

PLAF BRIEFING NOTE

12 March 2012 – Definitive Map Update



1. Introduction

- 1.1 This report provides the Forum with a general update on matters relating to the Definitive Map and Statement as requested in the Forums Forward work Programme.

2. Definitive Map Modification Orders

- 2.1 A Modification Order is a legal means of making some form of change to the Definitive Map and Statement. It is used to correct an error which could be any of a range of things but is most commonly used because a person feels that a way that should be shown as a public right of way is not. Other uses include altering the status of a way (i.e. from a footpath to a bridleway or vice-versa), removing a path or altering the width or other information contained within the statement. This is a very different process from a Public Path Order which can only be used to divert or extinguish an existing public right of way. A person making an application for a Modification Order must apply to the local highway authority for an Order to be made and they must include evidence to support their views so that we might be convinced that an Order is required.
- 2.2 The Modification Order process is extremely slow, resource intensive and very expensive. Each application might also result in some form of public examination via the Planning Inspectorate which increases timescales and cost significantly. Our current resourcing levels allow us to progress a maximum of 2 applications a year. There is no formal system of prioritisation, all applications are dealt with in strict date order of receipt and as of February 2012 there were 8 outstanding Modification Order Applications awaiting determination.

2.3 Details of active applications are listed below. To aid Members closed files have also been listed and draft Order plans are included in appendix 1 to this briefing note.

2.4 The list of applications is as follows: -

- **WCA.000** – The Gap – Resolved by Public Inquiry February 2009 – Order Not Confirmed (although PCC took a neutral stance)
- **WCA.001** – Winston Ave – Resolved by Written Reps August 2010 – Order Confirmed
- **WCA.002** – Ham Drive – Resolved by Public Inquiry May 2011 – Order Confirmed
- **WCA.003** – Lister Close – Resolved by Landowner Dedication March 2007
- **WCA.004** – Hooe Lake Slipway
- **WCA.005** – Hooe Road
- **WCA.006** – Widewell School
- **WCA.007** – Stamford Lane
- **WCA.008** – Elizabeth Cottage
- **WCA.009** – The Kloof
- **WCA.010** – Chaddlewood
- **WCA.011** – Plymstock School

3. **Stepping Stones Access 2 Nature Project**

3.1 As Members will be aware the Stepping Stones Project is continuing to deliver new and improved public rights of way within the city primarily within designated Local Nature Reserves (LNR's). In the 2010/12 financial year the project saw the creation of new public paths with the Forder Valley and Woodland Woods LNR's as well as additional paths in the Efford Valley. In 2011/12 the focus will be on Southway Valley and Ham Wood LNR's. There has already been a considerable amount of accommodation works within both sites and signage is currently being manufactured ready for installation in February/March 2012. Plans showing the PRoW to be designated are shown below for Members information.

