

Rights of Way Maintenance Policy

Looking after the Network



Rights of Way Maintenance Policy

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Nothing in this Policy should limit or prevent the implementation of reasonable enforcement action or legal proceedings that the Council considers appropriate where a public right of way is wilfully obstructed.

Any deviation from this policy must be requested in writing and approved by the Assistant Director - Highways

Introduction

Public rights of way [PROW] form part of the highway network. Central Bedfordshire Council [CBC], as Highway Authority, has a statutory responsibility to assert and protect the rights of the public to use the highway network, of which public paths are an important part. Working closely with partners and landowners, the Council seeks to ensure that they are open and available for use at all times.

The Maintenance Policy for public rights of way will ensure that all CBC Officers involved in the management of the network adopt a consistent approach. On a practical level the policy specifies how the network is to be maintained in order to ensure that PROWs are accessible to everyone in the community.

Definitions:

Legal Status

Footpath (FP)

A public right of way on foot only (with/without a dog or pushchair. There is no right to push or ride a bicycle conferred by being a Public Footpath but unless there is a prohibition order, it is not illegal but only trespass against the owner of the land.

Bridleway (BW)

A public right of way on foot, horseback, bicycle or leading a horse

Byways Open to All Traffic (BOAT)

A public right of way on foot, horseback, bicycle or leading a horse, or in any road legal vehicle driven by a legally entitled driver

Restricted Byway (RB)

A public right of way on foot, horseback, bicycle or leading a horse or in a vehicle other than mechanically propelled vehicles [e.g. horse drawn vehicles], except in certain circumstances

Structures

Rights of Way structures include any bridges, subways, culverts, pipes, tunnels, manholes, chambers, walls, reinforced soil embankments, that are built in, over, under or adjacent to any part of ROW Network and which materially affect the support of that highway and/or the safety of the travelling public.

Furniture

Gates of all types, stiles, bollards, staggered barriers, steps, ramps and benches.

The purposes of this Policy

1. To prioritise Rights of Way revenue budgets for routine and large-programme maintenance of the Network.
2. To prescribe the standards and specifications used by CBC in maintaining the Network.
3. To prescribe the processes used by CBC in tasks as surveying, record keeping and maintenance.
4. To explain the framework of duties and powers by which CBC exercises its responsibility for maintaining and improving the Network.

The current recorded Network within Central Bedfordshire consists of around 1350 kilometres of PROW, comprising nearly 1000 kilometres of footpaths, over 330 kilometres of bridleways, 25 kilometres of byways and other routes that have public access rights through a formal permissive agreement. This Network is additional to the 1472 km of roads within Central Bedfordshire also maintained as public highway.

Central Bedfordshire Council, as the Highway Authority, is responsible for Public Rights of Way (“PROWs”). These duties are enshrined in legislation and case law. The key act is the Highways Act (1980) and in particular the duty under Section 130 to “assert and protect the rights of the public to the use and enjoyment of any highway for which they are the highway authority” and, under Section 41, “to maintain publically maintainable ROW”.

While the majority of PROWs are maintained at public expense, there are a small number of cases where private duties to maintain may arise. However, once a route is shown to be public highway the onus then lies with the highway authority to maintain it or to prove that it is not publically maintainable (see Appendix 4 for complete list of relevant legislation).

The condition of PROWs can contribute to key objectives of the Council as follows:

Objectives	Contributing factor
Safety	Nature, extent and location of surface defects
	Nature and extent of defects to furniture and structures
Serviceability and sustainability	Nature and extent of defects
	Extent of vegetation encroachment and surface growth
	The surface type
	The quality of the surface

Link to other strategies and policies

This policy needs to be read in conjunction with the Highways Network Management Plan (HNMP) the Outdoor Access Improvement Plan (OAIP) and ROW Team policies on

- Enforcement
- Least Restrictive Access
- Invasive Species
- Trees and Woodland

Division of Responsibilities

The land on which a PROW is situated is not usually owned by the Council. The sub-soil is owned by the landowner while the highway, which is situated on the surface, is managed by the Council as the Highway Authority. Both the Council and the landowner have maintenance responsibilities. It is the duty of the Council to ensure that landowners fulfil their respective responsibilities and has the power to enforce this

