

Local Access Forum

Item No.

Report title:	Countryside Access arrangements update
Date of meeting:	7 February 2017
Responsible Officer:	Steve Miller, Assistant Director, Culture and Heritage
Strategic impact To address the concerns raised by the Local Access Forum with regards to Public Rights of Way Management and delivering the service in an economic and cost effective way.	

Executive summary

At the July 2017 Local Access Forum (NLAF), it was agreed that at each future meeting, a summary of the work the Countryside Access Officers and Environment teams would be provided. At the October 2017 NLAF it was agreed that this report should be presented to the PROW sub-group prior to being brought to NLAF.

This paper highlights this work in terms of the volumes of customer queries received and responded to. The paper also highlights other key areas of work.

Recommendations:

That the Local Access Forum note the progress made to date since the Countryside Access Officer posts were introduced.

1. Introduction

- 1.1. Since 1 April 2017, there is a single point of contact within each Highways Area office being responsible for their local rights of way issues. By having the officer within the Area office they are more “on the ground” and better placed to deal with the operational reactive issues that occur when managing rights of way. They are supported by the wider Highways Area team staff. In addition, the Norfolk Trails team sits within the Environment Service at County Hall and carries out strategic and developmental aspects of developing the countryside access network.

2. Performance

- 2.1. The tables below summarise the performance information available for the complete months between April and 13th December 2017. As well as breaking down the information between Trails, North, South & West. The new CRM defect reporting system unfortunately still has some issues therefore the data provided for this report cannot be guaranteed to be accurate but is a good indication of the reported types of defect and numbers. General ‘Questions and Answers’ (non-defect queries) are currently not picked up in this report. The Highways System Support Team are aware of these issues and are working hard to improve the accuracy of the reporting.
From this information, it can be seen that the majority of reports relate to overgrown surfaces, overgrown hedges and trees, damaged and missing signs and ploughing and Cropping. In this more recent quarter from September to 13th December 2017

Defect Description	North	South	Trail s	West	Total
No Description	3	4			7
Debris	1	2			3
Fence	1				1
Illuminated road sign- Missing		1			1
Non-illuminated road sign - Missing		1			1
Other Damage - Footway or cycleway	1	1		1	3
Other Damage - Road	1				1
Overgrown Hedge	1			2	3
PROW - Animal(s)	5	3		8	16
PROW - Bridge	5	17		5	27
PROW - Crops/ploughing affecting footpath	77	86		20	183
PROW - Damaged or missing sign	84	128		26	238
PROW - Dirty sign		1			1
PROW - Flooded Path	6	13		1	20
PROW - Gate/Barrier	32	50		12	94
PROW - Illegal / Vehicle Use	11	8		6	25
PROW - Misleading sign	21	26		8	55
PROW - Obstruction -e.g. building works, fences, ditches, locked gate	58	60		19	137
PROW - Overgrown hedge/tree	129	117		33	279
PROW - Overgrown surface -e.g. grass/weeds	110	103		68	281
PROW - Steps damaged/other	10	8		2	20
PROW - Stile damaged/too/high/other	14	30		11	55
PROW - Surface condition	66	51		32	149
PROW - Tree dangerous/fallen	25	30		3	58
Trail - Animal(s)			2		2
Trail - Bridge			3		3
Trail - Crops/ploughing affecting footpath			2		2
Trail - Damaged or missing sign	3	3	5		11
Trail - Dirty sign		1			1
Trail - Gate/Barrier		1	2		3
Trail - Illegal / Vehicle Use	1				1
Trail - Misleading sign	7		3	1	11
Trail - Overgrown hedge/tree	1	1	6		8
Trail - Overgrown surface -e.g. grass/weeds	14	2	26	5	47
Trail - Steps damaged/other	2		4	1	7
Trail - Surface condition	3	1	5		9
Trail - Tree dangerous/fallen	7	5	5	1	18
Trail- Obstruction -e.g. building works, fences, ditches, locked gate		3	2	2	7
Trail- Stile damaged/too/high/other	1		1		2
Grand Total	700	757	66	267	1790
	39%	42%	4%	15%	

2.2. By 13th December 2017, 51% of the 1,790 queries had been resolved.

2.3. In addition to the numbers above, there have been a number of enforcement notices sent out to landowners. The following have been issued:

- 112 number Section 134-137 Non-reinstatement Notices sent
- 12 number Section 143 Removal Obstruction Notices sent

To date 90 of the 124 have resolved and the remaining are ongoing and being actively monitored and pursued with landowners.

