

# The Lee Parish Council

## Monitoring and Reporting of Rights of Way Inspections and Defects

History:

Date	Version	Updated By	Status	Comment
Sep 2019	1	Cllr R Chinnery	Adopted	
June 2021	2.1	Cllr R Chinnery	Draft	Minor changes
June 2021	2.2	Cllr R Chinnery	Draft	Following initial review
July 2021	2.3	Cllr R Fowler	Adopted	Approved for adoption 22/7/21

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### Introduction

This document provides guidance on the TLPC requirement that footpaths, bridleways and by ways within the Parish are inspected and any defects are reported and corrected.

The Council has appointed a Lead Councillor to be responsible for overseeing the above requirement and individual councillors are allocated an area of footpaths for them to monitor and report on. Other parishioners can be co-opted by councillors to carry out monitoring as appropriate. The Lead Councillor will provide support and advice as necessary and report defect status at PC meetings.

Maps identifying footpaths and furniture including stiles, gates, way mark posts and finger posts are provided by Buckinghamshire Council Rights of Way team (BC ROW) via the Lead Councillor. (The details on the maps provided may have been changed from the maps issued.)

The BC ROW web site provides an interactive map showing ROW path references, path furniture details and any reported issues together with the ability to identify the OS grid reference.

### Process

An initial survey has established the general condition of the allocated footpaths together with the presence of the map indicated stiles, gates, way mark posts finger posts (found where footpaths leave a road or by way) and of other waymarking such as discs or painted arrows that may be fixed to stiles, fences etc or painted on trees. (Discs not on waymark posts are not shown on the ROW map) Any changes to furniture (e.g. stile to gate, stile to gap etc) will need to be reported to the Lead Councillor who will advise the BC ROW as appropriate. A report on differences between the ROW map and that found on the ground has been sent to the ROW team such that the ROW map can be updated.

Where surface, side or overgrowth of vegetation or trees is significant enough to prevent ease of use this should be reported. If in doubt seek advice from the Lead Councillor.

When defects to furniture are identified it is necessary to assess whether they require early correction or just monitoring. Any changes to furniture are noted e.g. removal or bypassing, these should be reported to the Lead Councillor for action with the BC ROW.

Defects are reported as indicated below.

### Responsibility for maintaining and repair or replacement

The responsibility for condition of furniture is not always straightforward.

Finger post, way mark posts and general way marking by discs and painted arrows are the responsibility of BC ROW.

The surface of the footpath is likely to be a BC ROW responsibility, however the landowner/user may also have a responsibility e.g. cutting paths through crops etc. or under arrangements with BC ROW.

Side growth and overhead growth is generally deemed to be landowner responsibility.

There are four identified locations in the parish where BC has a specific responsibility for grass cutting.

Stiles are generally the responsibility of the landowner as approved by BC ROW. Many stiles have been and are continuing to be replaced with gates, often under the 'donate a gate scheme' run by BC ROW which is ongoing. Repairs to stiles and gates are generally repaired by the BC ROW contractors.

### Furniture defects

#### *Stiles*

Stile defects fall into two areas: the steps and the fence the path is crossing

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Steps should be easy to scale. The standard is 12" from ground to first and if present second step then 18" maximum to the top of the fence. These dimensions are often different, and a judgement needs to be made on reasonable access. If stiles seem extremely high requiring more than two steps careful consideration of safety should be given.

The steps consist of foot plates and stobs (posts). Defects are commonly rotting stobs and loose plates. Stobs and fences may be found to be unstable and are often slightly wobbly in very dry weather.

Common faults with the fences are instability, lack of a suitable hand post or top rail not easy to scale.

### *Gates*

Defects on metal gates are unlikely but a check should be made that they operate correctly and self-close if so designed.

Newer timber gates are similar however a check should be kept on the posts for rotting and the gate for damage or adjusting.

Old gates or posts may need replacing if they become difficult to use or deteriorate.

### *Way Marking*

Way mark posts are often broken by farm equipment or need to be replaced because of rotting. A check on way mark disc condition, visibility, accuracy and completeness is needed.

Finger posts also need checking. They are often lost buried in hedges and the finger plates may have been moved or damaged.

Painted arrows on trees are often used in woodland.

General waymarking by discs on gates and stiles and painted arrows on trees should be considered as to whether it is adequate and clear and if any modification, renewal or additions should be recommended. The National Trails that pass through the parish (Ridgeway Path, Chiltern Link and Chiltern Way) are identified on finger posts and discs on waymark posts and gates and stiles etc. Any diversions to footpaths are agreed by BC ROW. (e.g. for HS2 access.)

### *Clearance*

In addition to the need for footpaths to be reasonably clear of side and base vegetation and fallen trees or branches, way marking, stiles and gates need to be clear of vegetation such that access is not impeded or signing obscured.

### *Obstruction*

ROWs may be found blocked by locked gates, fallen trees or branches, electric fences, or extreme vegetation growth. These should be reported as soon as possible.

If loose or inappropriate barbed wire is likely to cause accidents this should be reported, particularly on narrow fenced paths or around gates and stiles.

Stiles and gates are installed on footpaths as approved by BC ROW to facilitate access at fence lines for walkers and, on bridleways, walkers, horses and bicyclists. There is no requirement for dog access provision.

## Reporting

A record of defect reporting and remedial action is maintained by the Lead Councillor who will also provide advice on reporting.

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The allocated Councillor for an area is responsible for reporting defects or issues and will report the defect to BC ROW website using their Parish Council email address having, if appropriate, sought advice from the Lead Councillor and should forward the ROW response notification reference, report date, defect details, footpath and furniture reference and subsequent BC ROW updates to the Lead Councillor. Where defects are identified by a co-opted parishioner the allocated councillor remains responsible for reporting. If any councillor is aware of or told of a defect in another councillor's area, they should pass the details to the relevant councillor for action.

The Parish Council is sensitive to the responsibility of and relations with landowners on footpaths, in particular in respect of fallen trees, excessive overgrowth, other obstructions, access through crops and damaged furniture etc. It may be appropriate only after the approval of the Lead Councillor and/or Chair for the landowner to be contacted prior to reporting which may result in speedy correction and negate the need to report the defect to BC ROW. The defect and remedial action should still be recorded to the Lead Councillor. If the landowner is not receptive to dealing with the issue it should be reported as a defect to the BC ROW website.

### Following up reported defects

Councillors should follow up reported defects using the BC ROW reporting and monitoring system.

The process has a menu item 'My reported issues' that once logged in allows the user select a schedule of defects they have reported together with their status.

In addition, by selecting 'Track an Issue' the map shows yellow triangles with an exclamation mark. Clicking on this brings up a data field giving description and status of the defect.

The 9 figure defect notification can be entered in the BC ROW issue tracking system to obtain the status of the issue.

Councillors should notify the Lead Councillor when the defect is cleared.