



Rights of Way and Countryside Access Annual Report 2021 - 22



SURREY

Introduction

This report outlines work carried out by Surrey County Council's Countryside Access Team for the period 1 April 2021 to 31 March 2022. It follows the format of The Rights of Way Statement for Surrey, which was published in January 2010 and sets out the policies, procedures, and service standards for work on public rights of way in Surrey.

As we moved forward from 2020/21 this year continued to provide many challenges for the Countryside Access team, including the ongoing pressures of the Covid 19 pandemic. An unexpected positive of Covid is that we have welcomed many more people onto the rights of way network, many of whom continue to explore Surrey having discovered the benefits and enjoyment that using rights of way brings. Set against this was a team gradually replenishing staff numbers and new team members familiarising themselves with case work, Surrey processes and all the challenges that access to the countryside poses. Many staff continued to work a substantial part of their hours at home, but by the end we returned to near normal working conditions for the team.

It is great to see that the fruits of a recent increase in Capital money (outlined in the report of 2020-21) are already becoming apparent. Examples of the work undertaken by Officers are outlined at Objective 2 of the report.

Several major changes in staff took place during this period. Claire Saunders, who had long been the Senior Officer in charge of maintenance, took over as team manager. Mary-Ann Edwards who was formerly in charge of maintenance for East Surrey took on her mantle. John Baker took on the West Officer maintenance post at this time. Over in 'legal definition' Tom Jenkins moved up to become Officer and Daniel Williams took on the Senior Officer post for legal definition which had been recently vacated by Debbie Jones on her retirement and to whom we all owe a debt of gratitude for her work over more than 30 years. She is already very much missed. I would also like to take the chance to formally introduce those officers who were new starters during the 2020-21 period: Adrian Riddle and Ruth Hills who are Countryside Access Assistants for East Surrey; John Sharman, Assistant for West Surrey and Paul Ritchie, who is Bank Countryside Access Officer, helping to deliver on planning schemes. All of whom are already making a positive impact within the team and on the rights of way network in Surrey. At the time of writing there are still a few vacancies within the team, but the plan is to fill those posts during summer 2022.

Surrey County Council's Organisation Strategy was refreshed during 2021, setting out our contribution to a Community Vision for Surrey.

Four priority objectives are of particular focus.

- Growing a sustainable economy so everyone can benefit
- Tackling health inequality
- Enabling a greener future
- Empowering communities

These are all aims that sit at the heart of the work of Countryside Access and the wider Natural Capital group and will continue to underpin everything that we do. I hope that you find this report interesting and informative and would like to take this opportunity to thank all those who have helped during the year. Please feel free to contact the team using the details at the end of the report if you would like more information or to discuss work covered in it.

Daniel Williams
Senior Countryside Access Officer (Legal Definition)

The Rights of Way Statement and Annual Report set out three main objectives that we report on:

Objective 1: Legally defined and improved where appropriate

The County Council's first objective for management of the public rights of way network is as follows.

- All of Surrey will be covered by a Definitive Map and Statement which correctly records the line and legal status of all rights of way in the County.
- Improvements to the rights of way network will be made, particularly to meet present and likely future needs of the public, to give opportunities for exercise, recreation and enjoyment and having regard to the needs of blind and partially sighted people and those with mobility difficulties.

Definitive Map and Statement

The Definitive Map and Statement is publicly available at Merrow Depot, Merrow Lane, Guildford (by appointment 0300 200 1003) and at borough and district council offices for inspection during normal office hours (email: rightsofway@surreycc.gov.uk). Most Parish Councils should also hold copies for their relevant area.

Priority Statement for Public Rights of Way

The Priority Statement (legal definition) sets out the County Council's priorities for keeping the Definitive Map and Statement under continuous review. It is available for public inspection.

Legal Event Order

An annual Legal Events Order is normally made to update the Definitive Map and Statement (DMS) for the year. This covers 'legal events' as a result of orders made under the Highways Act 1980, Town & Country Planning Act 1990, Cycle Tracks Orders 1984 or dedications accepted by the County Council during the last year. Due to the ongoing effects of the Pandemic and the small numbers of orders made during the relevant preceding period, none was made. The next proposed event will occur before the end of 2022 or in early 2023.

Map Modification Orders

The County Council investigates applications (formal claims under schedule 14 of the Wildlife & Countryside Act 1981) to modify the Definitive Map and Statement. Within the year to 1 April 2022 the position was as follows.

