

<b>DECISION-MAKER:</b>	PLANNING AND RIGHTS OF WAY PANEL
<b>SUBJECT:</b>	PUBLIC RIGHTS OF WAY: ANNUAL UPDATE REPORT
<b>DATE OF DECISION:</b>	17 JANUARY 2012
<b>REPORT OF:</b>	HEAD OF PLANNING AND SUSTAINABILITY
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

### **BRIEF SUMMARY**

This report introduces appendices that provide an update on the main activities of the Rights of Way function since its last report to Panel, February 2011.

### **RECOMMENDATION:**

- (i) That Panel note the contents of the Report and Appendices as a means of bringing it up-to-date with some of the current key issues affecting the Rights of Way function.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. It was resolved by the Planning and Rights of Way Panel at its meeting on 8<sup>th</sup> January 2008 that an update report be received annually with interim e-mail updates to the Panel members (Minute 38).
2. At its meeting 15<sup>th</sup> February 2011, it was agreed, although not minuted, that the quarterly e-mailed update reports would no longer be required but the Annual Report be retained and submitted to Panel.
3. Consequently, the attached appendices inform Panel of those activities and issues which have developed since the last Annual Report, February 2011; Appendix 1 being the Report of the Rights of Way Section on its activities January 2011 to January 2012; and Appendix 2 being a Map illustrating the present state of the Public Rights of Way network.

### **DETAIL (Including consultation carried out)**

#### **Consultations**

4. A draft (version 1) of this report and appendices were sent to officers within Legal, Finance, Travel & Transport Policy and the Cabinet Member with Portfolio for Environment.

#### **Alternative Options**

5. There were no alternatives considered as the topics outlined in Appendix 1 are statutory duties and the action of reporting to Panel complies with a previous resolution of January 2008.

#### **Statutory Responsibilities and Duties**

6. The overall duty of the Rights of Way Section is to fulfil the City Council's statutory responsibilities and duties as detailed in legislation listed at paragraphs 2.1 and 2.2 of Appendix 1.

#### **Other Responsibilities**

7. Non statutory work undertaken is identified and listed at paragraph 2.3 of Appendix 1.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

8. **Capital:** None

9. **Revenue:**

- The responsibilities to which this report refers result from statutory duties placed on the Council by various legislation and therefore any financial implications have not been taken into account.
- Funding for the rights of way service is currently contained within the Environment Revenue Estimates, under the Planning and Sustainability Division.

### **Property/Other**

10. There are no implications resulting from this report, its recommendation or its appendix.

## **LEGAL IMPLICATIONS**

### **Statutory Power to undertake the proposals in the report:**

11. None

### **Other Legal Implications:**

12. Those Acts that directly impact on the rights of way function;
- Sections 53 and 53B of the Wildlife & Countryside Act 1981;
  - Sections 60 and 61 of the Countryside & Rights of Way Act 2000;
  - Section 61(1)(e) of the Countryside & Rights of Way Act 2000;
  - Section 94 of the Countryside & Rights of Way Act 2000;
  - Section 17 of the Crime & Disorder Act 1998;
  - Natural Environment & Rural Communities Act 2006;
  - The Highways Act 1980, as amended by various statutes including the Clean Neighbourhoods & Environment Act 2005; and
  - The Human Rights Act 1998 and anti-discrimination legislation.

## **POLICY FRAMEWORK IMPLICATIONS**

13. Whilst the publication of an Improvement Plan and maintenance of a Definitive Map and Statement are statutory duties, the tasks associated with these and much of the work carried out by the rights of way section endeavours to meet the aims and objectives of several plans and strategies that constitute the Policy Framework, including as examples:

- The City of Southampton Strategy: A 20-year vision
- Southampton City Council Plan 2011-14
- Southampton Connect Plan 2011-14
- Community Safety Strategy
- City of Southampton Local Transport Plan

- Partnership for Urban South Hampshire (PUSH)
- Green Spaces Strategy 2008

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**SUPPORTING DOCUMENTATION**

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

**Appendices**

1.	Report of the Rights of Way Section on its activities since February 2011
2.	Plan illustrating current Rights of Way.

**Documents In Members' Rooms**

1.	None
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**Integrated Impact Assessment**

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	NO
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**Other Background Documents**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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**Integrated Impact Assessment and Other Background documents available for inspection at:**

<b>WARDS/COMMUNITIES AFFECTED:</b>	<b>ALL</b>
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