

Report to:	TOURISM, ECONOMY AND COMMUNITIES SCRUTINY COMMITTEE
Relevant Officer:	John Blackledge, Director of Community and Environmental Services
Date of Meeting:	29 June 2022

PUBLIC RIGHTS OF WAY UPDATE

1.0 Purpose of the report:

1.1 To consider an update on the work of maintaining the 47 public rights of way in Blackpool.

2.0 Recommendation(s):

2.1 To scrutinise the maintenance of Blackpool's public rights of way, and identify any areas for further scrutiny.

2.2 That the proposed annual survey, data collection and clearances be noted.

3.0 Reasons for recommendation(s):

3.1 To allow ongoing scrutiny of public rights of way in Blackpool.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 None.

5.0 Council priority:

- 5.1 The relevant Council priority is
- "The economy: Maximising growth and opportunity across Blackpool"
 - "Communities: Creating stronger communities and increasing resilience"

6.0 Background information

6.1 Details of the number of pathways in Blackpool Council

There are 47 Public Rights of Way (PROW) footpaths within Blackpool, covering 12km.

6.2 Detail of the number that are blocked or impassable

The following footpaths had previously been identified as being 'unpassable'.

- Footpath 5 – Eastbank Avenue to Whalley Lane. This was opened up earlier in the year but was reported blocked on PROW survey. Anti-social behaviour (ASB) has been reported on this footpath following its opening. Community Safety have been contacted to consider a Public Space Protection Order (PSPO) closure for this route as a 2021 police report showed some ASB around the footpath.
- Footpath 10 – Penrose Avenue to Burton Road. Highways and Community Safety have been contacted by two residents regarding this footpath which has been closed with a PSPO for ASB. Highways are waiting for Community Safety to confirm the PSPO status. If there is a current PSPO the path will remain closed, if there isn't, the Highways department will inspect and re-open the path after performing any necessary maintenance.
- Footpath 11 – Preston New Road to Footpath 12, near Broad Oak Lane. The route is now fully open and the majority of the fence has been installed on the Highways section of the route. Due to supply difficulties 30 metres of the fence installation was delayed, however the footpath has been adequately fenced off from Wheatlands Crescent. Once the remaining fence is installed, hopefully by the end of June 2022, some hedgerow will be ordered and planted along the Highways section of route for additional security.
- Footpath 12 – From Nook Lane, Staining to Footpath 13. Was cleared in autumn / winter 2021/22 and due to be cleared once more by Enveco.
- Footpath 40 – Division Lane to Worthington Road. The section continuing from Sandy Lane to where the route turns north to Worthington Road has been cleared and was passable following the last inspection.
- Footpath 49 – Midgeland Road to New Hall Avenue. Land owners and Grounds Maintenance (Enveco) have cleared the path and it was passable following the last inspection in Spring 2022.
- Footpath 50 – New Hall Avenue to Jubilee Lane. Grounds Maintenance (Enveco) have cleared this route and it has been re-signed.
- Footpath 59 – Ashfield Road to All Saints Road - is clear and passable.

6.3 The ideal solution to rectify, including cost

The footpath survey undertaken earlier in 2021 has identified more areas for improvement. The footpaths on private land have been included in case the Highways department are

required to clear the paths if the landowner has failed to do so. The costs and estimates so far are below.

Originally identified blocked paths where Blackpool Council is the landowner

Footpath 11 clearance	£2,856.00
Footpath 12 clearance	£1,899.33
Footpath 40 clearance	£1,333.40
Footpath 49 clearance	£295.00
Footpath 50 clearance	£1,861.69

Original identified path clearances subtotal £8,245.42

Blocked paths identified by the 2021 PROW survey on this years works programme

Footpath 13 estimate	£4,295.20
Footpath 15 estimate	£1,073.80
Footpath 18 estimate	£2,938.20
Footpath 35 estimate	£2,065.00
Footpath 36 estimate	£1,357.00
Footpath 48 estimate	£578.20
Footpath 56 estimate	£2,324.60