Number of new claims received: 14

Formal: 5 Informal: 9

Number of claims determined: 0*

Accepted: 0 Rejected: 0

*1 Map Modification Order was made on the basis of evidence without application

Number of appeals against Surrey County Council decision not to make a Map Modification Order: 0

Made: 0 Determined: 0

Number of appeals against Surrey County Council where a Schedule 14 application has not been determined within 12 months: 1

Made: 1 Determined: 0

Total number of claimed paths received/ being investigated as at 31 March 2021: 40

Rights of way added to the Definitive Map following claims: 1

- FP557 Chiddingfold

The following rights of way were added to the Definitive Map following landowner dedications: 1

- FP 643 Reigate

Definitive Map Modification Orders submitted to the Planning Inspectorate for determination:

- 0

A [register of map modification orders](#) is available on the County Council website.

Register of Declarations, Statements and Maps

A [register of Highways Act 1980 and Commons Act 2006](#) declarations, statements and plans is available on the County Council website.

Temporary Path Closures

We processed 41 temporary path closure orders for reasons of public safety or essential works.

Anomalies

We are currently aware of 293 path 'legal anomalies', most of these are minor variations between the Definitive Map and Statement (DMS) and the used path on the ground. The target in the Rights of Way Statement is to resolve at least 10 anomalies a year. During 2021/22, this has not been achieved due to the need to only deal with the backlog of work which arose as a result of the Covid-19 pandemic.

Creation, Diversion and Extinguishment of Rights of Way

The County Council has powers under the Highways Act (HA) and Town and Country Planning Act (TCPA) (where we are the Planning Authority) to make legal orders to create, divert and extinguish public rights of way. During the year 6 HA & TCPA and CTO orders were confirmed. These were:

- BW 29 Woldingham (Partial width extinguishment)
- BW 286 Dunsfold (Diversion)
- BW 31 Camberley and Frimley (Diversion)
- FPs 21 and 22 Walton and Weybridge (Cycle Tracks Order)
- FP 23 Walton and Weybridge (Cycle Tracks Order)

We completed 1 TCPA diversion on behalf of Reigate and Banstead Borough Council and began processing a number of others.

- FP 71 Banstead (Diversion)

We also took part in the process, including a public inquiry that led to the extinguishment of FP 18 Staines by the Secretary of State.

We completed 1 HA diversion on behalf of Kent County Council. This work helps to generate income.

Traffic Regulation Orders

One traffic regulation order at Wolvens Lane was consulted upon and a notice of intention to make an order advertised following direction from Mole Valley Local Committee.

Commons and Town & Village Greens

Since July 2020 when the role of Commons Registration Authority for Surrey was transferred to us, we have been getting to grips with what this involves and processing cases in line with the regulations. We have recently appointed a lead officer to ensure that this area of work is managed in a timely fashion alongside the Rights of Way work that the team carry out.

The Registers are held at SCC Merrow Depot, Guildford for public inspection. We provide certified copies of the Written Register and Commons Definitive Map upon request as well as processing applications for the registration of town or village greens and corrective applications.

Commons Applications:

In process: 1

Received: 0

Completed: 1

Town and Village Green applications:

In process at all stages: 7

Received: 1

Accepted as duly made: 1

Rejected: 3

Completed: 1

Rights of Way Improvement Plan

The County Council has a statutory duty under the Countryside and Rights of Way Act 2000 to prepare and update the Rights of Way Improvement Plan (ROWIP). The plan was first published in 2007 and reviewed in 2014. It provides a framework to guide efforts to improve rights of way in Surrey. The ROWIP reflects a range of current policies and initiatives relating to public rights of way/access and provides us with guidance and support for improving public access. The County Council does not have a specific budget for ROWIP improvements, so rely on gaining additional funding for projects where available. This can come from planning contributions, grants and from other parts of the County Council, such as the Local Sustainable Transport Funds. Individual improvements contributing to the ROWIP Action Plan objectives completed since 2007 are reported in the revised document on our website.

A Case Study:

The Countryside Access Team (Legal Definition- rights of way and commons)

Public Inquiry into a Definitive Map Modification Order to add a public footpath at Winkworth Arboretum, Busbridge

The culmination of a very long running investigation into a claim for a public footpath across land owned by National Trust at Winkworth Arboretum occurred during 2021-22. The County Council had made a Definitive Map Modification Order (DMMO) which had been objected to by the landowner and to determine the matter the Planning Inspectorate had decided to call a Public Inquiry.