The Council's maintenance responsibilities are to:

- making sure that PROWs are free from obstructions
- clearance of natural vegetation growing from the surface of the route
- ensure that the surface is level and safe to use having regard to the rural nature of many paths
- signposting rights of way where they leave a road and waymarking the route off-road where considered appropriate
- maintain bridges/culverts over natural watercourses
- contribute to the maintenance of accommodation bridges/culverts when crossed by a right of way
- provide at least 25% contribution towards costs incurred by a landowner in maintaining stiles and gates on PROWs
- the maintenance of a small proportion of the gates on the network. These being those erected under HA 1980 s66 or 147 or where an agreement has been signed by CBC to maintain
- maintain barriers and other structures installed by the CBC on the highway for the purpose of ensuring safe passage
- ensure that crossfield paths subject to ploughing and cropping operations are usable by the legal users and have powers to instigate remedies
- to keep a list of publically maintainable highways available for public inspection (HA 1980 s36). For PROW this means a list of those PROWs which are publicly maintainable and is a record of our authority's maintenance liability. It differs from those PROWs on the Definitive Map which records the public rights across Central Bedfordshire irrespective of maintenance liability.
- keeping the publically maintainable PROWs clear of litter and refuse(undertaken by Waste Services within CBC).

Landowner/ Occupier main responsibilities are to:

- obtain consent from this Council before erecting any form of access control such as stiles, gates or other forms of boundary crossings under s.147 of the Highways Act 1980
- maintain stiles, gates and other forms of boundary crossings and keep paths clear of obstructions such as padlocked gates and fences and from hazards such as dangerous animals
- cut back hedges or overhanging vegetation encroaching onto a path from their land
- ensure suitable crossings are provided over any new man-made water courses and drainage channels
- jointly maintain accommodation bridges/culverts over which a PROW crosses
- remove any signs or other obstructions that may deter people from using a path
- reinstate to the correct width all cross field footpaths/bridleways within 14 days of ploughing / planting as required by s.143 of the Highways Act 1980.

Management and prioritisation of our work

Maintenance works take the form of

- Reactive, where a repair is in response to a report of a hazardous defects
- Routine, where a repair is in response to a parish survey or a bridge inspection
- Programmed, such as the ongoing sign replacement programme

Policy Statement 1

Parish Councils shall be contacted annually with a report of works to be undertaken within their parish and invited to forward a report on any issues or defects they wish to see included.

The ROW Team shall encourage the public to report issues and defects through Central Bedfordshire Council web and social media pages.

Policy Statement 2

The ROW Team shall prioritise its maintenance budget as follows:

- 1. To address public safety issues, e.g. where maintenance is needed to address a reported hazard**
- 2. To address issues affecting passage along a path (Not safety related)**
- 3. To address issues raised in parish or green infrastructure improvement plans or within the urban fringe**
- 4. To help deliver a wider scheme of improvements as defined in the ROW improvement plan.**
- 5. Where a request is received for an upgrade, other than reported accident or near miss**
- 6. To address other reported issues such as broken gate latch**

Safety inspections

There is not the revenue budget to carry out an annual programme of safety inspections of the authority wide PROW network.

Policy Statement 3

Central Bedfordshire Council shall, conduct professional inspections of all key structures on the PROW network over a rolling four-yearly cycle and shall operate a risk assessment process to determine those structures that qualify for this inspection.

For all other structures and the remaining elements including furniture we shall operate volunteer-led surveys [by P3 groups where these exist] organised on a parish by parish basis to ensure the PROW Network is safety inspected in its entirety via a rolling programme. The results of all safety inspections shall be recorded and made available for inspection.

Management of Defects

Policy Statement 4

Where a defect to a PROW represents an immediate or imminent hazard it shall be rectified as follows:

Appropriate measures shall be put into place either immediately, or at a minimum within 24 hours, to protect users from the hazard.

