

Report to: **CLIMATE CHANGE AND ENVIRONMENT SCRUTINY COMMITTEE**

Relevant Officer: Ian Large, Head of Highways and Traffic Management

Date of Meeting: 5 July 2023

PUBLIC RIGHTS OF WAY ANNUAL REPORT

1.0 Purpose of the report:

1.1 To review the current position and work completed to date maintaining the 46 public rights of way in Blackpool.

2.0 Recommendation(s):

2.1 To consider the report in relation to the current position and work completed with regards maintaining the 46 public rights of way, asking questions if appropriate and identifying any future lines of enquiry.

3.0 Reasons for recommendation(s):

3.1 In order to keep the public rights of way open and useable to the public, where resources and budgets allow.

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 Not to proceed with data collection and necessary clearances, public rights of way would then over a short time fall into disrepair and become unusable to the public.

5.0 Council priority:

5.1 The relevant Council priority is

- "Communities: Creating stronger communities and increasing resilience"

6.0 Background information

6.1 Details of the number of pathways in Blackpool Council

Public rights of way (PROW) paths offer the public the opportunity to explore, appreciate natural beauty, and engage in outdoor activities such as walking, and horse riding. PROW paths contribute to the physical and mental well-being of individuals by promoting outdoor exercise and connecting people with nature.

There are 46 Public Rights of Way (PROW) footpaths within Blackpool, covering 19.5km (12.1 miles). The details have been revised following the 2022 survey results.

Classification of Public Rights of Way

Footpaths: Paths primarily for walkers. These make up 100% of the paths in Blackpool.

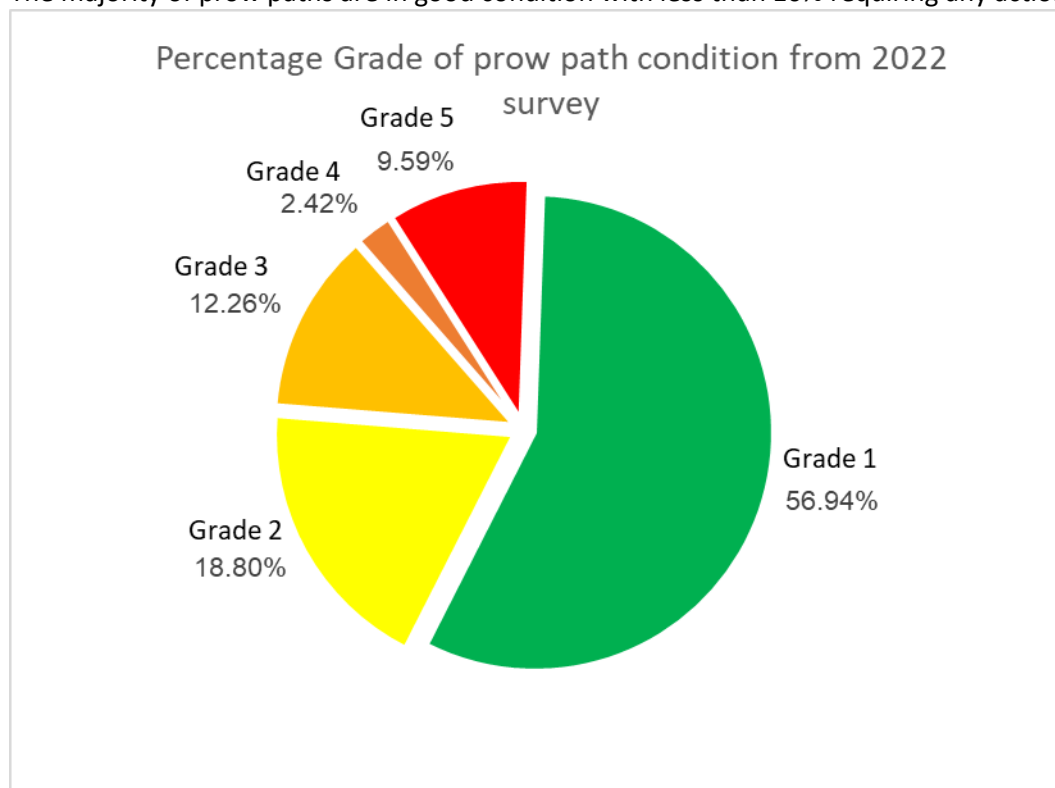
Bridleways: Routes for pedestrians, cyclists, and horse riders, often marked with blue signs.

Byways Open to All Traffic (BOATs): Permitting all types of traffic, including motorised vehicles, with restricted speed limits.

Restricted Byways: Open to non-motorised vehicles, such as cyclists and horse riders, but excluding motorised traffic.

6.2 Condition of prowl paths from 2022 survey

The majority of prowl paths are in good condition with less than 10% requiring any action.



6.3 Details of the number of paths that are blocked or impassable

The following footpaths not on council land have been identified as being 'unpassable'.