Whilst the Countryside Access Team are well versed with holding public inquiries this was a new experience as the pandemic rules meant that it had to be virtual in nature and was to be held over the internet via MSTeams.

The Order had been made on the basis that there was sufficient evidence of use to show that the route had been used as if it were a public footpath. Many of the users that had given evidence and which we would want to call as witnesses were elderly with very limited access to and experience of the technology required to successfully take part in an online Public Inquiry, so we decided to create a 'hub' and to provide the internet access there, under Covid safe conditions.

The Inquiry was opened on 14th September 2021 and ran for 3 days. We didn't finish after 3 days and resumed on 16 & 17 November and then concluded on a final date of 2 December 2021. The use of the hub was very successful, with witnesses coming to the venue and receiving assistance to interact in the proceedings at appropriate times.

We felt we presented a strong case, and witnesses gave good clear compelling evidence for the presence of a public footpath. However, unfortunately, the Inspector concluded that in this instance he did not agree, and he failed to confirm the order. Please do contact the Countryside Access Team if you would like a copy of the decision letter.

Despite not being successful in the outcome of this inquiry, the team learnt a considerable amount regarding hosting virtual inquiries which we will be able to use in the delivery of future inquiries, although hopefully not in similar pandemic situations.

Objective 2: Properly maintained

The County Council's second objective for management of the public rights of way network is as follows.

- Rights of Way should be open and available for use so that any user can find the start, follow the line of the path and use it in accordance with its legal status.

The Priority Statement (maintenance and enforcement) sets out how we deal with practical problems on the rights of way network and can be found at the bottom of the [Report a Fault](#) page on the Surrey County Council website.

Path Inspections

Paths are normally only inspected on a 'reactive' basis, as and when we are made aware of an issue that needs investigating. We received 3936 reports last year from members of the public of path issues for investigation, an increase of 194 issues. We prioritise these issues in accordance with the Priority Statement (maintenance and enforcement). 2153 issues were resolved, and we currently have around 3494 'live' maintenance or enforcement issues to deal with. Public safety issues are inspected as a high priority. Routes that are actively promoted by the County Council, such as the North Downs Way and Thames Path are normally inspected on a 'pro-active' basis, once a year, to ensure they are maintained to a high standard.

Vegetation Clearance

The annual summer vegetation clearance programme is normally carried out between May and August and we were pleased to have the resources to undertake additional clearance during summer 2021. High priority paths, for example routes to schools, stations and community centres received 3 cuts. Other paths on the wider network likely to become obstructed by annual vegetation growth received 2 cuts. We cleared 323.5km in Epsom & Ewell, Elmbridge, Mole Valley, Reigate & Banstead and Tandridge. A total of 322.5km was cleared in Guildford, Woking, Waverley and NW Surrey, including the Downs link.

An additional 28km of paths on the North Downs Way received two cuts.

The County Council has a spraying programme for invasive plants (Japanese Knotweed and Giant Hogweed). 16 sites across the county were treated in summer 2021. Our contractors report that the regular spraying regime is reducing the extent of these invasive plants and the number of sites requiring attention is reducing. Some locations are now clear although they will be monitored for regrowth in the future.

Signposting and Waymarking

We have around 8,000 roadside signs (finger posts) to maintain. We repaired or replaced 639 roadside signs across the county during 2021/22, which is just over 7% of all the signs on the network.

Bridges

We carried out complete refurbishments on 40 bridges (not sleeper) and a number of smaller repairs. These were all bridges which were nearing the end of their serviceable life. Where possible paths were kept open by temporary repairs until refurbishment could be completed.

A Case Study:

Okewood Chapel Bridge, Abinger.

This well used timber bridge beside the chapel was nearing the end of its life and had received some temporary repairs to keep it going. The bridge was replaced with a new oak structure and the two smaller sleeper bridges nearby were also replaced with durable and cost-effective Recycled Plastic. By replacing all three bridges at the same time we were able to reduce the contractor's costs. All three bridges should now provide many more years of service.



