

CHESHIRE EAST COUNCIL

RIGHTS OF WAY COMMITTEE

Date of meeting: 1 June 2009
Report of: Genni Butler, Countryside Access Development Officer (Acting)
Title: Proposal for Permissive Paths for Horse Riders in the Parish of Peckforton

1.0 Purpose of Report

- 1.1 A landowner has agreed to grant permissive paths for horse riders on condition that liability for the surface of the routes and liability for personal injury of users is assumed by the Council. It is for this reason alone that the matter is being presented to the Rights of Way Committee; permissive path matters are not usually brought to the Committee for consideration.

2.0 Recommendations

- 2.1 That approval be given for the Council to enter into a permissive path agreement with the landowner to create permissive paths for horse riders in the Parish of Peckforton.

3.0 Financial Implications

- 3.1 The maintenance costs associated with the proposed permissive paths for horse riders can be considered to be minimal; the paths are woodland tracks with surfaces of firm mud and compacted stone.

4.0 Legal Implications

- 4.1 The current legal status of the routes is public footpath. This would not change as a result of the proposed permissive path agreement.

5.0 Risk Assessment

- 5.1 The Council's Risk Management and Insurance advisors have indicated that the addition of the proposed permissive paths for horse riders would not incur any additional costs in relation to the Council's insurance.
- 5.2 There is a short section (100 metres) of cobbles on a gradient on one of the proposed routes. Signage and mounting blocks will be installed to recommend to users that they dismount to cross this section. Drainage works will be undertaken to reduce the ice cover that may develop over this section.

6.0 Background and Options

- 6.1 The Countryside Access Development Team were approached by the Habitats and Hillforts Landscape Partnership Scheme Team with regard to a proposal to create two permissive paths for horse riders through the Peckforton Estate. The Habitats and Hillforts Landscape Partnership Scheme is a partnership of local organisations and residents who are working together to improve the hillforts of the sandstone ridge which runs through Cheshire. Amongst the aims of the scheme is the enhancement of access to the hillforts area.
- 6.2 The first route runs from OS grid reference SJ 5327 5829 to the south of Horsley Lane, Beeston, and along public footpath No. 1 in the Parish of Peckforton in a south-westerly direction for a distance of 1551 metres to its junction with Pennsylvania Lane (UX1639) at OS grid reference SJ 5272 5698 at the Borough boundary.
- 6.3 A decision paper is to be presented to the Rights of Way Committee of Cheshire West and Chester Council at its meeting on 29th July 2009, recommending that a permissive path agreement be entered into for the short section of the route at the northern end of this proposed permissive path, connecting with Horsley Lane in the Parish of Beeston.
- 6.4 The second route runs from Hill Lane (UX1848) at OS grid reference SJ 5266 5657 along public footpath No. 15 in the Parish of Peckforton, in an easterly direction for a distance of 714 metres to its junction with Hill Lane (UX781) at OS grid reference SJ 5333 5669.
- 6.5 Some surface drainage and furniture improvements would be undertaken with funding from the Habitats and Hillforts Landscape Partnership Scheme in order to bring the proposed routes up to standard suitable for horse riders.
- 6.6 A permissive path agreement is essentially a private agreement between the Council and the individual(s) concerned and therefore it is not necessary for a formal consultation to be carried out.

7.0 Reasons for Recommendation

- 7.1 The proposed permissive paths for horse riders would offer users a traffic-free route for the riding and the enjoyment of the area, from which a circular route could be easily designed using relatively quiet roads.
- 7.2 Consultation undertaken for the published Rights of Way Improvement Programme (ROWIP) of the former Cheshire County Council identified the need for an increase in the number of routes available to horseriders, particularly in this area of the Borough which has a very limited existing network available to such users.

- 7.3 The proposal is also in line with the published Equestrian Strategy of the former Cheshire County Council and meets one of the aims of the Habitats and Hillforts Landscape Partnership Scheme supported by the former Cheshire County Council.
- 7.4 In comparison to the length of the existing rights of way network the additional liabilities in respect of the proposed permissive paths for horse riders would be minimal.

For further information:

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Background documents:

Case File available at Public Rights of Way Office, Phoenix House, Winsford.