

Public Rights of Way Storm Damage Update

Report of the Head of Service of Highways, Capital Development and Waste

Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.

Recommendation: It is recommended that the Committee notes the impact of the last two years' storm damage to the public rights of way network. That it agrees to the criteria for prioritising repair (or otherwise) of routes subject to temporary closures as a result of extreme weather events.

1. Background

Devon County Council manages 5,000 kilometres of Public Rights of Way and 130 kilometres of off-road recreational trails.

The extreme rainfall in 2012, followed by the storms of 2012-2013 and early 2014, have together caused unprecedented damage to the network, including the South West Coast Path and also routes next to rivers and estuaries, with numerous sections requiring temporary closure or diversion due to cliff falls, storm and flood damage. This report outlines the county wide damage, as well as the resulting economic and health impacts and recommends policy to help manage the network to become more sustainable and resilient.

2. Proposal

The Rights of Way Network, which includes the South West Coast Path National Trail and Regional Routes (such as the Tarka Trail and Devon's Coast to Coast Walk) is an important tourism asset for the County as well as important routes for the health and wellbeing of local communities and visitors alike. Damage to the network deters and prevents use, having a significant impact on tourism businesses and therefore on the local economy. The Coast Path in Devon is estimated to be worth £157 million to its economy annually, supporting over 3,500 full-time equivalent (FTE) jobs mostly in small and medium sized businesses.

Locations of significant damage are shown in Appendix I. Inland damage generally relates to fallen trees, riverbank erosion, culverts, bridge displacement by flood debris, gullying and land slips.

Protocol for temporary closures

- a. Upon discovery of storm or weather related damage, Devon County Council will close only that section of the route that is required in order to safeguard the public effectively using procedures set out in the Road Traffic Regulation Act 1984. In exceptional circumstances the whole route may be closed. The route may be closed to all users or to distinct types of user (e.g. walkers/cyclists/horse-riders/vehicular users).
- b. An emergency 21 day closure will be put in place along with physical barriers and an alternative route will be advertised by site notice where one exists. The 21 day closure may be followed by a second 21 day closure and/or a 6 month closure order where required. A six month closure may be extended by the Secretary of State for Transport.
- c. Temporary closures will be removed as soon as a route is repaired/diverted.

Prioritising repair/diversion of routes closed on public safety grounds

To ensure effective allocation of limited financial and staff resources, priority will be given to routes where:

- a. no reasonable alternative route is available;
- b. there is evidence of significant economic impact as a result of the closure;
- c. repair or diversion is both feasible and affordable; or
- d. the same damage is not likely re-occur after the repair.

At all times, the principle of building resilience into the path network will be adopted.

Additional funding may be sought through community engagement with local businesses, landowners, parish and town councils, land managers and communities of interest eg user groups.

Where damage is cyclic/recurring then diversion or alternative arrangements may be investigated in liaison with landowners/user groups/parish/town councils using legal processes to move the route onto a more resilient alignment which is at least as commodious as the existing route.

3. Financial Considerations

In total, the outstanding work to repair or relocate the key public rights of way following the storms is estimated to be between £400-500k, of which up to £180k is in relation to the Coast Path. With a declining PROW budget (10% cut this year) and the Natural England Coast Path maintenance grant having reduced by 30% since 2010 there is insufficient budget to deal with the backlog of damage (despite DCC allocating an additional £50,000 from the Local Transport Plan). As a result, additional funds are being sought from a variety of sources including local communities through their parish precepts, a public fundraising appeal and a Coastal Communities Fund application which includes an element for improvements to the Coast Path. However, this is still unlikely to enable the network to return to its pre-2010 condition. The public rights of way team is also encouraging communities to access Landfill Tax funds and is engaging with partners to develop a European funding bid. Members should be aware that there are staff resource implications to facilitate these negotiations and community engagement, to arrange works and deal with complaints and dissatisfaction when routes are damaged or closed.

