

## 1 CONTEXT

Set in a rural location in High Leicestershire but with easy access from Leicester, Hungarton offers rich potential for walking. Many walks are available for reference online, including two guides from Leicestershire County Council (walks around Baggrave and Cold Newton/ Quenby).

Hungarton is also an area of great historical interest with three major Halls and a number of deserted villages. The Times newspaper has published a walking guide on 'Hungarton and the Deserted Villages' (2010) and there are a number of online walks focused around 'The Lost Villages of Hungarton'.

Apart from visitor interest, Hungarton footpaths have a high amenity value for local residents **(add findings from survey)**.

Sadly the full potential for walking around Hungarton is not being realised. Indeed, there is evidence that the level and quality of public access to footpaths is diminishing. The Neighbourhood Plan offers the opportunity to reverse this trend.

In summary, I suggest that options for improving footpath access fall in 3 categories:

- Removing barriers to access on existing footpaths.
- Restoring (where possible) lost footpaths - permissive and unofficial.
- Developing new walks (including circular walks) around areas of historic interest.

I will take each of these options in turn.

## 2 BARRIERS TO ACCESS ON EXISTING FOOTPATHS

### Stiles and gates

Stiles are used quite extensively on the Baggrave Estate and are now being used the (former) Quenby Estate. This presents a significant access problem, which needs to be addressed.

A stile or gate, although on a public right of way, is not a part of it. Such structures are for the advantage of the landowner (to permit enclosure of the land and to control the movement of livestock,) rather than for the benefit of the public.

Government guidance states that the selection of a gate or stile, shall result in as little restriction as possible for 'potential users', which include the mildly or seriously disabled, the elderly, children, mobility vehicles (pushchairs, wheelchairs) and dogs. The *British Standard* (BS5709: 2006) says that in the absence of explicitly identified counter reasons the following structures should be used in this order of preference [3.2]: Gap, Gate, Kissing Gate, Stile (called the '*principle of least restrictive option*').

Government guidance also states that landowners must seek the local highway authority's permission before installing any new structure (stiles and gate) on a public right of way. Unauthorised structures are considered obstructions and may be removed by highway authority at landowner's expense. The British Standard says that *new structures shall not be stiles unless exceptional circumstances require them* [3.1.3] [4.5.1].

Where a stile needs replacing landowners are asked to consider using a gate, or preferably a gap, to ensure less of an impediment to people with mobility problems. Landowners can claim some of the replacement cost from the highway authority.

### **Poor footpath maintenance**

A number of footpaths in the area are poorly maintained, most notably (in terms of village proximity) the bridleway through the wash-pit spinney and some field footpaths damaged by ploughing and hedge control.

Although highway authorities are generally responsible for footpath surfaces and drains, landowners are responsible for the repair of damage to paths caused by their vehicles, including restoration after ploughing and hedge control. Responsibilities for improving the condition of damaged paths should be investigated further.

### **Footpaths too narrow**

Government guidelines indicate that cultivation (ploughing) should not go beyond the minimum width of a field edge: (1.5 metres for footpaths; 3 metres for bridleways). Some local footpaths appear to be narrower than the permitted limits (e.g. footpath to Keyham Lane). This access restriction should be investigated further.

### **Cross-field paths**

Landowners should avoid cultivating a cross-field footpath or bridleway. If they have to cultivate, the path should be of a minimum width (1 metre for footpath; 2 metres for bridleway) and be reasonably convenient to use within 14 days of first being cultivated (24 hours of any subsequent cultivation). There are cross-field paths in the area which do not meet these criteria. A telling online image of a local field has the cryptic message: "*Somewhere in the mud is a footpath according to the map*" (See Geograph SK6906 - Images of Hungarton).

### **Livestock (including bulls)**

Government guidance states that bulls of recognised dairy breeds\* that are over the age of 10 months are banned by law from fields containing a public right of way. (\*Ayrshire, British Friesian, British Holstein, Dairy Shorthorn, Guernsey, Jersey and Kerry). Bulls over 10 months for other breeds must be accompanied by cows/heifers

in fields with public access. Despite this a number of local fields with footpaths have bull signs with warnings to walkers.

### **3 LOSS OF FOOTPATHS**

#### **Permissive footpaths**

The withdrawal of permissive footpaths on the (former) Quenby Estate represents a significant loss of a walking amenity. Regrettably the Countryside Stewardship (CS) programme, which replaces the Entry Level and Higher Level Stewardship scheme (ELS and HLS) does not support the funding of permissive paths. The possibility of restoring permissive paths should, nevertheless, be explored with local landowners; particularly where this facilitates circular walks or walks around sites of historic interest (see section 4 below.)

#### **Unofficial Paths.**

Local landowners have traditionally been permissive about public use of field edges as 'unofficial' paths, particularly where these enable ease of access from the village. A number of these paths have been recently lost e.g. the path behind old cheese barn, which has been used by local residents as 'a right of way' for over 30 years. The possibility of restoring restricted access to these paths, for village residents, should be discussed with the relevant landowners.

#### **Right to Roam**

On certain pasture fields adjacent to the village, local residents have enjoyed the 'right to roam' beyond the confines of the official footpaths (particularly where livestock are not present). Some landowners are now challenging this privilege. The possibility of restoring limited rights to roam should be discussed with local landowners, particularly in recognised 'green spaces' (e.g. the ridge and furrow field beyond the Church) or where this facilitates access between footpaths.

### **4 NEW FOOTPATHS**

Hungarton offers rich potential for walking in an area of great historical interest. It is arguable that this potential is not being fully exploited. In developing the Neighbourhood Plan, consideration should be given to identifying new circular walks around sites of historic interest. This might include the disused railway line from Ingarsby station. New footpaths (possibly permissive paths) may need to be designated for this purpose. It is recommended that a small group be set up to map such potential walks.

**Phil Cox      7 April 2016**