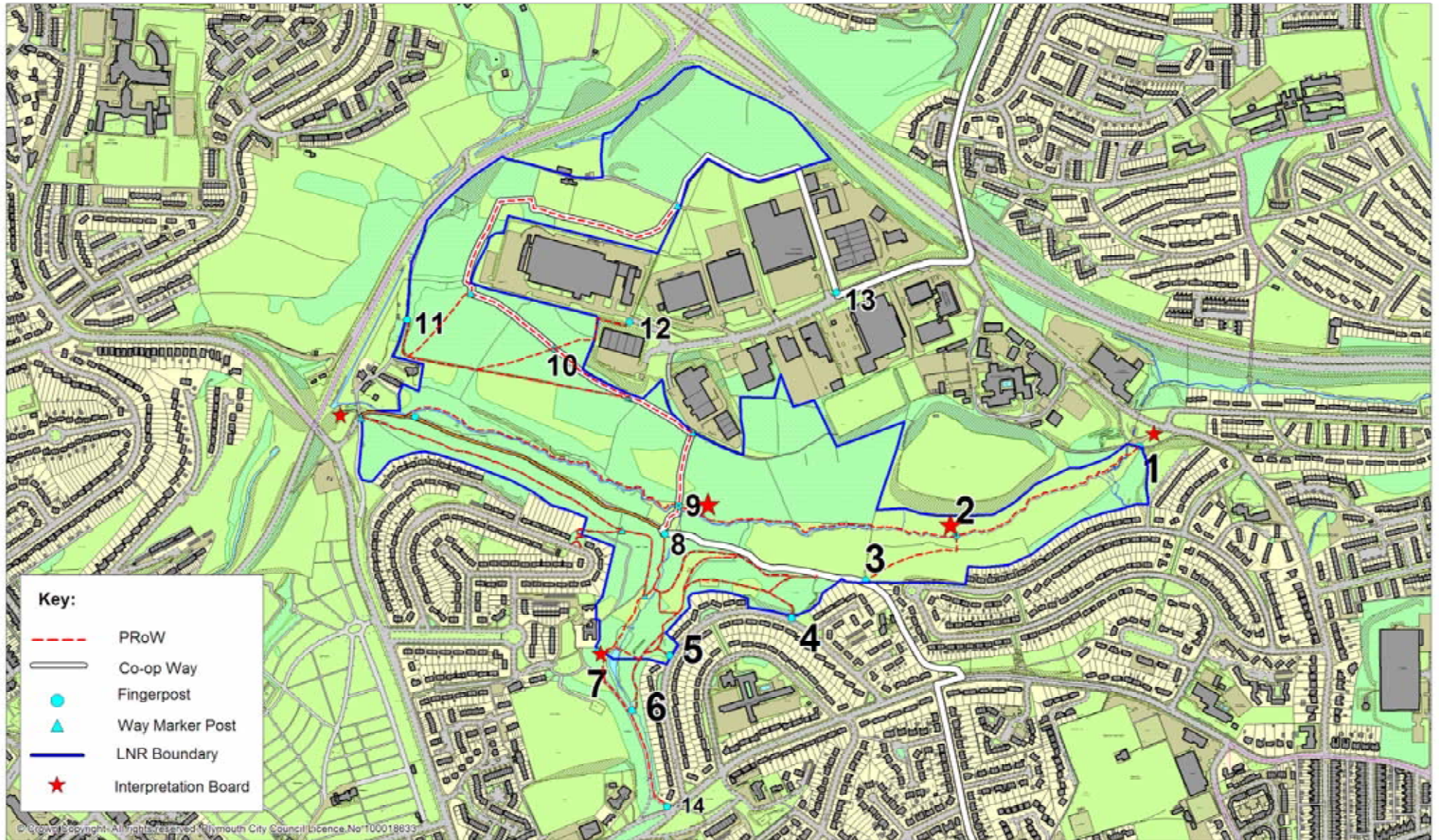


Southway Valley LNR

Proposed Public Rights of Way

Scale 1:6417





Ham Woods

PRoW Routes and Signage

4. Staffing Levels

- 4.1 The response to the Forum's letter to Barry Keel regarding staffing levels sets out 2 options for the use of University student placements. At the current time it is not felt that either option provides a sustainable solution to address the problems at hand. A short term placement would clearly not aid the long term situation and a longer term placement, which is limited to a maximum of 1 year, must be funded by the hosting team absorbing approximately 50% of existing revenue budgets. This level of budget reduction would require us to actually suspend all work on progressing claims as well as impacting upon our existing maintenance commitments.
- 4.2 The government's Penfold Review has clarified that the recent "Red-Tape Challenge" might well reduce some of the legislative burdens placed on local authorities in a wide range of areas. Details of changes to Traffic Regulation Orders and planning issues relating to the historic environment which are already out for public consultation clearly state that large scale legislative changes relating to public rights of way are due to be consulted on in the near future and it is hoped that some relief might be found within these proposals.