2.4. In terms of other progress, key highlights include:

- Grass cutting of the higher priority public rights of way network was completed in July 2017 with the second partial cut completed in September. The Cutting Contract will continue in 2018.
- A new land registry search process has been successfully implemented across Highways. This has meant an improved and more accurate identification of landowners, thus helping in enforcements and saving officer time.
- Following on from the above point, we have also been in contact with The Rural Payments Agency (RPA) with regard to them sharing landowner information. Due to Data Protection legislation, there are number of hoops that we are having to go through to comply with the legislation and the data, once received, will be only available to Countryside Access Officers.
- David Mills (West area Countryside Access Officer) attended the IPROW conference 2017. David shared the information with the other Countryside Access Officers. Topics included in the conference and that were found to be beneficial were TRO's, Working with Volunteers, Case Law and 'Making the case for a rights of way service'.
- Member have also agreed an additional £200K for PRow capital improvement work to be spent over the next four years. When a list of schemes has been agreed it will be shared with the LAF.

Norfolk Trails team Countryside Access arrangements update

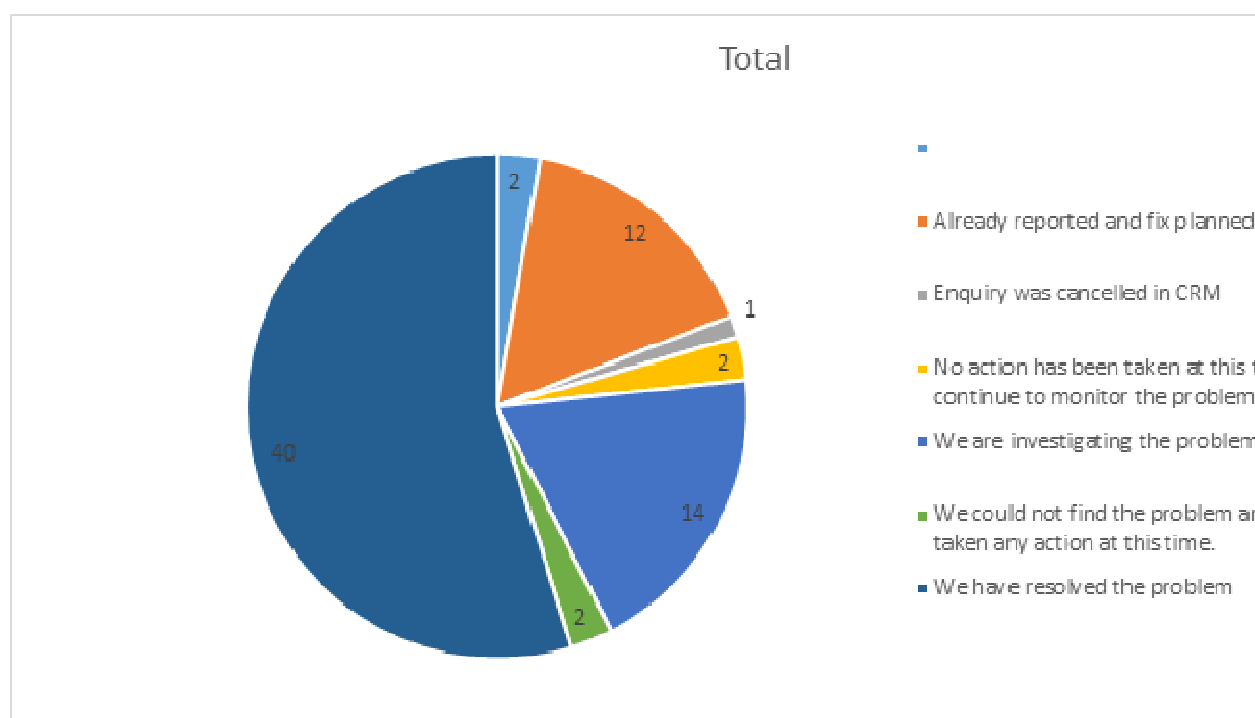
Norfolk trails have procured a cutting contract which ensures the management of the long distance routes across Norfolk. These routes are cut three time annually with each cut totalling 393,794m. In addition to this additional works are carried out by the contractors as required which has added an additional 5,488m to the cutting contract. The additional cuts are in direct response to customer comments and feedback thereby ensuring the overall quality of our routes are improved or maintained

Highlights from the past 3 months include:

- the completion of the Coastal Access mitigation works on Stretch 2 at North Denes and Winterton-on-Sea,
- the Breaking New Ground Project was completed providing much improved access for walkers, cyclists and horse riders in the Brecks area
- significant amounts of tree works
- improvements to signage across the network
- access audited significant amount of routes and these access tested routes are being printed and promoted as a result of the trails team activities.