Blackpool owned paths clearance subtotal £14,632.00

Blackpool owned path clearances total £22,877.42

Paths requiring clearances on private land estimate £54,433.40

Additional assets which may be required for Footpath 11 due to ASB

Footpath 11 fence cost	£16,376.40
Footpath 11 hedge estimates up to	£2,400.00

Footpath 11 assets subtotal £18,776.40

Assets requiring replacements estimates

Additional 27 posts and signs required	£2,700.00
Additional 5 walkway / bridges required	£1,000.00
Additional 2 gates required	£380.00
Additional 21 waymarkers required	£1,470.00
Additional 3 stiles required	£525.00

Asset replacement estimate subtotal £6,075.00

Total estimated cost **£110,785.82**

The Highways department have been working with Enveco to maintain the footpaths where necessary on an annual or more regular basis dependent on the route. Highways have been in contact with the Marton Mere volunteer co-ordinator who has the details of the public rights of way around the Mere and will assist in minor maintenance and reporting of issues going forward.

A list of private landowners has been researched in order to notify them of their responsibility to keep footpaths on private land clear.

6.4 **Details of challenges that exist**

Ongoing funding. The £40k provided by the Estates department has helped reduce the future costs as the worst paths have been cleared. It means they will be cheaper to maintain in future and with agreement have been added to annual works for the Grounds Maintenance team.

Resources. The Grounds Maintenance Team, now with Enveco, have been happy to assist when they are able to as they have their own timetable of works. Marton Mere volunteers can assist on the number of prowl paths in that location.

Timing of works. With bird nesting season it is only possible to maintain a lot of the routes from September to March.

Enforcement of the Highways Act can take time. However, use of Community Protection Warnings (CPW) and Community Protection Notices (CPN) may expedite matters in areas of concern.

6.5 **Work completed**

Improved PROW asset surveys took place last year and are scheduled again for summer 2022.

33 posts and Public footpath signs have been installed, 4 of which include additional signs to prohibit vehicles and horses on footpaths in the Marton Moss area.

Five major clearances have been completed with others to follow on this year.

Private landowners will be notified late summer regarding their maintenance responsibility for footpaths on their land so they can clear any issues in September. This will align with bird nesting season.

The webpage requires an update as it has been noted that some information is not there, e.g. the PSPO on footpath 10 is not advertised.

6.6 **Current budget and possible funding opportunities**

Highways may be able to commit some annual funding for Grounds maintenance to assist with annual clearances.

6.7 **Other opportunities**

The Marton Moss forum were interested in volunteering and able to assist in footpath maintenance and reporting of issues in the Moss area. They have previously been sent details to assist in setting up a 'Friends of the Moss' agreement to take this forward.

The Marton Mere volunteers are happy to assist with footpath maintenance and reporting of issues around the Marton Mere area, they have been supplied of the prow path routes around the Mere.

Enveco have agreed to supply community groups where possible with tools and equipment for minor clearances and collect any waste from the works.

Installation of bird and bat boxes on routes the Highways department are responsible for will be looked into with the Green Infrastructure Development Manager.

Promotion of the prow footpaths as leisure routes will be reviewed with the Leisure Services Manager.

6.8 Does the information submitted include any exempt information? No

7.0 **List of Appendices:**

7.1 Appendix 9(a) – Images Of Footpath Fence Works.
Appendix 9(b) – Marton Mere Prow Paths Document Supplied To The Volunteer Group.

8.0 **Financial considerations:**

8.1 There is currently no explicit budget for Public Rights of Way staff, inspections, surveys or maintenance.

9.0 **Legal considerations:**

9.1 Highways Act 1980, section 130. Wildlife and Countryside Act 1981. Anti-Social Behaviour, Crime and Policing Act 2014.

10.0 Risk management considerations:

10.1 Ecological considerations and anti-social behaviour on certain routes.

11.0 Equalities considerations:

11.1 None.

12.0 Sustainability, climate change and environmental considerations:

12.1 Bird and bat boxes could be installed on some paths.

13.0 Internal/external consultation undertaken:

13.1 None.

14.0 Background papers:

14.1 None.