Before

After



Sleeper bridges replaced by new bridges

Surface Maintenance and Improvement

The County Council's aim is to ensure that no paths are kept closed due to dangerous surface conditions for more than 12 months. Larger surface repair works (over £1,000) have been carried out on the following paths:

East Surrey

Warlingham: Public Bridleway No. 53

Chelsham & Farleigh: Public Footpath No. 93

Caterham Valley: Public Bridleway No. 184

Charlwood: Public Byways Nos. 324 and 328, and D Road D325

Abinger: Public Byway No. 542 (Holden Brook Lane

Abinger: Public Bridleway No. 63

Buckland: Public Footpath No. 475
Abinger: Public Byway No. 543 (Trap Lane)
Walton & Weybridge: Public Byway No. 10
Leatherhead: Public Footpath No. 188*
Chaldon: Public Bridleway NO. 10*
Epsom & Ewell: Public Bridleway No. 44*

*These projects were funded by external funding but managed by SCC

West Surrey

Hascombe: Bridleway 201
Normandy: Byway 523 and 524
Elstead: Bridleway 69
Albury: Bridleway 147
Shere: Byway 515
Puttenham: Byway 334
Thursley: Byway 501
Thursley: Byway 503
Witley: Footpath 145
Chobham: Footpath 9a

Case Study 1 (East):

Holden Brook Lane (Abinger By 542) is a public byway popular with four-wheel drive enthusiasts and trail riders. It had suffered from damage due to poor drainage and some misuse rendering it extremely difficult for all users to access. Significant surfacing works were undertaken during the summer of 2021 and the path is now much easier for all to use and it has stood up well to use from motorised traffic.



Before (February 2021)



After (August 2021)

Case Study 2 (West):

Bridleway Elstead 69 is a well used path which runs from the village , south across Elstead Common and on towards Thursley Common, providing a useful off road alternative to the Thursley Road.

The path was narrowed and very wet and muddy in places. We have widened the usable width of the path and resurfaced in local Fittleworth stone to provide a safe and level path for everyone to enjoy.



Before

After

Enforcement

The County Council addresses enforcement issues, firstly by negotiation, then by direct action, within a time limit established for each case. Enforcement work can be very time consuming for staff, so issues are prioritised in accordance with the Priority Statement (maintenance and enforcement). There were no prosecutions during the year as issues were resolved through negotiation.

Working in Partnership

We welcome opportunities for partnership working with many landowners, volunteers, community and user groups, and parish and town councils, who either take responsibility for appropriate maintenance and improvement projects and programmes or help fund improvements. We continue to work closely with partners and our volunteers to deliver improvements to the network.

A Case Study:

Buckland Parish Council have worked closely with landowners in the parish to identify opportunities to replace stiles with gates – a project that has been very successful. They also requested works to a very steep and slippery path and offered to part fund the improvements. This has made a significant difference for walkers accessing circular walks close to the village.



Before



After

Volunteers

Unfortunately, due to Covid-19 restrictions, volunteering was not possible throughout the year but once restrictions eased our volunteers from the Ramblers completed 26 tasks across the county.

Volunteers from the Surrey Ramblers were also able to continue their annual survey of over 500 paths for our BVPI 178 path condition survey. Our special thanks to Rodney Whittaker for organising the surveys.

Donate-a-gate scheme

The Donate-a-gate scheme is back up and running with gate donations starting to come in which we hope to be able to install in the coming year.

Volunteer Path Warden Scheme

We have been unable to carry out any further training for under the Volunteer Path Warden Scheme. We know that the Path Wardens have been out there singularly and with family carrying out as individuals clearance, waymark replacement and reporting any issues to the Countryside Access Team via our online web reporting, which is also available for the public to use. Thank you to them for their work. In 2022 we hope to have a full time assistant working with our volunteers who will be able to reinvigorate the VPW scheme.

Performance/ Monitoring

Best Value Performance Indicator (BVPI) 178 – ‘easy to use’ path survey:

During May and November, a random 5% sample of paths were surveyed and assessed as to whether they were ‘easy to use’ or not. The survey was carried out on our behalf by volunteers from the Surrey Ramblers. It follows nationally agreed methodology and is undertaken by many other authorities managing public rights of way. It provides a consistent and comparable tool for measuring our performance against statutory duties, the effect on the public and how we compare with other authorities.

85% of paths in Surrey were found to be ‘easy to use’ in 2021.

