

SURREY COUNTY COUNCIL

LOCAL COMMITTEE (TANDRIDGE)

DATE: 11 December 2015

SUBJECT: Public Question

DIVISION: Lingfield



On behalf of The Ramblers, Tony Pearson Local footpath Secretary asks:

Over 6 years ago I was contacted by a local resident who was concerned about the state of public footpaths in the Newchapel area. I met him for a site visit and it was clear that signs were missing and some paths had been obstructed, preventing onward travel. These defects were reported to the then Rights of Way Officer in November 2009 and I have regularly chased her successors but, to date, no effective action appears to have been taken to ensure that these rights of way can be used by the public without hindrance.

The footpaths are FP 354 and FP 356 Horne between West Park Road and East Park Lane. Some 15 defects have been reported to the Council, the most significant being:

FP 354 – grid reference TQ 3546 4214, where paddock fencing has been erected, presumably by the owners of Crofters, East Park Lane. There are no footpath signs and whilst it might be possible to climb over the fence, most members of the public faced with this situation, will assume that they are entering private property and that there is no onward footpath.

FP 356 – grid reference TQ 3549 4186, at Quarry Farm Riding School, where electric horse tapes force the public to go along right hand side of hedge (definitive route goes across where a horse riding training area has been created), which later becomes overgrown preventing continuation of unofficial route.

The Council uses a grading system to prioritise reported defects. Given that both the above problems prevent use of the definitive route without a suitable alternative, the defects ought to have been allocated as Priority 2 issues. I e-mailed County Councillor Sydney twice a few months ago with my concerns but he has not had the courtesy to respond.

The Council has a statutory duty under Section 130 of the Highways Act 1980 to:

- a) protect and assert the rights of the public to the use and enjoyment of highways.
- b) prevent as far as possible the stopping-up or obstruction of those highways.

As a local volunteer for The Ramblers I am very well aware that the Council has severe budget limitations at present. We are doing what we can to assist the Council in maintaining the rights of way network, contributing over 2,000 volunteer hours each year throughout Surrey. But inaction by the Council over a 6 year period is incomprehensible.

My questions to the Committee are therefore:

- i). Why has action not been taken to deal with the illegal obstructions?
- ii). What is the Council's policy where public footpaths have been blocked by landowners?
- iii). When will these public footpaths be open for their full length?

Response:

The Countryside Access Team share the frustrations of the Ramblers and thank them for bringing this issue to our attention as unfortunately this area is not well used and apart from the Ramblers we had not received any other reports of these paths being obstructed.

i) The public footpaths were inspected in January 2015. There are a number of registered owners of the land concerned. Letters were sent in February 2015 requesting that they remove the fence obstructions. Subsequent investigations found that when the original parcel of land was divided into plots there was a complex arrangement re the maintenance responsibility of the individual fence lines. This was further complicated by the main property being put up for sale (the presence of the public footpaths were reflected in the sales particulars) and the retirement of the Countryside Access Officer for Tandridge & Reigate & Banstead at the end of March 2015 and the post then being vacant until the end of July 2015.

ii) Each Countryside Access Officer is responsible for approximately 850 kms of public rights of way and to help manage workload we follow a priority statement. Completely obstructed public rights of way can either be a priority 2 or 3 depending on the availability and length of an alternative route, safety of that route and type and frequency of use i.e. route to school or less used recreation route. The priority statement can be found on the Surrey County Council website at <http://www.surreycc.gov.uk/environment-housing-and-planning/countryside/footpaths-byways-and-bridleways/contact-us-about-rights-of-way>

We are unable to say how long it will be before each priority is progressed due to the volume of reports and the numbers in each of the preceding categories.

iii) The new Countryside Access Officer for the area has inspected public footpaths 354 and 356 Horne to familiarise herself with the issues. The area officer presently has 634 issues in the areas of Tandridge and Reigate & Banstead. 2 no. Priority 1 issues, 89 no. Priority 2 issues and 328 no. Priority 3 issues with the remaining being Priority 4s and 5s. We will begin again to seek to reopen these public footpaths once the sale of the property has been completed and other issues within Priority 2 deemed more urgent have been resolved. It is hoped that they will again be open within the next six months, which will allow for any enforcement action if necessary.

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