

BRIEFING NOTE

18 June 2012 – Agenda Item 11 – PLAF Priorities



1. Introduction

- 1.1 This report provides the Forum with a summary of discussions that took place between Members on the 23 May 2012. The outcome of that meeting was that a briefing paper be prepared for discussion by the full LAF.

2. Plymouth Green Spaces

- 2.1 In response to correspondence from LAF Members it was suggested by the LAF Secretary that the Forum consider adopting a “theme” for the following year to focus its attention on. The theme suggested was that of greenspaces and city parks with a view to seeking the recording of paths within formal parks in the city.
- 2.2 Following discussion by Members it was a unanimous decision that this was not a key priority for the LAF on the basis that firstly paths within formal parks are not “at risk” in the same way other unrecorded paths were and that secondly should Parks Services prove receptive to the designation of paths as PRoW then the process was actually a very simple one and therefore would not provide sufficient subject matter to occupy the LAF’s attention for a 12 month period.
- 2.3 It was therefore agreed that the recommendation to the full group would be to write to Parks Services seeking to clarify their views on the designation of paths within formal parks as PRoW. It was felt that it would be useful to invite the Greenspace Manager to a future meeting to discuss the issue specifically in terms of their understanding the implications of s.31(1) Highways Act 1980 which provides for a highway to become established following 20 years use by the public unless clear steps have been taken by the landowner to prevent those rights accruing.

2.4 Members agreed it necessary to invite officers to attend as there would need to be a clear understanding on their part on the barriers that might make Parks reluctant to see Prow designated within parks. Issues such as events management for example on areas like the Hoe would become more problematic if additional Traffic Regulation Orders were required.

3. Unrecorded Public Rights of Way

3.1 Whilst it was not felt that the green spaces topic required the suggested level of intervention the concept of an annual theme was agreed to be a good idea. Members all felt that if there was one area that required long term detailed investment by the LAF that area was addressing the matter of unrecorded rights of way outside of council owned land.

3.2 It has of course been a long term problem as to how best deal with the high number of unrecorded PRow within the city and it was felt that the recent success in recording paths across land within council control and the current government consultation which sets out proposals on legislative reform for public rights of way provide an opportunity to make serious headway.

3.3 The issues at hand are in effect quite complex. The sheer number of potentially unrecorded paths and the level of resourcing available to council officers makes the task daunting in scale and the legal powers available are all complex and lengthy. However there is a good starting base. There exists a good historic record of potential paths recorded by the Ramblers Association in the 1980s and many of those paths have been surveyed recently by LAF Members already. We are now aware of the legislative changes being proposed by the government so we can proceed with full knowledge of the options available for the recording of these paths and in terms of priorities the promotion of walking, both recreationally and for utilitarian purposes, has never been higher within the council which is evident by the increased capital and revenue funding allocated towards it.

3.4 In light of this it was agreed that the recommendation to the full LAF was that a working group be formed to investigate this issue. The working group will require training provided by the PRow Officer on the legal means of creating a PRow which takes account of the

proposed changes set out by the current consultation on legislative reform. The aim of the working group would be to work with the Council to establish a work programme that the council will then implement.

Actions:

1. **PLAF** - Nomination to draft a letter to Parks Services outlining their views on PRow within city parks
2. **PLAF Secretary** - Invite the Greenspace Manager to a future PLAF meeting in the context of the PLAF Forward Work Programme
3. **PLAF** - Nominate and appoint members to the Unrecorded PRow Working Group.