National Highways and Transportation (NHT) Survey

The NHT Public Satisfaction Survey collects public perspectives on and satisfaction with highways and transportation services in local authority areas. Rights of way questions are included in the Highways section. In 2021, Surrey County Council had a benchmark score of 58% for Rights of Way. The national average is 56%.

Objective 3: Well publicised and promoted for use

The County Council’s third objective for management of the public rights of way network is as follows.

- Up-to-date information about rights of way will be easily accessible to the public and a range of appropriate utility and recreational routes will be promoted for public use.

On-line Information about Rights of Way in Surrey

The County Council provides information about the rights of way network through the [Footpaths, byways and bridleways](#) pages of our website. The website contains details regarding public notices, how to report problems, Traffic Regulation Orders, advice to landowners and user groups and up-to-date maps showing routes on the Interactive Map. A fault reporting and a general enquiry report form are available for reporting problems/issues on the path network or general queries. Users can register, report problems and track progress of the problems they have previously reported.

How we reach Surrey’s public and encourage outdoor recreation for health and wellbeing

Our Countryside Team uses the Explore Surrey brand to engage with the public via social media, webpages and a seasonal newsletter to encourage greater enjoyment of the countryside for all ages and abilities. At the forefront of this is the council’s vision to encourage more people and those who

traditionally have not been engaged, to enjoy and exercise outdoors for physical and mental health and wellbeing.

During 2021, SCC Countryside have taken back visitor services and maintenance functions on our Countryside Estate from Surrey Wildlife Trust. This has resulted in a new team, Visitor Services, being created and refreshed branding for the Explore Surrey messaging. This is still being rolled out, but new signage is starting to appear at 16 sites across the county, such as threshold signs, information boards, re-waymarked walking trails and other new methods of visitor engagement. Digital engagement is also being refreshed, such as website information and social media. The flagship site of Newlands Corner is being upgraded first, to be followed by the other sites across the Estate. More details on this can be found on individual pages about our [Countryside Estate](#) sites.

Website: www.surreycc.gov.uk/exploresurrey

Twitter and Instagram: @ExploreSurreyUK

There will be an Explore Surrey Facebook page.

Our Surrey Hills Area of Outstanding Natural Beauty teamwork with us to promote the Surrey Hills and have their own website, social media accounts and newsletter.

Website: www.surreyhills.org

Twitter and Instagram: @SurreyHillsAONB

Routes for Disability Access

An Easy Walks section is available on the Explore Surrey website, as well as collaboration with Active Surrey who promote walking for all abilities with us.

Public Liaison, Forums and Partnerships

- We work closely with a range of organisations who share an interest and role in countryside access issues. These include:
- Surrey Countryside Access Forum - The County Council has a duty under the Countryside and Rights of Way Act 2000 to establish a local access forum. We have supported the forum by providing a secretary and meeting venues. Countryside staff attend meetings, advising and consulting with the Forum. The Forum's [agendas, minutes and annual reports](#) are published on the County Council's website.
- Parish/Town Councils – We work closely with town and parish councils across the county, consulting on path network changes and larger maintenance or improvement schemes. We have been able to offer them training on general rights of way issues, support and training for setting up local volunteer groups and provide materials and resources for maintenance work. We will continue this work and our Countryside Access Guide is particularly aimed at supporting parish councils in rights of way work.
- The Surrey Horse Riders Working Group
- The Surrey Ramblers
- The British Horse Society
- The Surrey Hills Area of Outstanding Natural Beauty working groups:
 - Off Road Working Group
 - Mountain Bike Working Group
 - Equestrian Working Group

Information about Surrey's rights of way network

The rights of way network in Surrey is made up of:

- Public Footpaths 2,250.7 km - open to walkers
- Public Bridleways 1,118.6 km - open to walkers, cyclists and equestrians
- Restricted Byways 2.4 km – open to bridleway users and non-motorised vehicles
- Byways Open to All Traffic (BOATs) 125.8 km - open to restricted byway users and motorised vehicles

This is a total path distance of 3,497.5 km.

