



Rights of Way Service Report

Budget Updates

The 2011-2012 RoW budgets are now confirmed at:

- **Revenue (inc staff)** £1,046,970
- **County Capital** £228,000
- **RoWIP Capital** £43,000

Natural Environment White Paper Published

<http://www.defra.gov.uk/environment/natural/whitepaper/>

Key areas include (but are not limited to):

- New Nature Improvement Areas (NIAs), transforming rural and urban areas and providing bigger, connected sites for wildlife to live in and adapt to climate change.
- Biodiversity offsetting – new way for developers to ensure we don't lose wildlife sites and make them better by making and improving other sites.
- New Local Nature Partnerships to strengthen joined-up action across local agencies and organisations, with a £1 million available this year.
- Green Areas Designation allowing local communities to give protection to areas that are important to them for recreation, the view or their importance for wildlife.
- Better urban green spaces for the benefit of cities and towns. Support for parks, gardens, and tree planting which benefit people and nature alike •Strengthening local public health activities which connect people with nature for better health •New environmental volunteering initiative "Muck in 4 Life" to improve places in towns and countryside for people and nature to enjoy.

British Waterways / EA Merger Consultation

Advisory Panel / Transition Trustees

In January Defra announced the members of the independent Advisory Panel for the New Waterways Charity. The panel's initial role is to advise Ministers on the appointment of seven transition trustees, three from BW's existing Board and four new people. These transition trustees will act as a shadow Board, working on and agreeing the legal and financial arrangements for NWC. The Panel will also advise on the appointment to NWC's Council and local Boards.

The members of the Panel are:

1. Andrew Hind - formerly CEO of Charity Commission for England & Wales
2. Roger Clarke – formerly CEO at the Youth Hostels Association, Chair of Defra Civil Society Board and a trustee of The Woodland Trust
3. Dinah Nichols – formerly director-general environment in Defra. Dinah is Chair of The National Forest Company a trustee for Keep Britain Tidy and the Land Trust
4. Robin Ritzema – Independent adviser to ensure the appointments are made in accordance with the Office of the Commissioner for Public Appointments guidelines

EA Waterways – Government decision

The government has announced its preference for a phased transfer of the EA waterway into the new waterways charity in 2015/16. This is to ensure that there is sufficient funding to enable the charity to take on the liabilities of the EA navigations.

BW wants the EA navigations to be included in NWC but right now, in this very tough funding period, the risks are too great when the priority has to be looking after the waterways currently in BW's care.

Defra Consultation

On 30 March Defra published its public consultation on the future of the waterways, setting out details for how British Waterways (and, ultimately, the Environment Agency's navigations) are to be transferred into a new waterway charity. The consultation document will provide much more detailed information on the Government's proposals and seek stakeholders' views on everything from the new charity's governance arrangements to its name. The consultation will be open for 90 days and further details are available on the Defra and BW websites.

R Cuthbert

Team Leader Access & Rights of Way

Countryside Access Team update.

Internally we are settling-in to the new layout with the reduced number of Access Officers and those officers are adjusting to their new or added territories and reduced number of working days.

The new county-wide mowing contracts have just been re-negotiated and a whole new set of contractors have been appointed, so there will be a degree of settling-in. We anticipate an increase in clearance complaints as we have had to remove the third cut option from all routes, however so far we have been lucky with the weather so far this year, restricting growth.

Externally many of the impending major projects have remained stationary due to the financial climate or are currently still with the Secretary of State under planning review.

A number of locations are currently being looked at for development of public access including Ellenbrook Fields (the old Hatfield Aerodrome site) the subject of a possible LAF visit. This set of proposed routes has received a boost with the potential westerly extension into the former telecom site, where an excellent relationship between the Access Officer and the local Planning Officer has resulted in the very strong possibility of an additional link to Sandpit Lane, thereby linking Ellenbrook Fields to Oaklands Agricultural College.

Panshanger Park has recently been in the local news and we are currently working with our colleagues in minerals and planning, to formulate a management plan for the site when mineral extraction concludes or is part of a phased withdrawal. This is a case where the competing needs of public access and protecting wildlife present a challenge.