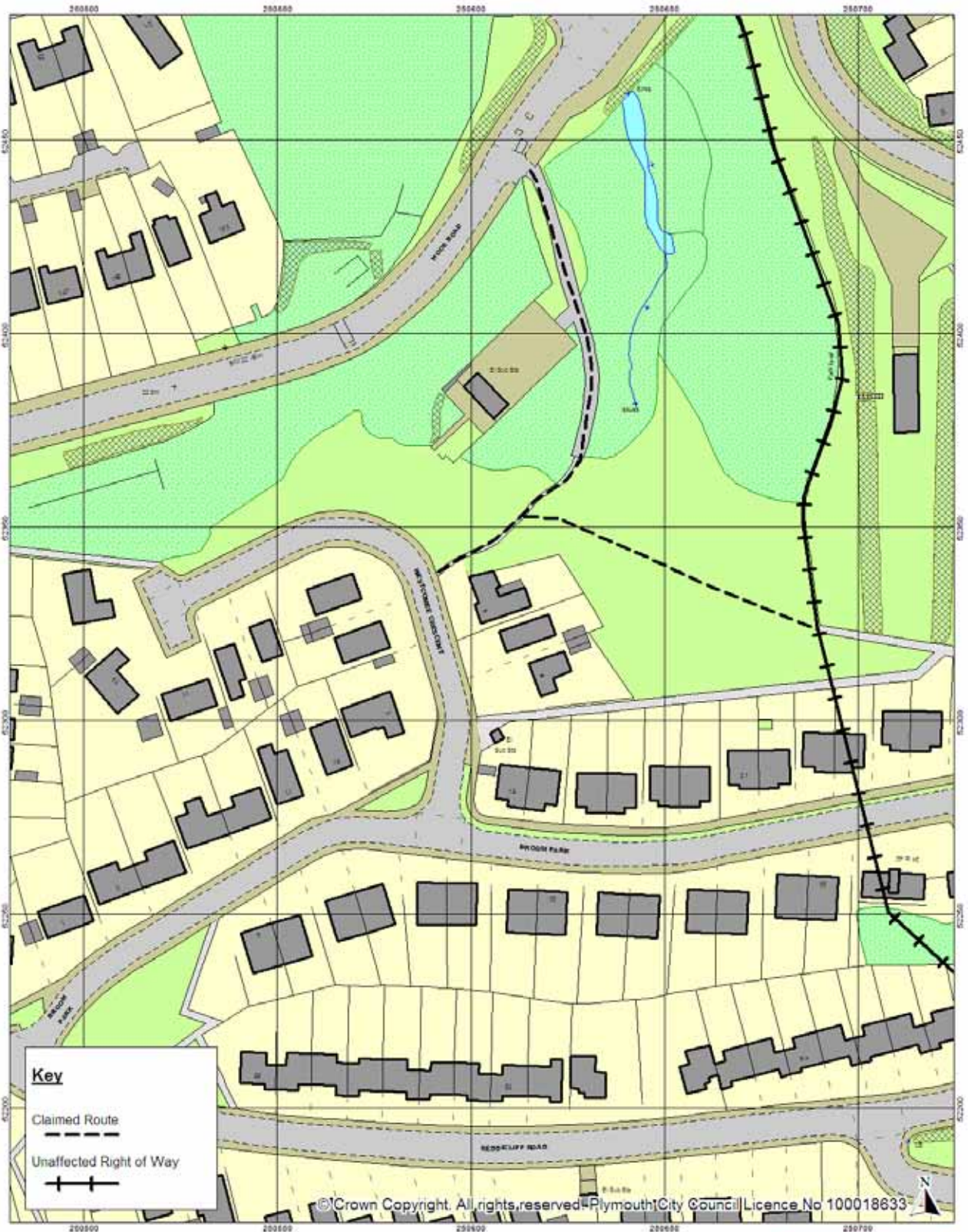
5.0 Definitive Map and Statement Republication

- 5.1 Finally Members may be interested to know that due to the large number of changes to the rights of way network in recent years the Definitive Map and Statement will be republished in the near future. The map was last published in 2006.

