.

#### Handrails, Steps and Boardwalks:

- a. Handrails on one or both sides to assist the public using steps, ditch crossings, boardwalks or other features where they might be needed.
- b. Steps are sometimes installed on steep banks. These often take the form of boards to hold back the soil or stone fill and are themselves held by 2 stout pegs. Many old wooden ones have rotted – we now use plastic. These steps may need repair because they are collapsing, or the height is too great or the fill has eroded. New steps can be created only where there is no viable alternative – steps should not generally be used where a ramp is possible.
- c. Boardwalks can help people get across boggy ground. We generally use plastic as the environment for boardwalks is inevitably damp.
- d. Ditch crossing – up to 2m. These need to be level and firmly mounted and may or may not have a handrail.

#### Undergrowth:

- a. Vegetation growing through the surface of the path, can be mown or strimmed and may need to be done more than once in the summer months.

Partners can carry out works on behalf of the landowners where this would benefit users of the paths:

## 1. Overgrowth:

- a. Vegetation growing from land outside the boundary of the public right of way and sticking out over it or hanging down over it.
- b. Overhanging trees which reduce headroom or might break off.
- c. Overgrown hedges encroaching into the right of way.
- d. Fallen branches or trees across the path.

## 2. Gates:

- a. The first consideration where a gate is out of repair is whether it is necessary or whether it would be simply better to remove it. A gate can be for stock control or because it was there historically (interpreted as before 1949) – there is often no need to have a gate leading into a field of cabbages, a car park or domestic garden.
- b. Gates may be difficult to open or close and may need adjustment of the hinges or latches. An easy to use latch is far less likely to be left open.
- c. Latches may need replacing, repairing, or modifying.
- d. Gate posts may need to be replaced where they have rotted or been damaged or simply need resetting where they have shifted in the ground.
- e. Gates must be safe and convenient for the public to use.

Please note that the scheme no longer includes stiles. In the interests of improving access for as wide a section of the population as possible we do not authorise stiles nor do we generally carry out repairs on behalf of the landowners, but we do offer to replace stiles with gates instead. Where the landowner has a right to have a stile for historical reasons they might choose to repair the stile themselves, rather than agree to installation of a gate. **Any work carried out on stiles is, therefore, outside the scheme and would be at the parish council's (or other partner's) liability.**

## **Consultation**

As a matter of courtesy, where possible partners should contact the landowner or tenant before carrying out the work. They often have very useful information about the land. It is not always possible to find who owns land or to be able to contact them. Be aware that continuing concern about Covid-19 means that some landowners may not wish work to go ahead, either because of a risk of infection from the workers, or because it might encourage more subsequent use at a time when landowners are particularly concerned.

It is not necessary to get permission to carry out these works, but where permission has been refused when a landowner, or tenant, has been consulted please report this to [PROW@lancashire.gov.uk](mailto:PROW@lancashire.gov.uk) and do not engage in confrontation with the landowner or tenant.

There is no need to consult with the Public Rights of Way team as long as these guidelines are followed.

## Delivery Methods

Work can be carried out using volunteers, landowners or contractors. Whoever carries out the work must be insured, competent and where applicable qualified (e.g. for power tools). The grant can also be used for purchasing equipment for volunteers to use.

Anyone carrying out the work must carry out a risk assessment before starting the work and take appropriate mitigation measures. In particular those commissioning or carrying out the work must be aware of any potential buried or overhead cables and other infrastructure.

Covid-19 requires special considerations and a lot of work might not be able to be carried out or may even have to be done in a different way. Anyone carrying out the work must comply with, and be seen to be complying with, any guidance concerning social distancing and PPE (e.g. masks). If the work cannot be completed within current guidance it should not be done.

## Materials

We may be able to provide some plastic posts, boards, pegs and other materials free or at cost, depending on demand and availability.

## Reporting

Please email [PROW@lancashire.gov.uk](mailto:PROW@lancashire.gov.uk) when you have completed a job stating:

- Path reference (e.g. 10-4-FP23)
- Location (grid reference or simple description e.g. junction with Church Lane)
- Date completed
- Nature of work (e.g. 50m overgrowth clearance)
- Please include a before and after digital photograph (low resolution, please)

We also ask partners to provide an end of year report giving the list of works during the year (to include the same details as above).

Please note: whether your organisation takes part in the scheme or not, the best way to report issues which you are unable to resolve yourself is direct to the Public Rights of Way Team by emailing [PROWreports@lancashire.gov.uk](mailto:PROWreports@lancashire.gov.uk), in particular please do NOT use the online Report It! A system which currently does not work reliably for reporting public rights of way issues – if you have a W-prefixed reference number, but have not received an acknowledgement from the Public Rights of Way Team with a PRW reference number we may not have received your report.

## Applications

Applications on the attached form must be received by the Public Rights of Way Team no later than 31 August 2021. Any received after 31 August 2021 will be held over to the following year. We realise that meetings may not be able to be held at present, so we can accept a provisional application from the clerk, or chair, pending a constituted decision by the meeting, in order to meet the deadline. *Please indicate on the application form if it is provisional.*

If you are an existing member of the scheme, I would also like to take this opportunity to thank you for opting into the scheme in 2020/21 and appreciate your participation and contributions

throughout the year. We would welcome an application from you to participate in the scheme for 2021-22.

If, once you have considered the information provided with this letter you need to discuss further, please feel free to contact me directly.

Yours faithfully

*L Andersen*

Linda Andersen  
Public Rights of Way Officer (Development)