The ROW Team Paths may only be only closed by an “emergency” closure (Road Traffic Regulation Act 1984 s14 (2)) for the protection of public from danger for 21 days and otherwise for works to occur for 5 days. Where the work is likely to take longer than this the standard process for closing a PROW shall occur and where the maximum length of closure is 6 months.

The process for inviting quotes to undertake minor works, such as repairs to or replacement of small bridges and for rectifying minor surfacing defects is 3 weeks. Subject to the limitations of weather and ground conditions, the normal maximum time for the correction of defects (£2,000-£20,000) is 12 weeks from the first notification of the defect, with associated temporary closure if required. For the largest defects, where the expected cost to rectify is greater than £20,000, the maximum time for corrective action can be extended up to 6 months, again with associated temporary closure. The exception being that vegetation clearance may be limited by the nationally recognised nesting bird season from the 1st March to the 31st August.

Vegetation Clearance

The Council has a duty under Section 41 of Highways Act 1980 to ‘put the highway in such state of repair as to be reasonably passable for the ordinary traffic of the neighbourhood at all seasons of the year’. The clearance of vegetation is regularly the largest maintenance cost for the Public Rights of Way network.

Routine / Programmed Vegetation Clearance

A Seasonal Vegetation Clearance (SVC) programme is in place. Currently due to budget constraints this contract covers the established priority proportion of 300 kilometres or approximately 25% of the total PROW network. The SVC programme is divided into CBC Main Contractor and bespoke lots as well as Landowner SVC. In addition, CBC responds to requests for clearance and specifies additional works as part of safety inspections.

Policy Statement 5

The Council shall:

Identify paths through consultation with Parish Councils requiring surface vegetation clearance

ensure scheduled clearance works are appropriate for the level of annual growth

The present SVC contract specifies 2 cuts per year on selected paths, with an option on a third cut if budgets allow. The first cut starts mid May and finishes at the end of

June. The second cut starts early September and finishes mid October. There are three other elements of the SVC contract;

- a contract to cut and/or spray smaller urban aggregate surfaced paths and the edges of surfaced (e.g. asphalt) paths
- Special works contracts for Totternhoe, Eaton Bray and for Sustrans Route 51 in Cranfield
- Landowner SVC

Requests to include a new path within the SVC programme are subject to the approval of Area Officers and can be reassessed on contract renewal. In addition, the council has the facility to offer a landowner a fixed priced contract to undertake at least one cut following harvest. It is acknowledged that many landowners cut several times while only being paid for a single cut. The Council relies on and is grateful for this generosity.

Policy Statement 6

The Council shall, where the ownership of an adjacent hedge cannot be identified, take steps to clear side encroachment over the PROW

Although the trimming of hedges and overgrowth is not the responsibility of CBC, Area Officers shall have discretion to include this task in the SVC contract to ensure access is maintained throughout the year. Such work shall only occur during the second SVC cut to avoid work to hedges during the bird nesting season of 1st March to the 31st August.

Trees that are rooted in PROW are managed according to the Service Tree and Woodland Policy.

Reactive Vegetation Clearance

Where surface vegetation growth is such that a path becomes impassable then this will be recorded as a defect and prioritised accordingly. Obstructions caused by fallen trees that are rooted in the ROW shall be cleared within one week

Signage

The specification of signs and waymarks is described in the appendices. This policy refers to the programmed replacement of sign and waymark posts.

Signposts

Signposting of paths help promote the PROW network and guides the public using the paths. Signposts are installed where a PROW meets the metalled carriageway.

The Council may opt not to install or replace a damaged sign and shall record the reasons why, for example in urban situations with agreement of the town/parish council.

Arms may have specific destination and/or distance information, the wording of which to be agreed with local Councils and P3 groups. The distance information will always be shown in Imperial units of measure (following the Traffic Signs manual Chapter 7), and may additionally show in metric units, according to the latest guidance from the Department of Transport.

Policy Statement 7

The Council shall maintain a signpost where a PROW leaves a metalled road, unless with the relevant local Council.

Policy Statement 8

The Council shall recover any redundant aluminium signs for reuse, reconditioning or recycling and shall re-use sign in preference to buying new signs wherever feasible.

