

Report to:

**CLIMATE CHANGE AND ENVIRONMENT
SCRUTINY COMMITTEE**

Relevant Officer:

Mr Ian Large, Head of Highway and Traffic Management Services

Date of meeting:

7 February 2024

PUBLIC RIGHTS OF WAY UPDATE

1.0 Purpose of the report

1.1 To consider an update on the maintenance of the 46 public rights of way (PROW) in Blackpool and review possible PROW path walking routes.

2.0 Recommendation(s)

2.1 That the proposed annual survey, data collection and clearances and the Active Travel team exploration of any public right of way paths suitable for their designated walking routes be noted.

2.2 That the Committee identify any areas for further scrutiny.

3.0 Reason 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 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 would involve other public rights of way falling into disrepair and becoming unusable to the public.

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 and key 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. The maps can be found on the Blackpool Council website using the following link.

<https://www.blackpool.gov.uk/Residents/Parking-roads-and-transport/Roadworks-and-road-maintenance/Public-rights-of-way.aspx>

Classification of Public Rights of Way

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

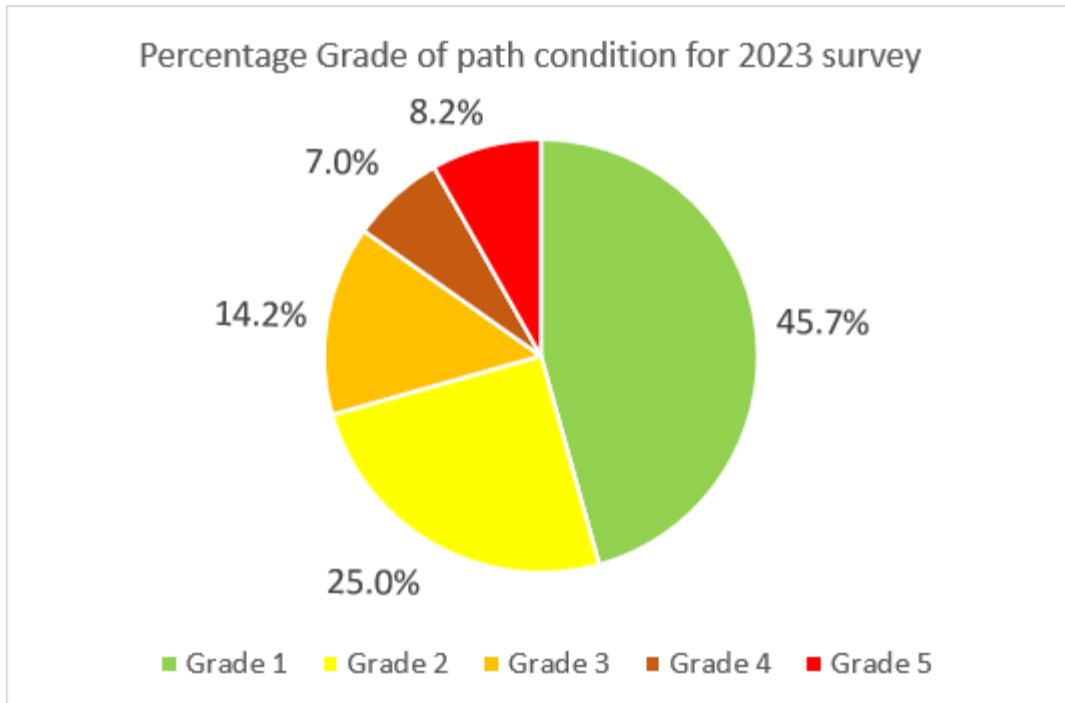
Bridleways: Routes for pedestrians, cyclists, and horse riders, often marked with blue signs.

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

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

6.2 Condition of prowl paths from 2023 survey

The majority of prowl paths are in good or fair condition with most being passable and less than 9% requiring any action.



6.3 Public right of way notable clearances

- Footpath 11 – Preston New Road to Staining. Vegetation blockage between Preston New Road and Martron Mere Resort along definitive path Length 21m. Work was undertaken by Enveco and cleared.
- Footpath 18 – Junction Path 17 to East Park Drive. Route through Stanley Park Golf course blocked by vegetation. Passed to Work was undertaken by Enveco and cleared.
- Footpath 41 – Kitty Lane to Worthington Road Route blocked by vegetation north section Length 67M. Work was undertaken by Enveco and cleared.
- Footpath 49 – Midgeland Road to Newhall Avenue. Route blocked by fly tipping length 10m. Work was undertaken by Enveco and cleared.
- Footpath 50 Newhall Avenue to Jubilee Lane. This Path was reported by Marton Moss Forum later in the year, the path was revisited and problems identified. Work was undertaken by Enveco and cleared.
- Footpath 53 – Division Lane opposite Werneth House to Division Lane opposite Crowders Nurseries. 80m East Werneth House Vegetation overgrown. Length 70m. Work was undertaken by Enveco and cleared.

