

**Herefordshire Local Access Forum  
Public Rights of Way Report – 14 November 2018**

Public Path Orders

**Highways Act diversions:**

	May – October 18
New enquiries registered	4
New full applications	8
Determinations (including rejected applications) & withdrawn / closed applications	7
Orders made	8
Orders confirmed (not confirmed):	6
Total HA files currently open as of 31/10/2018	24

**Town & Country Planning Act diversions:**

	May – October 18
New enquiries (not yet registered as full applications)	2
New full applications	2
Determinations (including rejected applications)	2
Orders made	1
Orders confirmed (including not confirmed):	2
Total TCPA files currently open as of 31/10/2018	3

Closures

**Temporary closures**

	May – October 18
Total new closures processed	11
Extensions to 6-month Orders processed	15
Paths currently closed as of 31/10/2018 (incl. Emergency closures)	27
Footpaths closed due to bridge defects as of 31/10/2018	12
Footpaths closed for more than 2.5 years	5

Modification Orders

		May – October 18
1	No. of DMMO applications undetermined at 31/10/2018	90
2	No. of New DMMO Applications received in 6 month period ending 31/10/2018	2
3	No. of DMMO Applications determined in 6 month period ending 30/04/2018 – application rejected – application accepted	2 – Accept
4	No. of DMMO Applications determined and awaiting order making at 31/10/2018	3
5	No. of DMMOs made in 6 month period ending 31/10/2018	1
6	No. of DMMOs made but not yet confirmed at 31/10/2018	4
7	No. of DMMOs confirmed in 6 month period ending 31/10/2018	4

Note: M259 removed not compliant to Sch 14.  
M315 Cradley HW1980 LoS Application not included in figures.

Inspection and Maintenance

Total number of defects reported this financial year	733
Total number of defects cleared this financial year	766
Total number of outstanding defects at 31/10/2018	357

## Enforcement

This part of the report summarises enforcement activity May 2018 to October 2018 inclusive by incident type and enforcement action.

### **Obstructions & Nuisances**

	May	Jun	Jul	Aug	Sep	Oct	Total
<b>Inspections/Enquiries</b>							
S 131 Highways Act 1980 – removal of waymarker posts	-	-	-	-	-	-	-
S 131A Highways Act – disturbance of surface	-	-	-	-	-	1	1
S 134 Highways Act - ploughing	-	2	1	-	-	1	4
S 137 Highways Act – wilful obstruction	26	24	23	21	18	15	127
S 137A Highways Act – interference by crops	-	5	16	6	4	2	33
S 146 Highways Act – duty to maintain stiles, etc.	4	8	4	-	2	20	38
S 149 Highways Act – barbed wire on structure	-	-	-	-	-	-	-
S 150 Highways Act – fallen tree	-	-	-	-	-	-	-
S 154 Highways Act – overhanging vegetation	2	3	3	3	-	2	13
S 165 Highways Act – dangerous works next to highway	-	-	-	1	-	-	1
S 57 National Parks & Countryside Act 1949 – misleading signs	1	1	-	-	-	2	4
S 27 Countryside Act 1968 – duty to signpost	-	-	1	-	2	-	3
S 2 Animals Act 1971	-	-	1	-	-	-	1
<b>Total</b>	<b>33</b>	<b>43</b>	<b>49</b>	<b>31</b>	<b>26</b>	<b>43</b>	<b>225</b>

These inspections/enquiries resulted in the following enforcement 'actions' being taken to resolve the matter reported.

	May	Jun	Jul	Aug	Sep	Oct	Total
<b>Enforcement 'actions'</b>							
Verbal advice	4	5	6	-	5	7	27
Written advice	2	1	-	-	-	2	5
Works passed to landowner with advice regarding responsibility under S 146	7	3	3	-	-	11	24
First stage enforcement letter (pre statutory notice/consideration of prosecution stage)	5	15	17	2	5	3	47
Remedial action using common law power	-	-	1	2	1	1	5
Long term obstructions	-	-	-	1	-	2	3
Jobs raised	2	2	-	4	2	2	12
<b>Total</b>	<b>20</b>	<b>26</b>	<b>27</b>	<b>9</b>	<b>13</b>	<b>28</b>	<b>123</b>

### **Notices served on Herefordshire Council - Section 56 & 130 Highways Act 1980**

There were two Section 56 notices served in this period.

Public Rights of Way Capital Schemes

**2018-2019 Programme**

Parish	PROW	Path Status	Path Category	Project	Current Status
Bosbury	BZ25	FP	3	Bridge Replacement	Completed
Kingsland	KL26	FP	3	Bridge replacement	Completed
Tedstone Delamere	TD6	FP	3	Bridge Replacement	Completed
Winslow / Norton	WN10 / NT11	BW	2	Bridge Refurbishment	Completed
Offa's Dyke National Trail			1	Contribution to 2018/19 improvements	In hand