Row Labels	Count of Status detail (Object) (Highways Defect)
	2
Already reported and fix planned	12
Enquiry was cancelled in CRM	1
No action has been taken at this time but we will continue to monitor the problem.	2
We are investigating the problem	14

We could not find the problem and so have not taken any action at this time.	2
We have resolved the problem	40
Grand Total	73



The next three month work programme includes work on the Marriotts way as part of the HLF project looking at the railway infrastructure, work on the National Trail and also the improved signing of the Boudiccas way before access improvements are undertaken in the next financial year.

3. Financial Implications

3.1. None arising from this report

4. Issues, risks and innovation

4.1. Three additional issues were raised at the October 2017 NLAF:

- Staff “family tree”. See appendix 1
- Information on the budget including the lengths and frequency of grass cutting was asked to be included in the regular report. In 2017 820 km of PRoW were cut in June and July with a second cut of some of the routes (490 km) done in September and October.
- Clarification on the prioritisation of enforcement procedure. See Appendix 2

In addition to these items a request was made for an update on NCC’s customer relationship management system (CRM) particularly in relation to concerns raised about improvements.

Earlier this month we were invited to join colleagues from customer services and IMT for a week long workshop in the county hall bunker to address some of the feedback related to the online form to report defects. As mentioned below, the idea of this workshop was to deliver a series of previously defined actions.

I am pleased to say that the team managed to get quite a lot done and updates were

deployed early last week. Some of the updates that are now live are below:

- PROW and Trail names can now be seen on the map.
- You will be able to see more detail in your customer account about what had originally been reported. (useful if anyone had reported multiple defects)
- A photo upload facility is now available
- An extra field has been added to allow more detail about location to be provided.
- The automatic update emails have been changed to include more detail so it should be easier to establish what defect the update is about.
- More information presented on the summary page for customers to review before they submit.
- Character limit updated on free text field to prevent information being cut off.

It was also recognised that we will need to complete a similar exercise again as there are still further improvements we wish to make. As mentioned previously, we are hoping to be able to create additional defect statuses in our Mayrise and CRM systems so that the auto updates can be less generic and more meaningful. Our corporate web team are also developing graphics to be incorporated in the form to make it more user friendly. In addition we have asked to explore how the form can link into the existing highways prowl map so that users will not have to plot the location a second time if they have started here.

5. Background

- 5.1. The background information to this paper is covered by the preceding paper on Public Rights of Way Maintenance, presented to this Committee.

Officer Contact

If you have any questions about matters contained in this paper or want to see copies of any assessments, eg equality impact assessment, please get in touch with:

Officer name : **Matt Worden**
 Russell Wilson

Tel No. : **01603 819801**

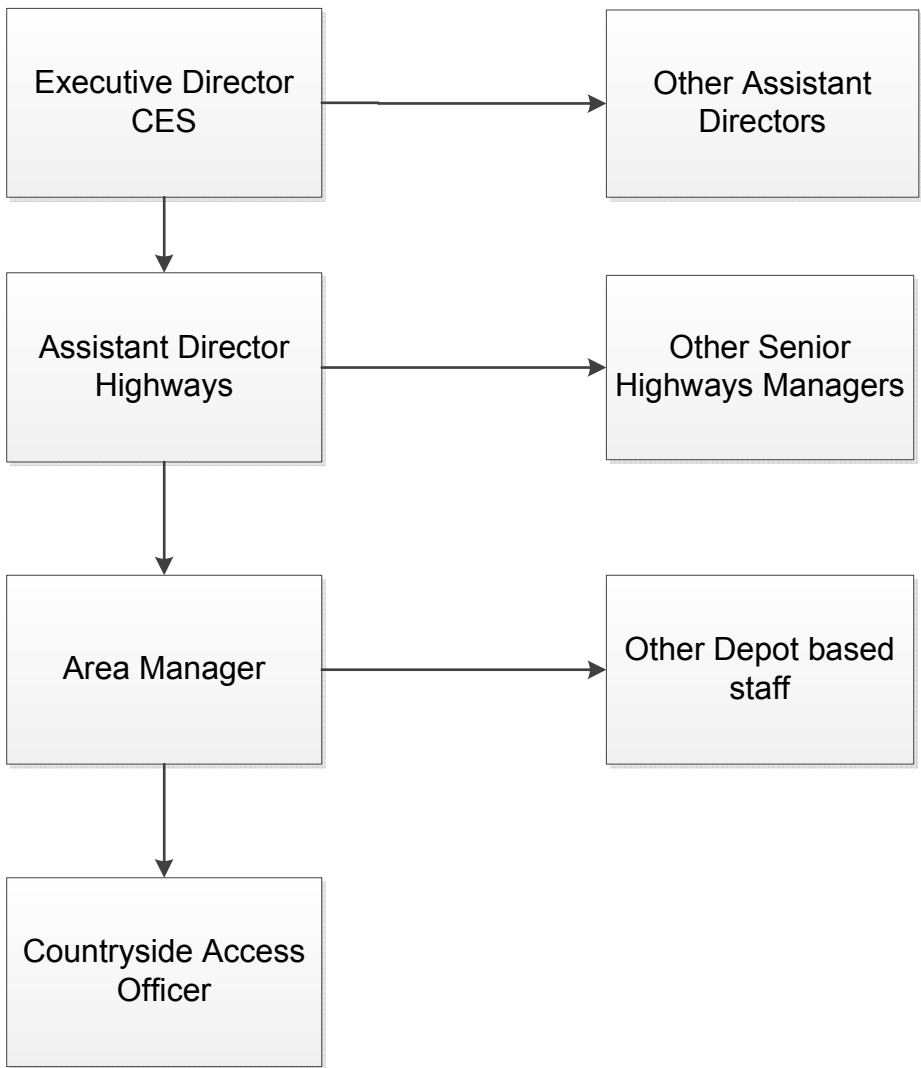
Email address : matt.worden@norfolk.gov.uk