Cross Authority Routes, CBC Promoted Routes and Circular Walks

The Council promotes the following long distance walking routes which cross Central Bedfordshire and its neighbouring authorities and is responsible for maintaining the bespoke signage within its authoritative area:

- Icknield Way
- Icknield Way Trail
- Greensand Ridge Walk

The Council also promotes 12 circular routes that are marked with CR discs alongside the waymark discs. Each route has an accompanying map which is available on line.

Other Routes not maintained or promoted by Central Bedfordshire Council.

- The Bunyan Trail running from Upper Sundon to Elstow and developed by the Long Distance Walkers Association.
- The Kingfisher Way, developed by the Ivel and Ouse Countryside Project (now the BRCC).
- The Hicca Way, developed by ACORN volunteers in Arlesey
- The (Bedfordshire) Timberland Trail, one of many such Timberland Trails developed in each of the National Forests from funding raised by the Forest of Marston Vale.

Routes that cross authority boundaries have consistent signs across each host authority. For routes that are not promoted by CBC the responsibility for waymarking and for producing leaflets and maps remains vested with the group or organisation that funded or developed them. Where such routes utilise Public Rights of Way then CBC will continue to maintain the paths as with any Right of Way.

Policy Statement 9

Waymarking of any new promoted routes shall require CBC consents, not to be unreasonably withheld.

Policy Statement 10

CBC shall work with the other authorities to ensure routes crossing authority boundaries are aligned and have an appropriate legal status so that only one sign is required at each location.

Waymarks

Waymark posts aid users navigate PROW for example from one side of a large field to the other.

The location of waymark posts was initially chosen on the assumption that users carry a 1:25,000 scale Ordnance Survey Map, with posts providing an aid rather than a replacement to map-based navigation. However, posts have proved very popular with users and most landowners and consequently the Council has increased the number of posts with a yellow banded top so that it becomes possible to navigate the Network without a map.

Note: Within Central Bedfordshire waymark posts are typically stand 1.5m out the ground, are timber and feature a waymark disk and yellow banded top. There are some 0.6m high “*stumpy*” posts along the Network and several tall waymark posts in locations where the topography means that a shorter post would not be visible.

Landowner consent

Locations for waymark posts are determined following surveys work and at the request of users or landowners who notice users deviating from the ROW legal line.

Policy Statement 11

The Council shall install waymarking wherever it is difficult for users to determine where the right of way goes, for example where alternative tracks exist.

Posts shall also be installed at both ends of cross field paths to aid farmers when reinstating. Waymark posts will not be located at points along paths when there is no other choice of direction to make. When creating a new PROW CBC shall install discs with the words ‘NEW ROUTE’ in the centre of the arrow and mapboards shall also be erected. The words ‘NEW ROUTE’ shall be removed on re-publication of the relevant Ordnance Survey map or consolidation of the Definitive Map.

Policy Statement 12

The Council shall only waymark permissive paths established through a legal agreement.

Where a used route anomaly exists the Council shall consider negotiating a permissive path agreement and, once in place, install permissive waymarks until the anomaly can be resolved.

Public Notices

CBC shall erect notices to promote appropriate use of PROW, examples of which include “No parking”, “no motorcycles”, “no littering and “please clean up after your dog”. The Council may also invite landowners to erect notices, and fund their provision, examples of which include; “Even your dog can scare or harm farm animals” or “Please put it on a lead near livestock”.

Furniture (Gates stiles and bollards)

Introduction

Furniture includes the provision and maintenance of covers, gates, stiles, bollards, barriers, benches, interpretation panels, litter and dog waste bins. Not all items of furniture are the property or responsibility of CBC.

The Council’s policy and practice on gates and stiles is set out in the document “Countryside Access Team, Structures Policy: Achieving least restrictive access on Bedfordshire’s Rights of Way.”

When considering the installation or replacement of a barrier the Council will seek to provide a gap that is least restrictive whilst providing best value. The British Standard 5709 details a hierarchy of: gap, staggered barrier, gate, kissing gate. Where an existing stile cannot be upgraded to allow access then it should be replaced with a barrier that complies with this British Standard. The specification for gates to be used is in the appendices.