Appendix 1

Modification Order Application Claimed Routes

WCA.005 - Hooe Road



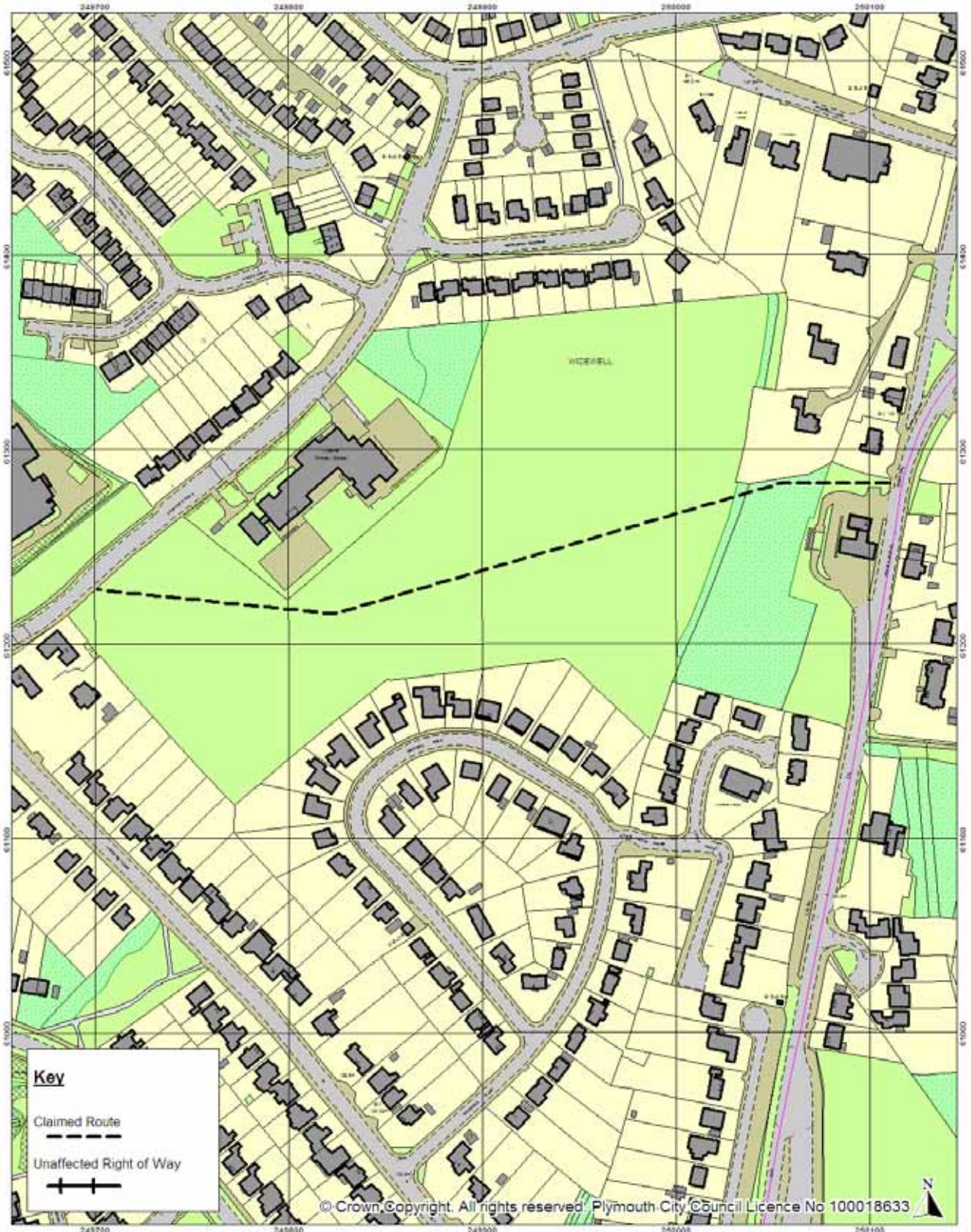
WILDLIFE AND COUNTRYSIDE ACT 1981