Footpath 5 – Eastbank Avenue to Whalley Lane. This path is gated, the residents adjacent to the path close the gate and only reopened the gate following inspection, it is generally closed again between our inspection visits.

Footpath 7 – Whalley Lane to Chapel Road. This path is restricted by significant growth, despite cutback works, and may require a build-out of the path into the watercourse and further foliage clearance to Chapel Road to adequately maintain the route.

Footpath 49 – Midgeland Road to New Hall Avenue. The path was clear for use although an issue has been identified, the nursery at the end of the working day shut their front gate meaning the path is effectively closed off at Midgeland Road when the nursery finishes for the day.

6.4 **Enforcement of the PROW paths**

Enforcement of PROW obstructions using the Highways Act 1980 can take time. However, the appropriate use of the Anti-social Behaviour, Crime and Policing Act 2014 means the Highways Department can utilise Community Protection Warnings (CPW) and Community Protection Notices (CPN) to expedite matters in areas of concern, such as the paths referred to above in 6.3.

Highways, in conjunction with Legal Services, are reviewing the overall divisions enforcement options and are aiming for a more robust route to enforcement being in place in the near future.

Antisocial behaviour has been reported near Footpath 11 on the housing development and at the caravan park. Residents are raising concerns in relation to this, the PROW is referenced as a means of access for this behaviour. This is an issue the police and public protection colleagues are dealing with. As a result of ASB it might mean this route needs a closer consideration in relation to its appropriateness.

6.5 **The cost of maintenance**

The cost of works on the prowl paths are detailed below:-

2021/22 Enveco Grounds Maintenance works	£15,876.41
2021/22 Sub-contracted Grounds works	£5,240.00
2021/22 Footpath 11 fence installation	£16,738.90
2022/23 Enveco Grounds Maintenance works	£5,445.68
2022/23 Sub-contracted Grounds works	£1,900.00
2023/24 Estimated Grounds Maintenance works	£3,496.02

The total spend to date is £45,200.99.

The Highways division have been working in partnership with Enveco to maintain the footpaths where necessary. As it can be seen after the initial large outlay, the costs of maintaining the prowl paths is reducing year on year as maintenance moves from reactive works to routine, planned annual works.

The Highways division have been in contact with the Marton Mere volunteer coordinator 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.

6.6 **Details of challenges that exist**

Ongoing funding: with the extensive works undertaken over the last 3 years the impact on future Highways budgets to maintain the prowl paths will be minimised. However, the limited financial resources for PROW management pose challenges in terms of maintenance and improvement.

Resources: The Grounds Maintenance Team, now with Enveco, are working in partnership with the Highways division to keep the prowl paths clear. Marton Mere volunteers are able to assist on the number of prowl paths in that location.

Maintenance and Repair: The PROW's require regular inspection, maintenance, and repair to ensure they remain safe and accessible.

Private landowners: Establishing effective communication channels and collaboration with landowners to address issues, obtain necessary permissions, and maintain positive relationships.

Timing of works: To allow for bird nesting season it is only possible to maintain a lot of the routes between September and March.

6.7 **Work completed**

PROW asset surveys took place last year and are scheduled again for summer 2023.

26 clearances were completed last year and are now on routine annual maintenance using the partnership between the Highways division and Enveco.

6.8 **Other Opportunities**

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

There are potential opportunities in the future for private path issues.

The first was to offer a nominal charge to the problem private path owners as a one off to remedy the issues with the proviso that the owners will maintain the path going forward. This could cost up to £14 per linear metre.

The second was to offer Enveco and other contractors as a contact to landowners in order to clear the private paths on their land on a regular basis.

The installation of bird and bat boxes on the PROW routes Highways are responsible for will be considered in conjunction with the Parks Manager.

The Promotion of the prowl footpaths as leisure routes will be reviewed with the Leisure Services Manager and Parks Manager.

Promoting awareness of PROW and responsible use through public campaigns, signage, and online resources.

- 7.0 Does the information submitted include any exempt information? **No**
- 8.0 List of Appendices:**
- 8.1 None.
- 9.0 Financial considerations:**
- 9.1 There is currently no explicit budget with the works carried out and staffing involvement met with the Highways and Traffic Management current resources.
- 10.0 Legal considerations:**
- 10.1 Countryside and Rights of Way Act 2000 Highways Act 1980, section 130. Wildlife and Countryside Act 1981. Anti-Social Behaviour, Crime and Policing Act 2014.
- 11.0 Risk management considerations:**
- 11.1 Ecological considerations and anti-social behaviour on certain routes.
- 12.0 Equalities considerations:**
- 12.1 The aim is accessibility for all.
- 13.0 Sustainability, climate change and environmental considerations:**
- 13.1 Bird and bat boxes could be installed on some paths.
- 14.0 Internal/external consultation undertaken:**
- 14.1 None
- 15.0 Background papers:**
- 15.1 None