When installing new furniture on a PROW a landowner must obtain prior authorisation. An application form for requesting authorisation is included in the Service Structures Policy.

Policy Statement 13

The Council shall only permit the installation of new or replacement barriers that meet the requirements of the *Structures Policy: Achieving least restrictive access on Bedfordshire’s Rights of Way.*

Maintenance of existing furniture

Most gates and stiles are owned and installed by landowners to prevent the escape of livestock. The Council has no statutory duty to maintain them but to ensure that they are maintained by the landowner. It has an obligation to provide at least 25% of the cost of repair or replacement.

Upgrading from stiles to gates

The Countryside and Rights of Way Act 2000 and the Equality Act 2010 place a duty on Councils to consider the needs of persons with mobility problems. Under the Act a Council can pay or arrange for furniture where it provides an improvement for people with mobility problems.

Policy Statement 14

The Council shall encourage landowners and occupiers to replace stiles with gaps, staggered barriers or kissing gates and shall fund and arrange for the replacement without accepting liability for its future maintenance.

Policy Statement 15

The Authority shall not allow any gate to open onto the public highway, (s153 of the Highways Act 1980).

Metal kissing gates in particular require little or no maintenance and reduce the landowner or occupiers maintenance liability.

Policy Statement 16

The Council shall look to remove stiles that are in a poor state or repair, are unnecessary or that have been erected without the consent of the Authority and shall either leave a gap or install a gate with the latter becoming the possession and responsibility of the landowner.

All such works will be undertaken in a consultative manner as the Council's relationship with farmers, as partners in providing access to the countryside, is very important.

Policy Statement 17

When considering installing a new or replacement gate the Council shall consult with and consider a farmer's land management or agricultural needs together with the needs of the users. The Council shall offer a galvanised metal kissing gate as the default option but shall consider the provision of a similar sized latched timber kissing gate if requested by the landowner.

Furniture at the Boundaries with the Road Network

Where there are issues of unauthorised vehicular access onto a PROW then a structure can be justified under Section 66 of Highways Act 1980 i.e. protecting the users and preventing damage to the surface.

Benches

CBC irregularly has to consider requests for the installation of benches. Consideration would be given to space requirements as a PROW should not be obstructed. The maintenance responsibility for installed benches shall remain with the body that provided it.

Interpretation panels

Landowner consent for the installation of interpretation panels shall be required and a location selected that does not create an obstruction.

The future maintenance of the panel lies with the body that provided it.

Structures (Bridges, culverts, and supporting walls)

The Council operates a programme of bridge inspections and associated repair or replacement of structures. All the structures on or adjacent to the ROW network are given a classification (recorded on CAMS). Large or major structures are inspected by an engineer, all other structures are inspected by the ROW Officers or appropriately trained volunteers, see table classification of structures and body to undertake surveys in appendix 2 Working Practice. For the remaining structures there is a Structures Inspection form in Appendix 2.

Policy Statement 18

The large/major structures to be surveyed by an engineer shall be inspected every 4 years.

The Council maintains all bridges used only for public rights of way and that cross a natural feature. When major new structures are installed on the network the Council shall ensure the structure is appropriate for its location and purpose. Structures shall be selected so as not limit to constrain future access improvements to the adjacent network.

Where there are there are private vehicular rights over a public footpath or bridleway bridge the landowner may be responsible for certain maintenance and repairs and the Council may seek a contribution towards the cost of works. In cases where a bridge is washed away, or has to be demolished on safety grounds, the landowner will have the option of replacing it with a structure suitable. The Council shall thereafter be wholly responsible for maintaining the new structure.

Policy Statement 19

The Council shall not contribute towards the cost of maintaining structures that cross man-made obstacles such as trunk roads, railways and canals. These structures shall be maintained by the Highways England, Network Rail and the Canal and Rivers Trust. The Council shall retain the responsibility for maintaining the path surface over these structures.