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Appendix 1

Highways PRow Structure



Environment Service Countryside Access Structure



Appendix 2

As a general principle we would consider any issue brought to our attention in accordance with the following

1. Is the situation an unacceptable risk to health and safety? This would be if there was a situation which if not attended to would be likely to be a major risk to the public.
2. Is the route well used and is obstructed to the extent that it is not passable and an alternative route is unavailable.
3. Issues not satisfying either of these criteria will be low priority.

The priority will be determined using the professional judgement of our experienced staff. This judgement will be made with reference to the County Council's Generic Risk Impact Criteria Model.

When a report is received it is logged in the CRM and added to a queue. There is a specific queue for PRoW. If an issue is reported again by another person it will affect the priority as it gives an indication as to whether a path is well used or not. The growing season does not necessarily affect the priority however action may be taken if we have resources in the area and it is possible to add further work to their package.

With regard to your examples

- a report of heavy ploughing making walking difficult would not be a high priority although we would contact the landowner as soon as possible and ask them to reinstate the path.
- a report of low crop across footpath - walkable but not cleared – this would not be a high priority
- a report of grown crop blocking footpath – this could be a high priority however it is difficult to imagine a crop blocking a path if it was regularly used.
- long standing issues (eg Dereham RB3) – each long standing issue has its own history. Until the status of Cherry Tree Lane has been determined I do not see that the reinstatement of this restricted byway as a high priority.
- a gate on a Restricted Byway – again the priority would be dependent on the level of use.

Your request to see the Department's Enforcement Policy has been fulfilled. There is no further sub policy for PRoW.

From: Ken Hawkins [<mailto:ken-hawkins@tiscali.co.uk>]

Sent: 21 October 2017 16:38

To: Worden, Matt <matt.worden@norfolk.gov.uk>

Subject: Enforcement

You will have had my general email proposing dates for the PRoW subgroup, and I hope you will let me know of any dates which don't suit you.

I think you were copied in to the various exchanges between me and others, prior to the LAF meeting. The main concerns for me are questions about enforcement **policy** - how does NCC decide the stance it will take in any particular case? By what principles does it decide? What factors affect that decision making process? I'm sure that 'every case is decided on its own merits' - how could it be otherwise? - but evaluating those merits will require and/or generate general criteria and principles. And it is those criteria and principles with which the LAF is, or should be, concerned, if we are to discharge our functions effectively. Examples might be

- when a report is received, how is priority assigned?
- does timing alter in the growing season? does this warrant greater priority?

- what difference does it make if the issue is repeated?

What priority is given to

- a report of heavy ploughing making walking difficult
- a report of low crop across footpath - walkable but not cleared
- a report of grown crop blocking footpath
- long standing issues (eg Dereham RB3)
- a gate on a Restricted Byway

A second area of interest is the EDT's annually reviewed Enforcement Policy, a document which states that it "applies to the enforcement activities carried out by the Community and Environmental Services (CES) Directorate of Norfolk County Council (NCC); including Trading Standards, Highways, Planning and Norfolk Fire and Rescue Service (Fire Safety)." It has never been clear to me how this policy is applied to Highways, and I had assumed that NCC has a separate well developed public policy on PRow matters. Your report to the LAF meeting suggests that this is the document used, and I see that the version put to EDT last week now has an Annex 4, but the section on Public Footpaths (sic) is merely a report, not any sort of guidance. I would therefore hope to see some account of how the overall policy is applied to PRow matters.

I hope that you can provide us with enlightenment on these issues at the next meeting of the PRow subgroup.