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PL9 9NL

20<sup>th</sup> January 2010

Chair  
Plymouth Local Access Forum  
C/O Secretary PLAF  
Civic Centre  
Plymouth  
PL1 2AA

Dear Chair

**Proposed Special Extinguishment of Footpath No. 2 in the Ward of Plympton St Mary, Plymouth, Devon, PL7 2RS**

Members of the Plymouth Local Access Forum were advised at the meeting in December of the informal consultation being undertaken by Plymouth City Council regarding the application by Ridgeway School, Plympton to extinguish public right of way footpath No.2. Members considered it would be inappropriate to make a decision on the consultation as background papers had not been made available for study before the meeting. Members agreed that the matter would be discussed at the February meeting of the Forum. It is of great concern to be informed in an email from the Public Rights of Way Officer on the 15<sup>th</sup> January 2010 that the Forum was supporting the application to make an Order.

Members will be asked to amend the draft minutes of the December meeting when it meets in February to reflect the decision that it had not been possible for the Forum to respond to the informal consultation by the closure date on 15<sup>th</sup> January 2010.

The procedure followed in the informal consultation by the Highway Authority made Forum members feel inept after being informed that only representative bodies could respond to the consultation. Forum members, as members of the public, were not allowed to make representations as the Order had not yet been made. It would therefore appear that the urgency for the site visit to the school was unwarranted and the letters and emails from the Public Rights of Way Officer in support of the application were at best misleading. The other unsatisfactory aspects of the procedure adopted in this informal consultation will be taken up with the Highway Authority.

It would be in the interests of the Forum if members were able to consult Section 118B of the Highways Act 1980, paragraph 8, to view the criteria that the school has to meet before the Highway Authority can make an order.

- (a) *any other measures that have been or could be taken for improving or maintaining the security of the school' have been taken.*
- (b) *whether it is likely that the coming into operation of the order will result in a substantial improvement in that security.*
- (c) *availability of a reasonable convenient alternative route or, if no reasonably convenient alternative route is available, whether it would be reasonably practicable to divert the highway under section 119B rather than stopping it up.*

Members who have expressed views on the footpath closure need reassurance that the Forum will not respond to the making of the Order until after the February meeting.

Yours sincerely

John Emery