All structures bearing PROW shall be included in the Council's programme of [safety] inspections. Should a defect on a structure which is not maintained by the Council be apparent during an inspection this will be notified to the owning authority, and if necessary the PROW closed

Structures within the road network highway boundary

Where a small bridge or culverted ditch exists at the point a PROW leaves highway metalled carriageway, the presumption shall be that the structure is maintained as part of the PROW network. Most ditches are provided for the purpose of draining the adjoining land, with the road highway boundary starting at the roadside bank of the ditch. Therefore the structure used to bridge that ditch is on the PROW and shall be maintained as part of its network.

Surface of the Highway

The authority has a duty to maintain and has the power to improve the surface of all highway paths sympathetic to their composition and character. Such paths have a

variety of surface treatments, including grass, aggregate, road arisings,, bitumen macadam and surface dressed.

CBC Maintenance and improvement of path surfaces

Surfaces can be repaired in a number of ways. For poorly drained or potholed natural surfaces the first priority is to increase the amount of light and wind getting to the location by clearing vegetation clearance. The second is to improve the drainage.

Grass surfaces may require levelling and/or reseeded and gradients and side slopes may need to be reduced. These approaches shall be considered before changing the type of surface as this will have long term maintenance cost implications. Typical specifications for the most common types of path surface are included in Appendix 1.

Works on or in the surface by others

Landowners, tenants, developers and statutory undertakers may wish change the surface of a path or to work through or below the surface to install, replace or repair their own plant.

Where works result in a permanent change to the surface of the path the undertaking authority shall be required to apply for a works licence using the “**Application to Alter the Surface of a Public Right of Way**” as in the appendices.

Where works involve the placing, replacing or maintenance of any apparatus under the Highway the undertaking authority must apply to Central Bedfordshire Council for a Street Works Licence.

Policy Statement 20

CBC shall improve the surface of all of its paths, prioritising those in the urban fringe, to increase accessibility for all in consultation with the local community (Town/Parish Councils, ward members, P3 groups), Where a path is presently earth or grassed it shall not be surfaced with tarmac or aggregate unless there is a demonstrable strategic need. Surfacing a section of a path in tarmac or aggregate shall be acceptable to address issues such as erosion or flooding.

Duty to maintain byways [BOATS]

Most byways within Central Bedfordshire were formally Roads Used as Public Paths [RUPPs] and as such are maintainable at public expense.

Policy Statement 21

The Council shall maintain byways to a standard suitable for the ‘ordinary traffic of the neighbourhood’.

In most circumstances this policy would mean pedestrian, cyclist or equestrian use. Where a byway is adjacent to properties then it may require a surface suitable for daily vehicular use.

The Authority shall consider making Traffic Regulation Orders [TROs] on routes receiving significant damage from vehicular use, whether lawful or unlawful, should appropriate management and voluntary restrictions prove ineffective.

Such restrictions shall be for the purpose of protecting the highway from damage and shall be minimal in terms of vehicle types excluded and period of time that will protect the byway from the previously suffered damage.

Rights of Way that have Private Rights

Many PROW run on routes such as drives and farm tracks that are subject to private rights. Where this occurs the Authority shall plan maintenance works in respect of the public status rather than to enable private vehicular access.

Policy Statement 22

Where a PROW is subject to private rights, the Authority shall only maintain the surface to a standard required for the exercise of the public rights.

Policy Statement 23

Where users exercising private rights cause sufficient damage to necessitate remedial maintenance, the Authority shall seek to reclaim its costs, from such private users, in order to ensure safe public use.

Other maintenance Issues

Requests for traffic calming measures, such as speed humps, speed and weight restrictions, shall be considered on a case by case basis.

Permissive cycling on footpaths

The use of a good proportion of its public footpath network by cyclists may be resolved by negotiating agreements with landowners, after consideration of the suitability of a path for a shared use and the appropriateness of the surface and structures.

Cycling on bridleways

Where a bridleway is more popular with cyclists than horse riders, or where there is a strategic case for resurfacing an existing bridleway, the authority may undertake improvement works whilst ensuring legal users are not disadvantaged as a result. This will be done in consultation with the British Horse Society, parish council and ward members.