WCA.005 - Hooe Road

Scale 1:1250



WCA.006 – Widewell School



Key

- Claimed Route
- Unaffected Right of Way

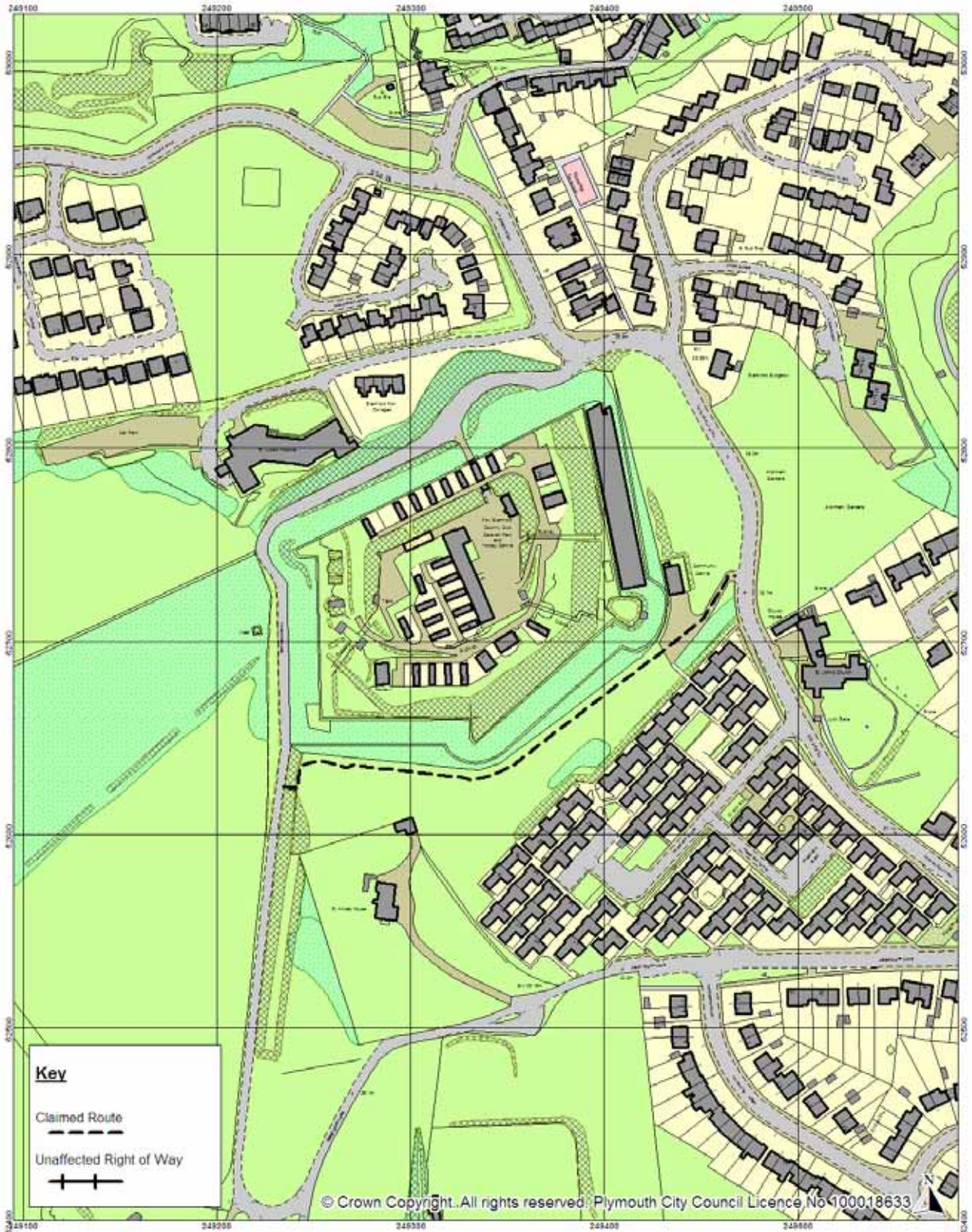
