

A report on the public paths and other areas used for walking for pleasure in the Arnside and Silverdale Area of Outstanding Natural Beauty, prepared by members of the Ramblers Association for the Land Management Study being undertaken by the Joint Parish Committee.

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1. Introduction

The Area of Outstanding Natural Beauty (AONB) is, as its designation implies, a delightful area and throughout this century has been a very popular place to go for a walk, picnic, bird watch or to enjoy other quiet recreation in the countryside. It has a good network of public paths which enable a great variety of walking routes to be devised, either across the AONB from village to village, or circular walks from any of the villages, car parks, bus stops and yes, even two railway stations.

2. Origin of information in the report

The report is based on:

- 2.1 The Arnsdale/Silverdale AONB - a report by the Lancaster and Morecambe Group of the Ramblers' Association published in the spring of 1973.
- 2.2 An inspection of the public paths undertaken by members in the spring of 1981.
- 2.3 The knowledge of members living in or near the AONB.

3. Public paths

- 3.1 Public paths are generally those footpaths (fp), bridleways (bw) and roads used as public paths (RUPP) which are recorded on the definitive map of public rights of way prepared by the County Council/Cumbria CC for Arnsdale and Beetham and Lancashire CC, for Silverdale, Warton, Yealand Conyers, and Yealand Redmayne - see Appendix D for details. It is possible for a public path to exist although it is not so recorded. There are a few in the AONB.

- 3.2 Mileage of public paths as recorded on the definitive maps are approximately as follows:

Arnsdale	10
Beetham	10
Silverdale	11
Warton	6
Yealand Conyers	7
Yealand Redmayne	11

In addition, the old coach route across the sands from Hest Bank to Grange-over-Sands is recorded as a RUPP (9 miles) and crosses Warton (2 miles) and Silverdale (1 mile) parishes.

4. Condition of public paths

The Ministry of Town and Country Planning (as it was then) in circular 91/50 to local authorities dated 30 June 1950 wrote:

"The Ministry does not wish to lay down in detail a standard to be adopted for the various kinds of path. No practical difficulty should be found in adopting a treatment suitable to the reasonable requirements of those who use the path, whatever is done should harmonise with the surroundings, in appearance and in general character. Where country paths are used constantly as part of everyday life (going to the station, the church or the shops), there is much to be said for maintaining or even making them up so that they are not only usable but convenient for all persons and in all weathers, and indeed it may be essential to do so. But there are many country paths or tracks, which, apart from occasional obstruction or failure, virtually maintain themselves. Metalling or other making up in such cases would be unnecessary, and nothing more than minor attention will be needed from one year's end to another. Where paths are used mainly for pleasure by ramblers, it will no doubt generally be sufficient that they should be free from obstructions or impassable water or mud and that they should be inconspicuously but sufficiently signposted or marked where necessary. The main consideration is clearly that they should serve their purpose, whether business or pleasure, and not that they should conform to some arbitrary standard of construction."

4.1 Signposts

Under section 27 of the Countryside Act 1968 (CA 68) highway authorities (county councils) shall erect and maintain signposts at every point where a public path leaves a metalled road. There are approximately 193 such locations in the AONB of which 138 (71%) are signed, leaving 55 (29%) still required. There will be a few locations where a sign is unnecessary and, if the parish council (PC) agrees, then the county council need not erect a sign (CA 68 S27(3)). Signposts at the beginning and end of paths are a visible indication of the public right.

Recommendations

The two county councils should be urged to complete the signposting as soon as possible.

4.2 Other signposts.

It is also a duty of the highway authority (CA 68 S27(4)) to erect other signposts which are required to assist persons unfamiliar with the locality to follow the path. Neither highway authority carries out this duty but will allow others to carry out this work (CA 68 X27 (5)). Some signposts have been erected on the course of paths by landowners and parish councils. These are desirable at the junction of paths likely to be used by visitors.

4.3 Waymarking

CA 68 (7) made provision for other signs serving the same purpose as signposts and these have become known as waymarks. The most common form, and that recommended by the Countryside Commission, is an arrowhead, yellow for fp and blue for bw. Waymarking is welcomed by the majority of landowners and path users alike because it helps to avoid unintentional trespass. There is at present (January 1982) very little waymarking within the AONB. Some years ago, with the landowner's permission, the RA waymarked (using yellow arrows painted on gates etc.) some paths on the Leighton Hall Estate. More recently the RA has offered a waymarking service for landowners using 4" square metal plates with the approved arrowhead painted on a contrasting coloured background. See appendix A for details.