Plans for the HS2 move on, but Herts is only slightly affected with 2 bridleways and a minor road crossing the route of HS2 near Maple Cross. Nevertheless we are watching the situation to achieve the best results in access terms.

We are currently working or supporting our colleagues on two applications for Gating Orders in the county, one at Tyttenhanger and the other in Broxbourne.

A reduced capital budget this year will affect the amount of work we are able to undertake on the network, so the manner in which we prioritise this work will continue be very important. Our officers are actively engaged in the s106 process, seeking opportunities for funding from external sources. This has already proved successful in a number of locations.

Legal work continues on projects such as Heartwood Forest, with the s278, s38 and s106 being completed and the Ayot Green Way continuation west of Wheathampstead being negotiated.

BF is attending a conference on 'Securing the Landscape', in Kent in mid July. It appears Kent has developed a new way of working in partnership with the police and other parties interested in land issues. There may be something to learn there.

Bob Fenton
Access Team Leader

Definitive Map Modification Order cases – update

File Name & Reference	District	Application for	Current stage
Albury (Mods and PPOs)	East Herts	Add BRs	Inquiry held April 2011. Includes MOD Diversion/Extinguishment orders. Awaiting PINS decision
Peatmans Lane DAC89	Dacorum	Add BOAT & upgrade FP to BOAT	BOAT order made 2007 and sent to PINS – hearing date 12 th July
Blackbirds Lane HTM168	Hertsmere	Add BOAT	Order confirmed as Restricted Byway
Widford River Ash EH306	East Herts	Add FP	Order made 2010 no objections received -confirmed 2010.
Carbone Hill W+H70	Welwyn Hatfield	Add FP	Objections received to order made. Inquiry to be held Nov 15-16 2011. HCC will be taking neutral stance
Dene Lane STEV13/ EH137	Stevenage and East Herts	Add BR's	Directed to make an Order by GO-NE. Order being drafted.
Codicote NH 192	East Herts	Add FP	Appeal made against decision in 2009 not to make order. Awaiting decision from PINS.

File Name & Reference	District	Application for	Current stage
Castlebury	East Herts	Add BOAT	Order made for BOAT. Objections received. HCC to request amendment to Restricted Byway. Proposed diversions has received 1 outstanding objection. Orders sent to PINS.
Hunsdon Airfield EH164	East Herts	Add BRs	RB Order advertised, Objections received. Preparation on interviewing users started and order will be submitted to PINS by Sept
Burge End Farm NH175	North Herts	Add FP & BR	Decision not to make an order appealed. Awaiting decision.
Ardeley 13 EH54	East Herts	Downgrade BOAT to FP	FP Order made, objections received and has been sent to PINS for determination.
Thorley 9 to Twyforbury Lane EH266	East Herts	Amend FP	Order made and now confirmed without objection.
Woodhall Lane	Hertsmere	FP and BR	Order made for BOAT. Objections received. HCC to request amendment to Restricted Byway. Extinguishment and Creation orders made. Objections received and will be discussed
Fox's Lane W+H67	Welwyn Hatfield	Add BOAT	BOAT order made objections received, will be sent to PINS once pack approved
Langley 16 NH132	North Herts	Upgrade FP to BR	BR order made, objections received, will be sent to PINS once pack approved
Oakridge Lane HTM172	Hertsmere	Add RB	BOAT/RB Order made, objections received, will be sent to PINS once pack approved
Chiswell Green STA113	St Albans	Add FP	FP Order made, objections received, will be sent to PINS once pack approved
Packhorse Lane HTM118	Hertsmere	Add BR	BR order made, objections received and being discussed
Mutfords EH318	East Herts	Upgrade FP to BR; add BR	Bridleway and Footpath Order advertised and objections received
Buddleia Fields 3R62&65	Three Rivers	Upgrade FP to BR and add FP and BR	Order advertised and 3 objections received