WILDLIFE AND COUNTRYSIDE ACT 1981

WCA.006 - Widewell School

Scale 1:2500



WCA.007 - Stamford Lane



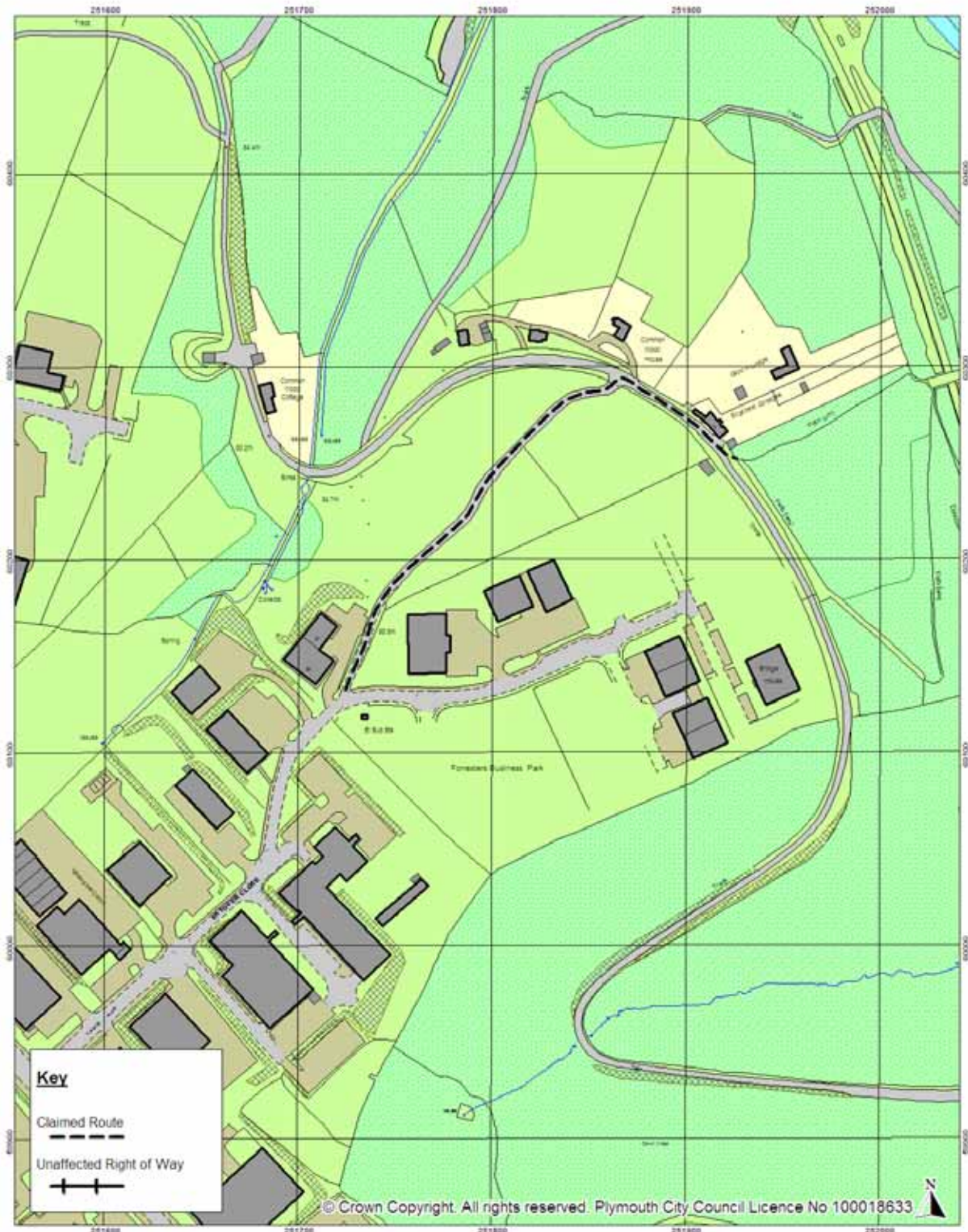
WILDLIFE AND COUNTRYSIDE ACT 1981