Recommendation

Parish Councils to seek landowners' consent to waymark paths using volunteers

4.4 Stiles and gates

The maintenance of stiles and gates is the landowner's responsibility (CA 68 S28 (1)) but a highway authority must, if asked, contribute 25% of the cost, or more if it wishes. A few stiles were found to be in disrepair and reported to the highway authority. In the light of the consideration quoted in 4 above, gaps, kissing gates or stiles should be used as appropriate to the likely use of the path. Thus paths near villages should be negotiable by old folk and prams but stiles are adequate for more remote, less used, paths.

4.5 Bridges

The responsibility for the provision and maintenance of bridges belongs to the highway authority. There are not many bridges on public paths in the AONB and it is unusual to find one in disrepair.

4.6 General condition of paths

With a few exceptions, public paths within the AONB approach the standard recommended by the DOE (see 4 above) but examples of the following defects can always be found:

- 4.6.1 field gates which are either difficult to open or wired up,
- 4.6.2 paths enclosed between fences tend to become overgrown through lack of grazing,
- 4.6.3 wet or muddy areas.

Such defects found during the 1981 survey have been reported to the highway authorities concerned and, hopefully, will have received attention. Highway authorities have a general duty to assert and protect the right of the public to the use and enjoyment --- to prevent as far as possible the stopping up or obstruction of such paths (Highways Act 1980 S130). Neither of the authorities

concerned check the condition of the paths but rely on the public, parish councils and the RA to draw attention to defects.

Recommendation

Parish councils should arrange for paths to be inspected at least once a year and for all defects to be corrected either by the landowner, parish council or the highway authority as appropriate.

5. New paths

5.1 Arnside Knott, via Arnside Park to White Creek. This is through woodland and would add to the number of circular walks which include Arnside Knott.

5.2 At present there are gaps in the coastal path from the mouth of the River Bela in the N. to Warton in the S.

Westmorland CC proposed using the disused railway line from Sandside to Arnside. This proposal should be revived.

A path from New Barns round Blackstone Point to White Creek has been shown on the current review of the Cumbria CC - definitive map.

From Far Arnside to the Cove the shore is available at most times. The alternative inland route has two sections of road, busy in the summer months, with no obvious solution.

A cul de sac path from Shore Road to Know could be extended towards Jenny Brown's Point.

From Crag Foot to Warton there are inland paths but legal access to marsh near Quakers Stang (GR 476 738) and Cote Stones (GR 489716) would enable the coast to be followed by those who so wish.

Recommendation

We recommend that the parish councils ask the landowners concerned to dedicate the path mentioned (HL7 1980 S30) or alternatively for the highway authority to seek footpath creation agreements, which can include compensation (HA80 S25)

6. Access to open country

In this report open country means:

- (a) mountain, moor, heath, down, cliff or foreshore (including any bank, barrier, dune, beach flat or other land adjacent to the foreshore) as indicated in the National Parks and Access to the Countryside Act 1949 S59.
- (b) woodland or river bank added to (a) by S16 CA 68.

The 1949 Act made it possible for local planning authorities to secure public access to open country, as defined above, for open air recreation by either agreement, order or purchase. The power has not been used in the AONB.

There is however some de facto access within the AONB - notably all the shore and salt marsh. Most of the latter is common land which the Royal Commission on Common Land (1958) recommended should be open to the public as of right. Whilst this is probably agreed by all political parties, no government has found time for the necessary legislation. Whilst the present position is satisfactory to the public, access could be withdrawn at the whim of a landowner.

By traditions and the tacit agreement of the landowners, the SE quarter of Warton Crag is used by the public as though it were access land. Similarly, the area of rough grazing on the headland at Jenny Brown's Point is used for picnicking.

Whilst the present arrangements are satisfactory to the public, it would seem reasonable that the landowners of popular areas should benefit from the management provisions of the 1968 Act.

One attribute of the AONB is the extensive areas of woodland. Two areas, namely Arnside Knott and Eaves Wood Silverdale, are in the ownership of the National Trust and are available for public access. Other woods are crossed by one or more footpaths. Arnside Park is not but see para. 4.1. Woodlands are popular with visitors and can absorb larger numbers than open spaces without destroying the solitude many seek in countryside. Some woodland owners may have received grants from the Forestry Commission and be under an obligation, if asked to do so by the local planning authority, to enter into negotiations with a view to the provision of public access by means of an access agreement.

Recommendation

Consideration should be given to arranging increased access to the woodlands within AONB.