Litter

The duty to clear land (including the highway) of litter and refuse falls under Section 89 of the Environment Protection Act 1990 and the Litter (Animal Droppings) Order 1991.

Major littering and fly tipping shall be dealt with by Waste Services Team who may decide at their discretion to install and service waste bins. Such bins shall be located at points within 30m of a vehicular access. The ROW Team shall facilitate requests by Parish Councils for litter bins where the Parish Council consents to fund their servicing costs.

Dogs

The Authority encourages responsible dog walking across the PROW network. The Authority has introduced and will enforce dog control orders to help improve local green spaces, including the public rights of way.

Boundaries adjacent to the highway

In the case of landowner disputes the Authority shall only become involved to protect The ROW Team public rights.

Policy Statement 24

The Authority shall only contribute to the provision or maintenance of fencing, hedging or ditches adjacent to PROW for the purposes of the Highway or as a compensatory measure tied to a public path order.

Cattle Grids

Only to be found on the ROW network in a handful of locations across the authority They are structures on the network for the purpose of retaining stock and are to be maintained by the farmer.

Policy Statement 25

The Authority shall object to the contraction of cattle grid construction on the line of footpaths and bridleways. The provision of a bypass gates on the legal line of a path would be permitted adjacent to a cattle grid constructed off-line.

Winter maintenance

The Authority shall, where resources allow, salt routes to school and urban paths that are PROW.

Users shall be encouraged to report any safety concerns via the Customer Helpdesk and these will be prioritised according to the Highway's Winter Operational Plan.

Enforcement processes, including ploughing and cropping

Maintenance is the upkeep of that which is legally part of the Highway. Enforcement is the requirement to remove that which is illegally on the highway and as such is outside of the maintenance process.

Policy Statement 26

The Council shall exercise its Enforcement Policy to ensure that all PROW affected by farming and other similar operations are reinstated within the legal timeframe. Where necessary the Authority shall initiate action and recover its reasonable costs from the landowner.

Maintenance data management

The Authority shall operate a database in order to organise and record its actions and asset management.

When a relevant complaint or request for service is received the details shall be inputted by the recording officer with reference to the path/link or the furniture or surface item as appropriate.

The Authority maintains up-to-date contact details for landowners, and tenants. Should it be necessary for a contractor to liaise directly with a landowner or tenant, then permission in writing (letter or email) shall be sought to do. Where contact

details are to be relayed to a contractor then this shall be done in writing with a subscript that states "These contact details are subject to the Data Protection Act. They are to be used only the purposes of the works on this worksheet and destroyed securely immediately afterwards".

Ease of Use standard

Although this is no longer a national indicator, the Council continues to use BVPI [Best Value Performance Indicator] 178 – Ease of Use, whereby a 5% sample snapshot of its public path network is assessed twice a year (May and November). The results shall be made publically available and used to measure performance year on year, to set future targets and to support bids for funding.

There are seven sub-elements to the BVPI survey relevant to maintenance:

- Signposting
- Waymarking
- Bridges
- Stiles, gates, etc.
- Obstructions
- Ploughing and cropping
- Surface condition

Results shall be considered by area rights of way officers with the expectation that issues that can be resolved within annual budgets are prioritised for that year or logged for completion in the following year.

Works

Health and Safety

The Construction, Design and Management Regulations (2015) oblige all parties involved to integrate health and safety into the management of construction projects. The regulations are applicable to **ALL** works carried out on PROW and place a duty on Authority staff (usually both as clients and designers) and contractors.

Where excavations other than waymarking away from the road network occur. CBC will undertake services checks and provide these to the contractor. For signposting in the Road network. Services checks and

Works by others on Rights of Way

All statutory undertakers with reason to disturb the surface of a PROW for the installation or maintenance of its apparatus must obtain consent in writing from the Council. Anyone other than a Statutory Undertakers wishing to install or maintain apparatus in a PROW must apply for a Street Works Licence as detailed above.

Any landowner wishing to change the surface of a PROW must complete the Application to Alter the Surface of a Public Right of Way Work Form (see appendices) and return it to the relevant area rights of way officer. All such works including the surface type shall be recorded on the database.