WCA.007 - Stamford Lane

Scale 1:2500



WCA.008 – Elizabeth Cottage



Key

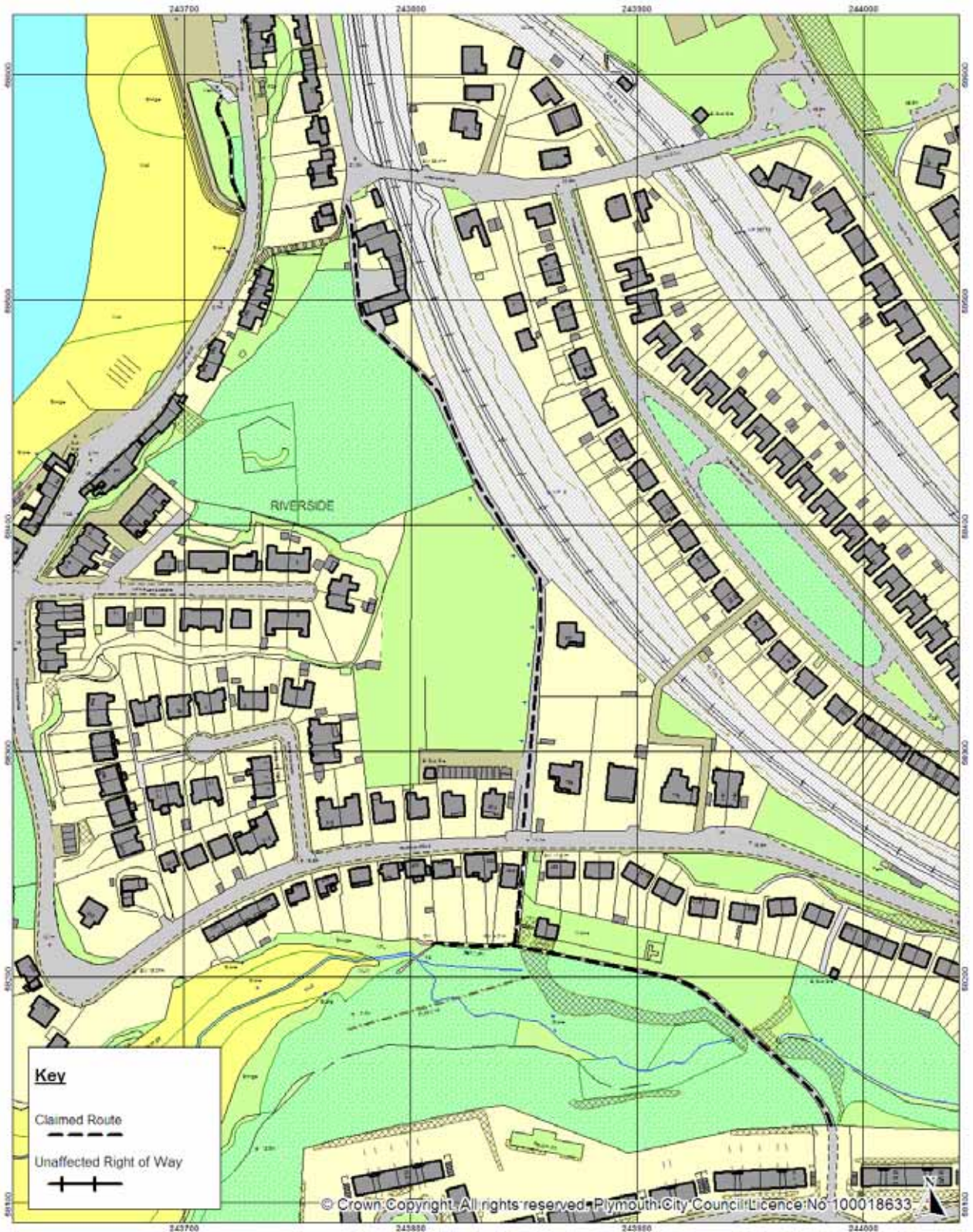
- Claimed Route
- Unaffected Right of Way

