



## **RIGHTS OF WAY & ACCESS UPDATES**

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### **Purpose of Report**

To update the LAF on local and national Rights of Way and access management issues and, where relevant, to invite members' advice and comments.

### **1. Reports and Reviews**

1.1 **PTROs Report** to Highways & Transport Panel – Symon Gaughan.

#### **1.2 Roads in Herts – HH Review**

This important document which is a good practice guide for Herts Highways colleagues is to be reviewed and RoW will have a seat on the steering group to input to its new version.

#### **1.3 Highway Signing**

As part of the Transport Planning & Policy Team's ongoing review of current policies in the run up to LTP3 delivery, a review of road signs advice for Herts Highways colleagues is underway and the RoW Service will be adding our comments where RoW signs are affected and / or other issues arise affecting access & RoW.

In the past TPP have relied upon a number of separate documents to base decisions on signing issues and there is often some uncertainty on the validity of guidance being used or local precedents that have been made. The policy provides either advice or directs the user to appropriate reference documents. It should also provide a robust case for the refusal of the provision of unnecessary signs and road markings and provide an ongoing reduction in street clutter.

Decisions on signing issues are often made at a local level and designs are often carried out by external staff. It is therefore important to have a comprehensive policy, backed by practical guidance, to obtain a level of consistency and;

- Promote the efficient working and enforcement of traffic regulations
- Aid traffic control
- Aid road safety
- Avoid unnecessary sign clutter
- Reduce visual intrusion by choosing sign location and method of mounting appropriate to context and setting.
- Assist with energy conservation and carbon reduction.

### **2. Planning Issues**

2.1 **s106** – Wall Hall s106 new access network – Dawn Grocock has been working with the Rural Estates team, and Hertsmere BC to deliver a new and improved RoW network specified in the s106 agreement for this development.

### **3. Definitive Map Issues**

- 3.1 **Contracting-out Public Path Orders** - The trial using external firms to process legal orders is progressing, with orders having been made for the extinguishment of Wyddial FP18 and creation of a new bridleway which will enable horse riders and cyclists to avoid several sharp bends through Wyddial village when connecting with other local bridleways.
- 3.2 Paul Reardon has been appointed as a Definitive Map Officer to replace David Goode who resigned. Eleanor Mustard will be resigning, which will leave another vacancy in the team.

### **4. Commons Act 2006 – Pilot Authority**

- 4.1 The pilot of the Commons Act 2006 has been extended by a further 12 months from end Sept 2009 to end Sept 2010. As a pilot authority we have been reviewing the registers of Commons and Village Greens and identifying any ‘anomalies’ which may exist.
- 4.2 The list of potential anomalies is now complete. The next stage of writing to affected landowners will follow after a briefing to the Executive Member as some of the issues will cause significant concern.

### **5. Maintenance & Enforcement Issues**

- 5.1 The temporary CA Officer vacancy following Tom Goldsmith’s departure on an eight month sabbatical has not yet been filled, but 2 potential candidates are now being considered.
- 5.2 While undertaking an enforcement case in the **Tring Rural** area to remove obstructing sheds and fencing our enforcement officer was assaulted by the occupier who drove a car at him. Police were already in attendance and the landowner was arrested. A follow-up visit to finish the job also met with some obstruction by the landowners’ son but the path is now clear and open for use.
- 5.3 Another case in **Bushey** where a path has been closed for some considerable time due to a dangerous wall is reaching conclusion with the occupiers having engaged an engineer to make the wall safe. There is growing pressure to get the route reopened as it is well used but protracted arguments over the ownership of the wall have delayed the essential safety works (see photograph below).
- 5.4 **Dead Woman’s Lane, Kings Walden / Preston**  
The surfacing of this route has again been delayed as the arguments concerning a PTRO and/or surfacing are to be taken back to the Development Control Committee for guidance and advice. Although a proposed surfacing scheme had been agreed with Preston Parish Council they then threatened the authority with an injunction to prevent the works progressing as they believed officers had acted unlawfully. It therefore appears the Parish (who also claim they are acting on behalf of Kings Walden Parish Council) continues to strongly oppose surfacing and have reiterated their desire for a PTRO.
- 5.5 **Gating Orders** - The RoW Service has met with Legal and Herts Highways to produce a policy for Gating Orders. A briefing document is being prepared to forward to the consultant. Crime Reduction partners are being consulted to agree the process and there appears to be a consensus on the way forward. The LAF will be consulted when the policy has been drafted.

## 5.6 **Bridge Strike, A10 Footbridge at Brookfield Farm**

The footbridge on the A10 was struck by a lorry on the weekend of the 22<sup>nd</sup> August. While this is not a definitive PRow it is a link of major significance in the pedestrian network locally, especially as it links to the Brookfield Centre.

## 5.7 **Roadside verges**

There are a number of successful verge improvements and several more schemes identified within the RoWIP which are being taken forward through liaison with Herts Highways colleagues. Each of these locations will have a screening inspection to assess for viability and safety issues. Pending these surveys routes will be priorities with the most feasible being taken forward and any which are deemed not viable can be dropped. The A1447 between Hemel Hempstead & St Albans is progressing including liaison with the Highways Agency to link into a cycleway along the new road into Hemel Hempstead beside the M1.

## 6. **RoWIP**

6.1 Hilary Freeman is actively working on cases with the Access Officers.

## 7. **Publicity & Promotion**

7.1 **DM on the Web** – the Definitive Map and Statement will soon be available on the Hertsdirect web site for the public to see. Functions include zooming-in to individual paths, path identification numbers, a link to the Definitive Statement and a help button for information. Viewing the PRow lines is restricted to the 1:10,000 base mapping, to avoid incorrect interpretation of a route (see: [www.hertsdirect.org/row](http://www.hertsdirect.org/row)).

7.2 **Articles** have been written for the Ramblers' Stile magazine on the Hockerill School Special extinguishment Order, by Helen Denton and for the IPRoW Waymark magazine on enforcement issues by Bob Fenton.

## 8. **National RoW Issues**

8.1 **Cattle Dangers**; The RoW team have been liaising with the HSE to establish clear guidance and clear lines of communication for the reporting of dangerous incidents involving cattle and other livestock in fields crossed by PRow. The picture of 4 deaths so far, is that this year is no worse than last year at 5 and better than the year before at 11.

8.2 Both the CSS and IPRoW are actively pursuing these issues on the national scene.

*R Cuthbert*

*Head of Rights of Way*

*September 2009*

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*Bob Fenton*

*Countryside Access Team Leader*

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**Photographs** - Please see below.

**Bushey FP029 Dangerous Wall.**



**Tring Rural FP043 Enforcement Works.**

