

Some months ago I reported that a 'Public Footpath' signpost had rusted and collapsed, and asked you to replace it. The exact location is shown in the attached photo (Charlton Grove / Kent Avenue, Beeston).

I note that instead of the requested 'Public Footpath' waymarker sign, a new signpost with a 'No cycling' road sign has been placed in that exact location.

This is very worrying, as the footpath has long been a route used without incident by many, many cyclists in this area, and no legal restriction against cycling was in force, to my knowledge. The Council's own policies are meant to promote cycling wherever possible, as a solution to traffic, health, and environmental problems.

Therefore, I would be grateful if you answer these questions for me (by email), which together you may consider as a request made under the **Freedom of Information Act**.

1. Did the County Council erect this 'No Cycling' sign? If so, why?
2. Does the 'No Cycling' sign carry any legal force? If so: a) What public consultation took place before creating this restriction? (please provide copy documentation by return email); and b) in which document is the legal restriction enshrined (please provide a PDF copy by return email).
3. Will the missing 'Public footpath' sign be replaced? If so, when?; If not, why not?

I am writing regarding your recent Freedom of Information Request.

The department concerned's response is as follows:

1. Did the County Council erect this 'No Cycling' sign? If so, why? **No, the sign hasn't been erected by the County Council. It could be the landowner who is challenging the use of bicycles on the footpath?**

2. Does the 'No Cycling' sign carry any legal force? **No, for the sign to be enforceable there needs to be a legal Traffic Regulation Order in place. The landowner may argue that cyclists are trespassing on their land.**

If so: a)
What public consultation took place before creating this restriction? (please provide copy documentation by return email); and b) in which document is the legal restriction enshrined (please provide a PDF copy by return email).

3. Will the missing 'Public footpath' sign be replaced? If so, when?; If not, why not? **To achieve economies of scale, the Authority will combine small jobs such as the erection of a signpost with other signing works or general works in the area. However, we have used the 'new post' to fix a finger to it.**

To clarify, the path is a recorded definitive public footpath, which means the public have the proven right to pass and re-pass on foot only. There may be unrecorded public bridleway rights along the path. For example, if members of the public have been cycling on the path uninterrupted and without secrecy, force or permission for 20 years then there may be the opportunity to claim it as a public bridleway. For further information on claiming higher rights on this footpath please contact the Authority's Definitive Map Officers on 0115 977 4961 / 74709.

I hope this now satisfies your request, and should you have any further enquiries please do not hesitate to contact me directly on the details below.

In addition to this and for future reference Nottingham County Council regularly publishes previous FOIR,s and answers on its website, under Disclosure logs. (see link)

<http://site.nottinghamshire.gov.uk/thecouncil/democracy/freedom-of-information/disclosure-log/>

You can use the search facility using keywords.

If you wish to raise any concerns about the way your request was dealt with, then please write to the Team Manager, Complaints and Information, County Hall, West Bridgford, Nottingham, NG2 7QP or e-mail foi@nottscc.gov.uk quoting the reference number above.

Kind Regards

Complaints, Information & Mediation Officer.
Complaints and Information Team
Chief Executive's Dept
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