WILDLIFE AND COUNTRYSIDE ACT 1981
WCA.008 - Elizabeth Cottage



Scale 1:2500

WCA.009 - The Kloof



Key

- Claimed Route
- Unaffected Right of Way

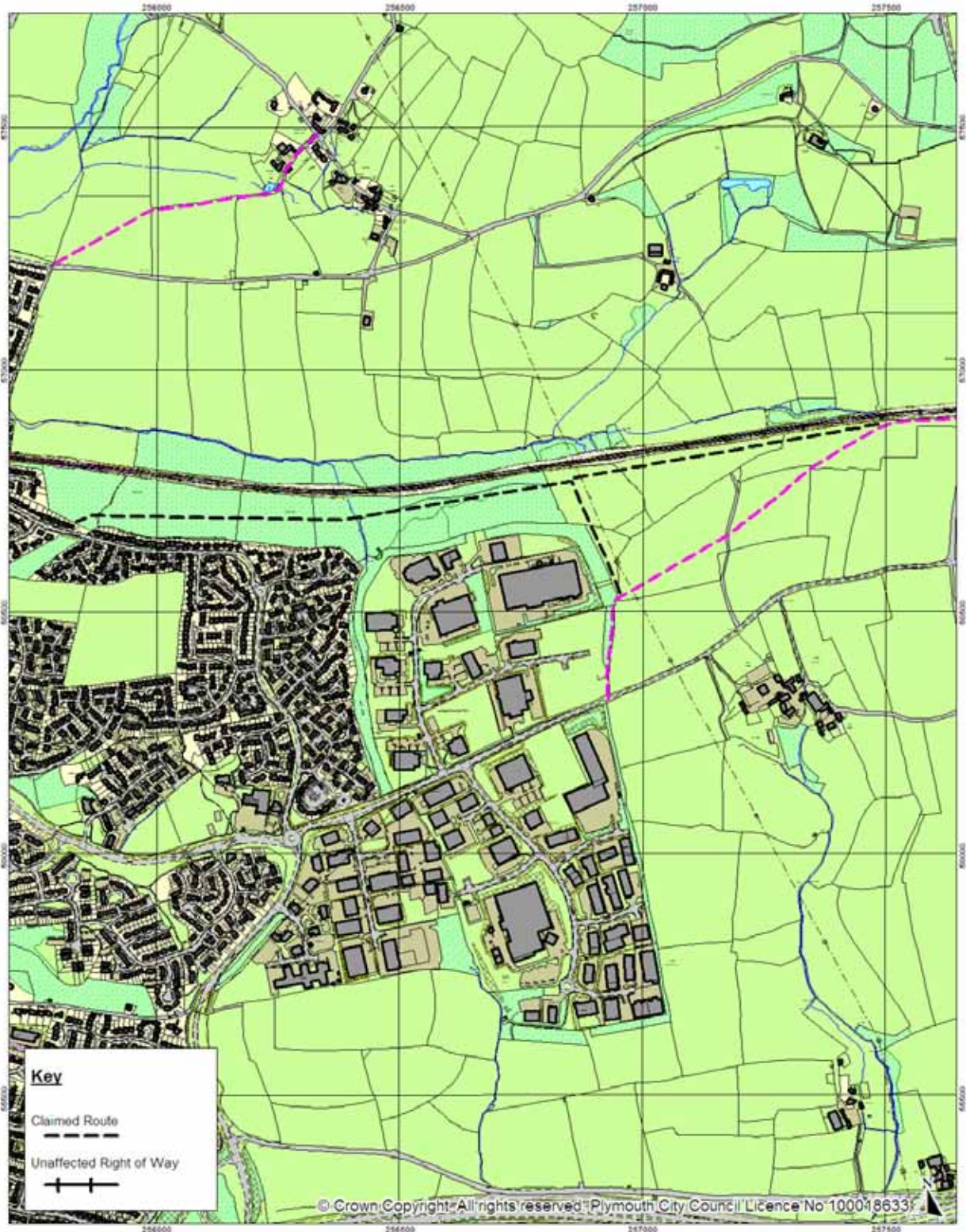
WILDLIFE AND COUNTRYSIDE ACT 1981

WCA.009 - The Kloof

Scale 1:2142



WCA.010 - Chaddlewood



WILDLIFE AND COUNTRYSIDE ACT 1981

WCA.010 - Chaddlewood

Scale 1:10000



WCA.011 - Plymstock School



WILDLIFE AND COUNTRYSIDE ACT 1981

WCA.011 - Plymstock School

Scale 1:2500