File Name & Reference	District	Application for	Current stage
West of Sacombe EH347	East Herts	Add FP & 2XRB	Order for RB advertised and objections 2 received. + Awaiting outcome of appeal made against decision not to make order for other 2 routes
Widford Churchyard EH194	East Herts	Add FP	Order made and advertised. Objection received and will be sent to PINS
Hockerill College EH350	East Herts	Add FP	FP Order made, objections received. Gating Order application being considered
St Edmunds College EH173	East Herts	Add FP	FP Order made. Proposed diversion order generally approved, so can be sealed.
Old St Albans Road HTM144	Hertsmere	Add BR	Order to be advertised
Knebworth Park NH174	North Herts	Add FP and BOAT	Decision to be published
Frogmore to St Stephen FP14 STA111	St Albans	Add FP	Awaiting outcome of Railfreight appeal.
Skeggs Lane EH66	East Herts	Add BR	Negotiating dedication. Agreement made for bridleway link between Tatlers Lane and Edmunds Drive
Rickneys EH36	East Herts	Re-grade FP/RB to BR	Negotiating dedication
Panshanger EH70	East Herts	Upgrade FP to BR	Agreement drafted and being approved
Wareside Environs EH108	East Herts	Numerous adds and upgrades of FP/BR/BOATs	10 Decision meetings held due to proposed changes to 19 routes. Two more decision meetings required. Additional meetings held. Duplicate application added. Consideration will be given to making a number of orders
Icknield Way NH85	North Herts	Add BOAT with TRO	Decision to be published
Lilley Cassel Hall NH180	North Herts	Add FP	Decision to be published
Lilley FP1 & Green Lane NH10	North Herts	Add FP	Decision to be published
Lilley FP2 NH114	North Herts	Add FP extension	Decision to be published
Northfield Grange DAC62	Dacorum	Upgrade FP to BR	Diversion/upgrade agreed by landowner and out for consultation.

File Name & Reference	District	Application for	Current stage
Batford Springs STA123	St Albans	Add FP	Counsels opinion received; decision to be published. Dedication?
Geary's Hill DAC103	Dacorum	Add FP	Decision to be published
Widford Sewage Works EH307	East Herts	Add BOAT	Decision to be published
Widford 18 EH308	East Herts	Upgrade RB to BOAT	Decision to be published
Hyde Lane STA110	St Albans	Add FP & RB	Decision to be published
Standon 72 EH169	East Herts	Downgrade BOAT to FP	Decision to be published
Sarratt FP15 3R64	Three Rivers	Upgrade FP to BR	Decision to be published
Gobions Wood W+H81	Welwyn Hatfield	Add FP(s)	Decision to be published
Eddies Field DAC98	Dacorum	Add FP	Consultation
The Old Bourne EH284	East Herts	Add BR	Consultation – decision shortly
Old Railway Line STA39	St Albans	Add FP	Investigation
Little Lye Grove EH283	East Herts	Add BR	Investigation
Sanders Lane EH209	East Herts	Add BR	Investigation
Edge of Maxted Field DAC122	Dacorum	Add FP	Investigation
Nettleden with Potten End 17	Dacorum	Upgrade FP to BR	On hold pending other case work

*Same case

Notes

1. GO-NE office closed to Rights of Way cases as of 1st February. These will now be dealt with by PINS, starting on 1st April.
2. One officer (Paul Reardon) left at the end of Dec 10; his cases have now been distributed amongst the team.
3. Please note HALS is proposing changing their opening hours from the beginning of April. It would be closed on Mondays, but open from 9 am (not 10 am as at present) on Tuesdays
4. In future HALS require you to have a "photocard" if you wish to photograph documents

Other DM work

- **Diversion orders** – 1st set of applications with agents and consultation started; the next set of applications now with agents. Orders will be dealt with (one per officer) as they are submitted to the office.

- **Village greens** – currently nine cases under investigation and 3 new applications. We have received counsel's opinion for 3 cases where there are issues of whether the land is public open space.
- **Commons pilot/pioneer** – currently working on amending registers following decisions from PINS. As a pioneer authority progress is slow and careful as legislation and regulations are considered and interpreted. Amendments following proposals we have made will also be required.

Rosalinde Emrys-Roberts
DM Team Leader