

The Local Maintenance Partnership (LMP) Frequently Asked Questions

1) What is the LMP?

The LMP is a scheme where Cornwall Council provide funding to parish/town councils for the trimming of the surface of public rights of way.

2) What is the benefit to the Parish of being involved in the LMP?

Parish/town councils are in a good position to administer this work as they are based locally and can source good local contractors to carry out the work and monitor cutting requirements should there be unusual growth through the year.

3) What are 'Gold, Silver and Bronze' Paths?

In order to carry out the required maintenance on Cornwall's Rights of Way, the Council devised a system of prioritising works to those paths that are the most well used, linked places of interest and were most accessible to the largest number of people – these are the gold paths. Most of the gold paths in the county have been improved under the 'Public Paths Improvement Programme' (PPIP). Silver and bronze paths are of a lower priority.

4) How much grant does the parish or town council get?

The funding is for paths and isolated gates or stiles on gold paths that require cutting either once or twice a year.

All silver paths in the parish receive flat rate funding regardless if cutting is required or not. This is because there has been no major programme of improvement on silver paths (unlike on gold paths). Parishes can decide where the silver funding is used.

Once the cutting regime is agreed the following formula is applied to calculate the funding.

- A. Gold paths - £123.42 per km per cut for length requiring cutting.
- B. Isolated gates and stiles - £6.17 per point per cut.
- C. Silver paths - £49.47 per km for entire silver network within the parish.

5) What if we need to do more cutting though the year?

Weather changes and unexpected circumstances arise. Before undertaking additional cutting, you should contact the Countryside Partnerships Officer to review the cutting requirements.

6) How do we go about employing a Contractor to carry out the work?

Using the cutting map and the 'Parish Path Cutting List for Contractors' sheets the parish should ask interested contractors to give quotes or tenders stating charges per kilometre for cutting. The quote or tender should also outline how they are going to do the work and when and also how they are going to ensure that their work is carried out safely with minimal risk to both themselves and members of the public. They should also give details of their public liability insurance, employers liability insurance (if they employ other staff) and any relevant qualifications they have for operating machinery such as brush cutters and chainsaws. Some parishes also add other works to the contractor quotation/tender documents in order to get better value for money. This works well, however, this extra work is not then eligible for payment under the LMP scheme and must be funded from elsewhere.

7) Our Parish contractor does not have the correct training, can we still employ them?

All parishes need to satisfy themselves that their contractors are working as safely as possible so that both they and members of the public are not going to be put at risk as a result of footpath maintenance.

The most common way of getting that assurance is by ensuring that the contractor has the appropriate training in the use of their tools, the ability to carry out risk assessments, etc. It is difficult for professional, commercial contractors to get work these days without these qualifications and normally contractors incorporate the cost of training into their work rates.

8) When is the best time of year to carry out cutting of our footpaths?

For most parishes, the ideal time for a first cut would be at the beginning of the season during May/June. For many paths this would be sufficient.

A second cut may be required later in August if vegetation growth starts to encroach on the path.

Note that vegetation growing from the side and overhanging the path is legally the responsibility of the landowner. However, if the landowner is difficult to locate we can appreciate that the Parish Council will carry this out as part of the LMP – we would like to know if the parish is cutting a lot of side and overhang growth as in effect, the council tax payer is paying for a landowner's responsibility. We would like to explore ways of ensuring landowners carry out their legal responsibility as we would like the LMP budget to be used for what it is meant for – footpath maintenance and cutting, not paying for what landowners should be paying for.

As a guide, footpaths should be trimmed to a width of 1.5 metres and bridleways should be thinned to a width of 2.5 metres and trimmings should be disposed of neatly on site.

9) What if the path to be cut runs through a Site of Special Scientific Interest (SSSI)?

The cutting map highlights where paths run through SSSIs and the contractors cutting list also highlights if any paths run through a SSSI. Cutting could be a Potentially Damaging Operation as it may harm the plants and wildlife that live there.

You or your contractor needs to contact your local Natural England Office or through www.naturalengland.org.uk and they will advise you on how to proceed.

Undertaking works without their authorisation could result in prosecution.

Useful information on Public Rights of Way can be found on Cornwall Council Website

<http://www.cornwall.gov.uk/environment-and-planning/countryside/public-rights-of-way>