4. Environmental Impact Considerations

Environmental impacts have, where appropriate under the provisions of the relevant legislation, been taken into account.

5. Equality Considerations

Routes next to rivers tend to be of shallow gradient and suitable and popular for those with mobility problems. Changes to any such routes through managed retreat will need especial care to cater for such use.

6. Legal Considerations

The lawful implications of the proposed course of action have been considered and taken into account in the preparation of this report.

7. Risk Management Considerations

This policy/proposal has been assessed and all necessary safeguards or action have been taken to safeguard the Council's position

8. Public Health Impact

There is clear evidence that well maintained, easy to use public rights of way encourage people to use them. In contrast, poorly maintained, damaged or closed routes discourage use and therefore discourage exercise and engagement with the natural environment. There is also clear and convincing evidence that an increase in exercise leads to a decrease in physical and mental health problems, with associated decreased burden on the NHS and public purse. For example, inactivity in England is estimated to cost the NHS an additional £1.06 billion each year and problems relating to overweight and obesity cost an additional £5 billion each year.

9. Conclusion

The Committee is asked to note the damage caused by the extreme weather during the last two winters to the public rights of way network and to agree to the criteria for assessing and dealing with such routes to allow limited resources to be used to their best effect.

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Electoral Divisions: All

Local Government Act 1972: List of Background Papers

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Background Paper	Date	File Ref.
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Nil

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sc/cr/PROW storm damage update
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Appendix I To HCW/14/48

The main locations where storm damage has impacted on the network of paths are:

- Topsham: Goat walk – iconic path important for locals and visitors alike – works underway.
- Appledore: damage to sea wall, resulting in path being diverted onto nearby road (partially without a footway).
- Coast Path closed at Morteheo because of sink-hole. Alternative route available.
- Wembury: Receding cliffs. Fencing adjacent to the path needs moving inland.
- Westcombe Beach: Bridge requires replacement. New bridge to be installed with addition of rock armour.
- Ayrmer Cove: Footbridge washed away. New bridge installed.
- Thurlestone (golf course): Path realigned slightly inland.
- South Milton Ley: bridge damaged and needs re-decking and other structural work. Longest footbridge on SWCP.
- Thurlestone (Beacon Point Cottages): Short section of path damaged by adjacent cliff fall. Now unsafe. Temporary diversion is along narrow road and a significant detour. Permissive off-road diversion to be created by end of May 2014 with negotiations continuing for a permanent solution.
- Hope Cove (Mouthwell Beach): cliff fall has closed short section of Coast Path with temporary diversion inland. DCC seeking to discuss options with neighbouring landowner.
- Chivelstone, Ivy Cove Cottages. Path lost to cliff fall. New permanent diversion negotiated with adjacent landowners.
- Dartmouth: Footbridge washed away. National Trust has provided temporary route immediately inland but steps to Compass Cove also destroyed and land still on the move so no immediate repair is viable. Bridge will not be replaced as in susceptible location and original structure had to be helicoptered in to place.
- Old Beer Road diversion in place ('The Clinton Way') following collapse of Old Beer Road.
- Axmouth to Lyme Regis. A section of the Coast Path closed at Culverhole. DCC exploring options with Natural England to re-open path. Can do 'out and return' walk from each end. Alternative route in place but inland and on road in places or public can catch X53 bus.

There are also a number of other locations that suffered damage and closures where paths run along a road or other structure - these include the sea walls alongside the railway at Teignmouth and Dawlish (mentioned above), car parks and tracks at Hallsands and South Milton and Marine Parade at Shaldon.

Accesses to beaches damaged:

Rockham Steps, Morteheo.

Combesgate Beach steps, Morteheo.

Buck's Mills slipway, Bideford.

Ivy Cove access footpath, Chivelstone.