7. Conclusions

- 7.1 The AONB has a good network of public paths (para. 1 & 3).
- 7.2 The paths are generally in a satisfactory condition for their present use (para. 4).
- 7.3 There is scope for a few new paths (para. 5).
- 7.4 Public access should be extended to some woodlands (para. 6).

Appendix A

Responsibilities

Throughout this report we have referred to the responsibilities of local authorities, highway authorities and local planning authorities without always naming the authority concerned. This has been done for simplicity in the text but a few explanations are needed. The county council is always the highway authority in the context of public paths and minor roads (HA 80 S1(2)) and is responsible for maintaining the definitive map of public paths (NPAC Act 1949, CA 1968 and Wildlife and Countryside Act 1981). District councils can take over the maintenance of footpaths and bridleways and the county council must reimburse the district council for any expenses incurred (HA 1980 S42). South Lakeland DC has exercised this right. Hence SLDC looks after the footpaths in Arnside and Beetham.

Both county councils and district councils are local planning authorities and usually but not always have concurrent powers.

Appendix B

RAMBLERS' ASSOCIATION

LAKE DISTRICT AREA

May 1981

WAYMARKING OF PUBLIC PATHS

Background

In the south of England the Ramblers' Association carried out a 3 year project to waymark public paths. The project was grant aided by the Countryside Commission.

Waymarking was welcomed by the majority of landowners and path users alike, because it helps to avoid unintentional trespass.

Local Action

We have purchased a supply of ready-made waymarks which we will supply to landowners who are prepared to place them on their property.

If asked, we will carry out the work for a landowner.

Waymarks

The waymarks are 4" square metal plates painted with the standard waymark arrow head - yellow for footpath and blue for bridleway.

Where to Waymark

The best waymarked path is one which is identifiable by natural features, either because it is a walled lane, a path through woodland, or just visible on the ground from usage. Many paths lack these natural waymarks for all or part of their length and a few signs at appropriate points can be helpful to both landowner and user.

It is not intended that the countryside should be plastered with signs, or that an obvious path should be waymarked, or that a user be directed from waymark to waymark.

The following are places where waymarks may be useful:

- where a path goes through one of two adjacent field gates,
- where there are several gates out of a farmyard,
- where a change of direction is not obvious,
- on a roadside gate or stile where there is no public footpath sign,
- at the junction of public and private paths in woodland,
- where a less distinct path turns off a more obvious one. Both might be public paths, or only the less distinct one,
- where the path passes between a group of buildings.

Where Not to Waymark

Where there is no doubt as to the route. Waymarks should not be used to confirm the obvious or reassure the user, only to direct.

Waymarks should not be placed within the Lake District National Park. Waymarking in the Park is being carried out by the Planning Board.

Do's and Don'ts

Do make sure you have the owner's consent.

Do remember that users approach from either direction.

If a waymark is visible from a house, do make sure the siting is acceptable to the occupier.

Don't overwaymark.

Don't drive nails into trees without the specific consent of the owner.

Materials

The metal plates are intended to be fixed to wood by 4 small nails which drive in easily but are difficult to withdraw.

In the absence of a suitable gatepost, fencepost or other wooden structure, the easiest solution is to provide a post if the location is acceptable from an agricultural point of view.

Waymarking plates can be fixed to stone using an adhesive found to be suitable (e.g. Bostik 2 Weatherproof) or by a single screw using a hand drill to make the hole.

Costs

The plates cost us about 25p each.

We would expect any posts that are required to be provided by the landowner.

It is not intended to make a charge but we would welcome a donation to cover the cost of materials and travelling (if any) so that we can continue the work.

Contact Points for Further Information or for the supply of waymarks or voluntary labour:

For Cumbria

Mrs M. Adams
6 Riverbank Road
Kendal
LA9 5JS

For Lancaster District

Mr E. W. Hibberd
4 Lentworth Drive
Scotforth
Lancaster
LA1 4RJ

Appendix C

Parish Councils have the following powers relating to public paths:

1. To have a copy of the definitive map of public paths for the parish along with all orders amending the map. (Wildlife and Countryside Act 1981 S57 (5)).
2. To maintain and repair any footpath or bridleway which is maintainable by the highway authority (HA80 S43).
3. To create a public path by dedication agreement with a landowner (HA80 S30). (This power is limited to a path 'beneficial to the inhabitants of the parish.)
4. To receive copies of applications to close or divert public paths under various acts (HA80, TCPA 1971 and others).
5. To petition the highway authority to take action to secure removal of obstructions to a public path (HA80 S130 (6)).