Path assets:

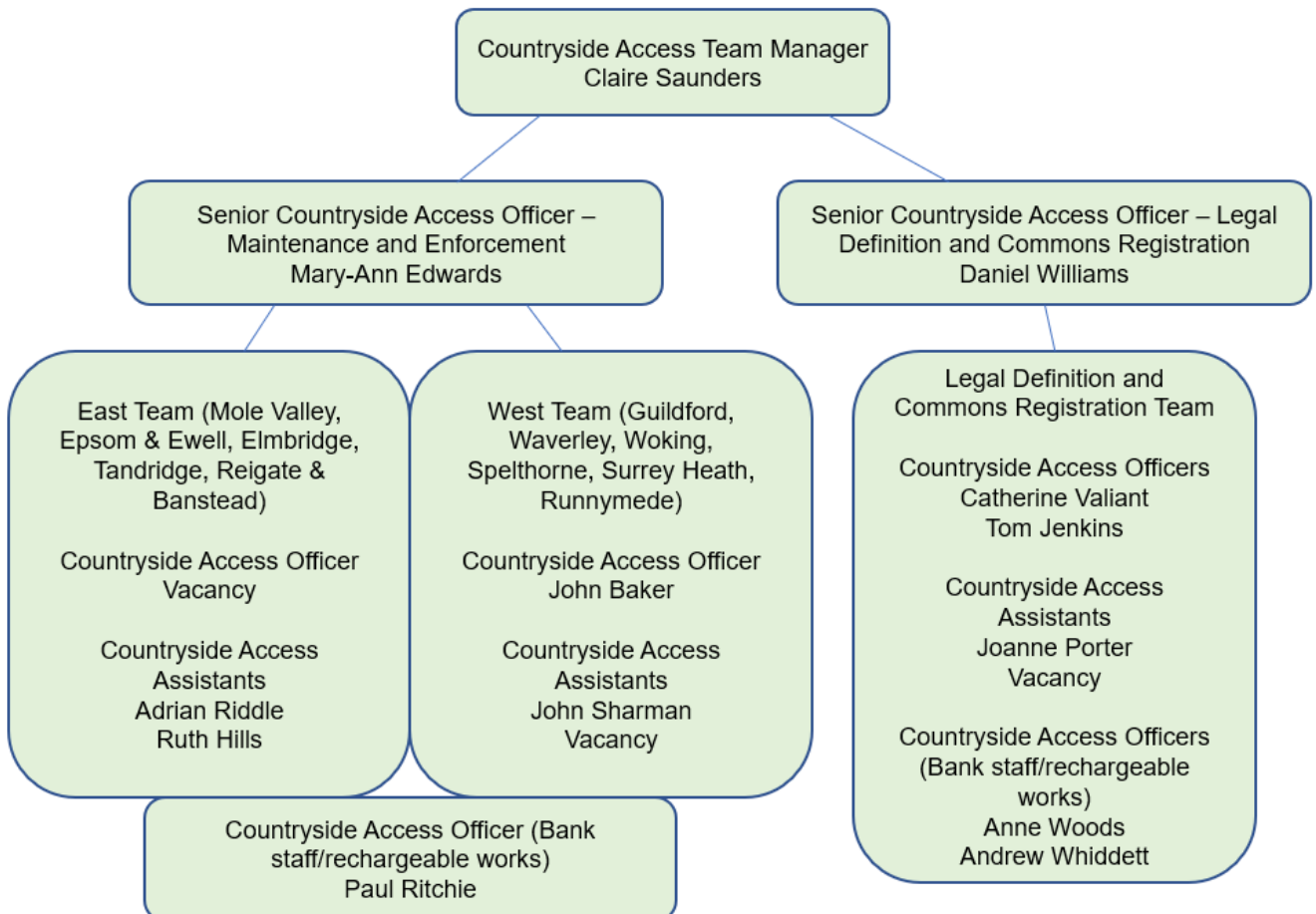
On the path network, there are (approximately):

- 8475 finger posts (roadside and non-roadside)
- 2904 waymark posts
- 963 culverts
- 977 kissing gates
- 787 wicket/pedestrian gates
- 1551 field gates
- 3996 stiles

The asset value (new replacement cost) of the above is approximately £59,000,000

Staff

The Countryside Access Team as of March 2022



How to contact us

By phone:

0300 200 1003

By post:

Surrey County Council, Countryside Access Team, Whitebeam Lodge, Merrow Depot, Merrow Lane, Guildford, Surrey, GU4 7BQ

E-mail:

rightsofway@surreycc.gov.uk

commons.villagegreens@surreycc.gov.uk

Report a right of way problem:

[Contact us or report a problem on a Right of Way - Surrey County Council \(surreycc.gov.uk\)](#)