Other significant SWCP damage:

Beacon Road, Kingswear

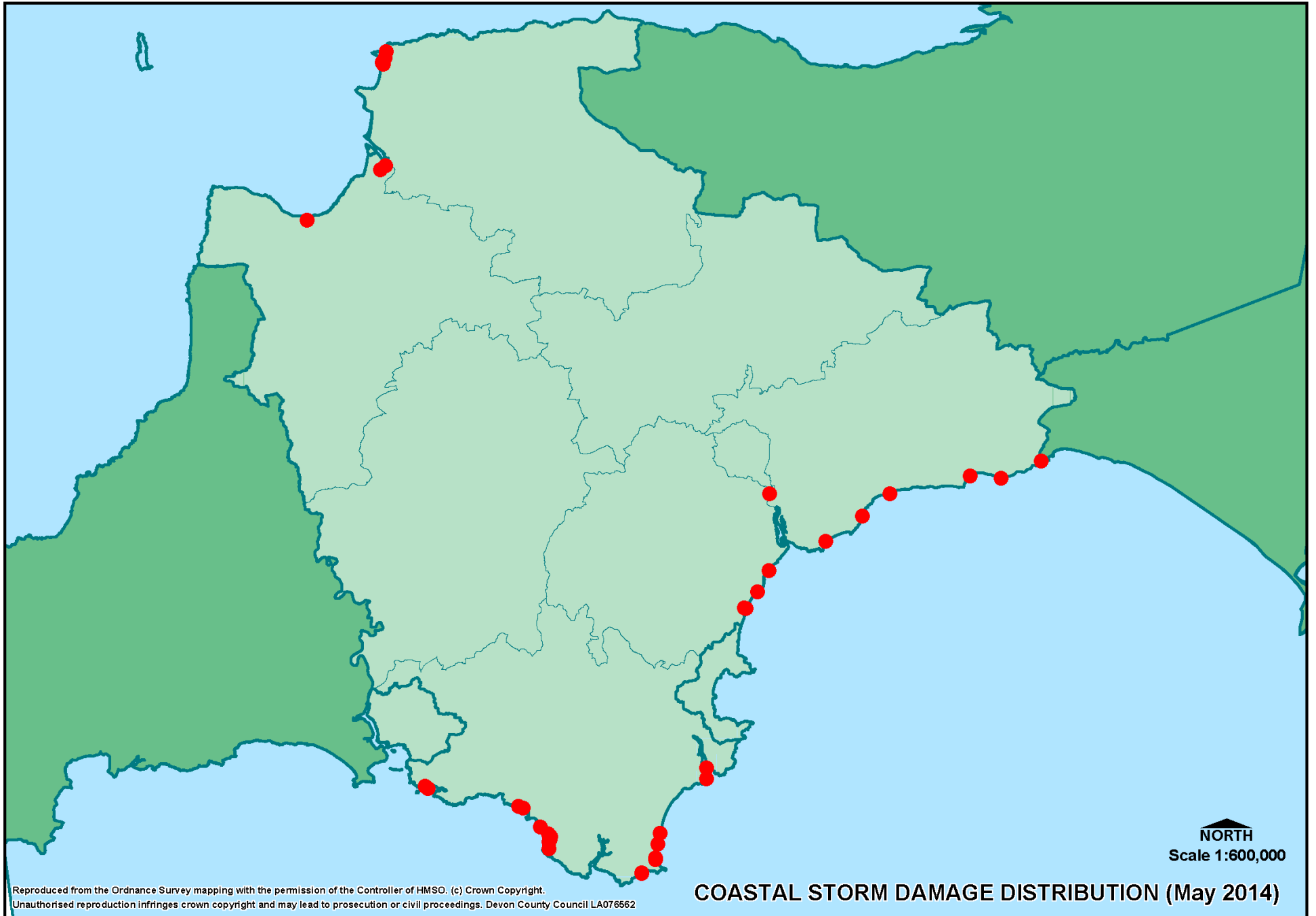
Beesands

Torcross

West Down Farm, Exmouth

Otterton to Ladram Bay

Alma Bridge footpath, EDDC land at Sidmouth



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