

# QUESTION BY MEMBER OF THE PUBLIC



Please return your completed question form to: Democratic Support Unit, Chief Executive's Department, Plymouth City Council, Ballard House, Plymouth, PL1 3BJ or email to [democraticsupport@plymouth.gov.uk](mailto:democraticsupport@plymouth.gov.uk) (if emailing, please ring 01752 304163 to advise).

Question submitted by: [REDACTED]

Contact details: [REDACTED]

Telephone number: [REDACTED]

E mail address: [REDACTED]

To the Chair of Planning Committee: Councillor Wiggins

To be asked at the next Planning Committee meeting. Please note that your question must be submitted at least five clear working days before the date of the meeting.

Question: (please insert your question here, to be no longer than 50 words)

Statutory Regulations require the Council to consider Public Path Order applications within two years. Why are applications listed on the Council's website from 2009 still outstanding and what action is being taken to record the 750 known footpaths in Plymouth on the Definitive Map before the 2026 cut off date?

Will you be attending the meeting in person to ask your question? Yes/No\* (\*Delete as appropriate)

Response: (for completion by Planning Committee Chair)

There is no statutory requirement for a Public Path Order to be completed within two years and the processing of such applications is a discretionary power not a statutory duty. In the past decade Plymouth City Council has only accepted 2 applications for a Public Path Order which it has progressed promptly; one under the Highways Act 1980 at Ridgeway School in Plympton which was completed in 2012 and the second under the Town and Country Planning Act 1990 at the Former Downham School site in Plymstock which was considered by Planning committee in February 2016, confirmed in November 2016 and brought into effect in January 2017.

We are not aware of any evidence that there are 750 unrecorded public rights of way in Plymouth. Whilst the 2026 cut-off date implemented by Parliament will have an impact on any unrecorded path which existed prior to 1949 the intention of Parliament appears to be to encourage national and local user groups to identify those paths which are important to them and work with local authorities to ensure they are protected, which may be done by submitting an application for a modification order before 2026. Plymouth City Council enjoys a good track record of dealing with applications to modify the definitive map and statement promptly. We were successful at a public examination where this committee's decision was upheld last summer, there is a public inquiry into another application being arranged for later this year and three further applications will be considered at today's meeting. Details about all the applications we are dealing with are available online if further information is required.