6.4 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 reopened when the

Highways department request it but is generally closed off again between inspections. Initial enforcement letter has been sent to the property.

- Footpath 7 – Whalley Lane to Chapel Road. This path may require a build out into the watercourse. Clearance from the Chapel Road end of the path under Council responsibility will commence before the end of March 2024. There are multiple owners of the land the path runs through and it has been difficult to ascertain ownership of the private sections. Once confirmed, initial enforcement letters will be sent to the land owners.
- Footpath 49 – Midgeland Road to New Hall Avenue. Path was clear, though there is an issue around the nursery shutting their front gate after it closes for the day meaning the path is effectively closed off at Midgeland Road when the nursery finishes for the day. An initial letter reminding the nursery that the path must be passable at all times has been sent.

6.5 Enforcement of PROWs

Enforcement of the Highways Act 1980 can take time. However, 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.

6.6 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	£9,750.00

The estimated total spend by March 2024 is £54,949.99.

The Highways department 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.

An agreement has been made with parks and green open spaces to assist with the up keep and maintenance regarding the public rights of way around Marton Mere and report any ongoing issues. Volunteers from the local community, who have a shared

interest in the preservation of the paths help to maintain these areas, allowing access for local residents to green corridors and natural areas. In addition, the windmill group which is monitored by parks help further to maintain these paths, which are part of the Prince's Trust providing young adults with new skills in environmental management. If specialised tree remedial works are required, then Enveco can assist to ensure works are carried out in a safe and beneficial manner.

6.7 Details of challenges that exist

Ongoing funding – with the extensive works undertaken over the last 4 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 department to keep the Council owned prowl paths clear. Marton Mere volunteers are able to assist on the number of prowl paths in that location.

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

6.8 Work Completed

PROW asset surveys took place last year and are scheduled again for summer 2024.

Approximately 24 clearances have been completed this financial year so far and many are now on routine annual maintenance due to the partnership between the Highways department and Enveco.

6.9 Current budget and possible funding opportunities

Highways will once again commit some annual funding going forward for Grounds maintenance to assist with annual clearances and other prowl path related issues.

6.10 **Other Opportunities**

Highways will work alongside the Parks and Green Open Spaces team to look at tree planting along the PROW to increase amenity, tree cover and diversity and biodiversity, providing further nesting sites for birds and bat roosts. Many PROW sit within streets or link streets together and therefore, tree planting programmes can be additionally utilised to increase street tree planting by collaborating with parks and green open spaces and Enveco.

Establishing effective communication channels and collaboration with landowners to

address issues, obtain necessary permissions, and maintain positive relationships. Timing of works. Due to wildlife activities in the spring and summer months, works are carried out in the autumn/winter to benefit the local wildlife and increase biodiversity for flowering plants to seed and germinate, increasing amenity along the PROW paths.

6.11 Active Travel walking routes and potential links Public Right of Way

The Active Travel team have 13 walking routes which they have set up for well-being walks, some from GP referrals. Some of the walks overlap a number of public right of way paths, including paths 22, 23, 24, 27 and 38 on the northern prowl paths and 11, 13, 16, 17, 36 45 on the central prowl paths..

Highways have asked the Active Travel team to initially review the two proposed prowl path walking routes on the southern prowl paths which are approximately a one hour walk, dependent on individual fitness. Not all of the prowl paths may be suitable for this type of walking route.

6.12 Does the information submitted include any exempt information? No

7.0 List of appendices

Appendix 8(a) – Map of all the prowl path location.

Appendix 8(b) – Close up of Northern prowl paths.

Appendix 8(c) – Close up of Central prowl paths.

Appendix 8(d) – Close up of Southern prowl paths.

Appendix 8(e) – Proposed PROW path walking routes

Appendix 8(f) to Appendix 8(q) – Existing Active Travel well-being walks from exercise referrals

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 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.

10.0 Risk management considerations

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

11.0 Equalities considerations and the impact of this decision for our children and young people

11.1 None.

12.0 Sustainability, climate change and environmental considerations

12.1 Consideration has been given to the installation of bird and bat boxes on certain routes.

13.0 Internal/external consultation undertaken

13.1 None.

14.0 Background papers

14.1 None.