

Report of the Rights of Way Section on its activities since September 2010

1. Introduction

- 1.1 This report complies with the resolution, recorded as minute 38 of the Planning & Rights of Way Panel meeting 8th January 2008; that an update report be received annually by the Panel, with interim e-mail updates to Panel Members.
- 1.2 Since the last full report to Panel, January 2010, there have been three interim reports; March, June and September 2010.
- 1.3 The purpose of this paper is to précis those interim reports and update Panel on more recent activities, thereby giving Panel the opportunity to comment.

2. Responsibilities

- 2.1 The overall duty of the Rights of Way Section is to fulfil the City Council's statutory responsibilities in respect of:-
 - The National Parks & Access to the Countryside Act 1949, (NP&AC);
 - The Countryside Act 1968, (CA);
 - The Highways Act 1980, (HA);
 - The Wildlife & Countryside Act 1981, (W&C);
 - The Countryside & Rights of Way Act 2000, (CROW);
 - The Marine & Coastal Access Act 2009, (MCA); and
 - All other legislation that impacts on public rights of way within the City.
- 2.2 Primary duties include the:-
 - review and maintenance of a Definitive Map & Statement;
 - (preparation, publication), implementation and monitoring of a Rights of Way Improvement Plan;
 - representing of the City Council on the Local Access Forum, (the Hampshire Countryside Access Forum) and other bodies as required and
 - consideration, assessment and investigation of Schedule 14 applications submitted by the public under section 53(5) of the W & C Act 1981.
- 2.3 Other Responsibilities include the:-
 - preparation, implementation, recording and reporting on a Local Performance Indicator, (ex BVPI 178, now obsolete in favour of National Indicators that do not include any for public rights of way);
 - enforcement to remove obstructions from rights of way;
 - historic research and investigation of routes that are potentially rights of way as part of the continuous review of the Definitive Map and Statement as directed by section 53(3)(c) of the W & C Act 1981;
 - guidance to planning officers and others in respect of developments that impact on rights of way or potential rights of way; and
 - response to all manner of enquiries from the public, Council Members, Council Officers, outside bodies, Government Departments and other Local Authorities.

3. Definitive Map & Statement; Ward Review

- 3.1 The Ward Review for Bassett has been successfully completed with an additional 19 rights of way being added to the Definitive Map & Statement.
- 3.2 The remaining Definitive Map Modification Order to add two Restricted Byways to the Map is presently being determined by the Planning Inspectorate by means of written representations.

4. Definitive Map & Statement; Legal Events

- 4.1 The outcome of the Public Inquiry in August this year successfully concluded with the Inspector confirming the Order which has now added the right of way footpath between Bassett Green Road and Bassett Wood Road on the Definitive Map.

5. Other Actions

5.1 Schedule 14 Applications

The Schedule 14 Application to have the footpath that lies to the rear of Sainsbury's, Lord's Hill District Centre, added to the Definitive Map & Statement has been investigated and was presented to panel for its consideration of the evidence.

Panel determined that public rights had accrued over the route and therefore, it should be added to the Definitive Map & Statement.

In order to consider the best means of securing this and address the pedestrian safety issue that initiated the application, the Rights of Way Officer was tasked with returning to Panel with a report on the options available supplemented with a report on the safety issues.

5.2 Rights of Way Improvement Plan, (RoWIP).

Since the annual Full Report to Panel, January 2009, which included a summary list of the status for all actions from the RoWIP (as at December 2009), there has been progress within most of the generic actions.

Work has resumed on the Procedures and Management Framework document that was identified as a requirement within the Action Plan, I.D. C2.

5.3 Local Transport Plan; LTP3

The rights of way section is preparing input into the LTP3 document.

5.4 Coastal Access

Part 9 of the Marine and Coastal Access Act 2009 introduced new powers that extend recreational access to the coast, placing a duty on the Secretary of State

and Natural England to secure, as far as possible, a continuous signed and managed long distance route accessible on foot.

Presently, there is no involvement required from this Authority, as the primary aim of Natural England is securing coastal access in and around Weymouth, in preparation for the Olympic and Paralympics sailing events in 2012. The consultation on these proposals ended 10th January 2011

The latest information available from Natural England, as at August 2010, states:

“As a result of a five percent reduction to this year’s budget Natural England has needed to assess the scope and delivery of some of its in-year programmes. Five local authorities (Cumbria, East Riding of Yorkshire, Somerset, Kent and Norfolk) are involved in the implementation of the first phases of the roll out of the All England Coastal Path. Work at the Weymouth stretch of the coast path is continuing but the five local authorities have been informed that the scale and scope of the initial roll out in their areas will need to be reduced to accommodate the reductions in this year’s budget.

It is incorrect to say that the coastal access project has been shelved; the availability of funding for a wider rollout of coastal access schemes will become clearer following the Comprehensive Spending Review process expected to be completed this autumn.

Natural England is continuing with the roll out in the five pilot areas and will await clarification from the CSR process about the long term budget that is likely to be available for funding rollout in these areas and elsewhere.”

5.5 Southampton Online

The new look website, Southampton Online, went live in October 2009 and includes pages on public rights of way. These are closely monitored to reflect changes and news, together with the interactive on-line plan of Rights of Way and Research Projects, which is constantly updated as a result of successful additions of rights of way and/or new routes that require investigation. (Direct link being at www.southampton.gov.uk/rightsofway)

5.6 Planning & Development

The rights of way section, as an internal consultee, has been involved in several planning applications and pre-applications that impact on rights of way or potential rights of way, including proposed regeneration of ex-car park areas within Thornhill and other locations.

5.7 Cross Boundary Routes

The rights of way section is an active participant in the Solent CAP Working Group, a subgroup of the Hampshire Countryside Access Forum to which Southampton is a tripartite member. Hampshire produced 7 Rights of Way

Improvement Plans for differing geographical parts of the County, terming them Countryside Access Plans, (CAP's).

The purpose of the Solent CAP Working Group is to facilitate and carry out the improvements that were identified within the Solent CAP area; SCC's involvement being to address those issues that cross-boundary with Southampton.

5.8 PATHH Project

The Hampshire Countryside Access Forum recently won Heritage Lottery Funding to carry out a major county-wide research project in continuance of the old Discovering Lost Ways national project.

Providing Access To Hampshire's Heritage, PATHH, was initiated by the Hampshire Countryside Access Forum, the project being managed by the Hampshire and Wight Trust for Maritime Archaeology and supported by Hampshire County Council and the New Forest Access Forum.

Southampton has been invited to join the steering group and participate in the project which seeks to identify historical routes that can help fill the gaps in the rights of way network, an action contained in relevant Improvement Plans.

After Hampshire Countryside Access Forum ran a successful pilot project in 2008, the new PATHH project has been expanded across the whole county, with invites to Southampton and Portsmouth to participate.

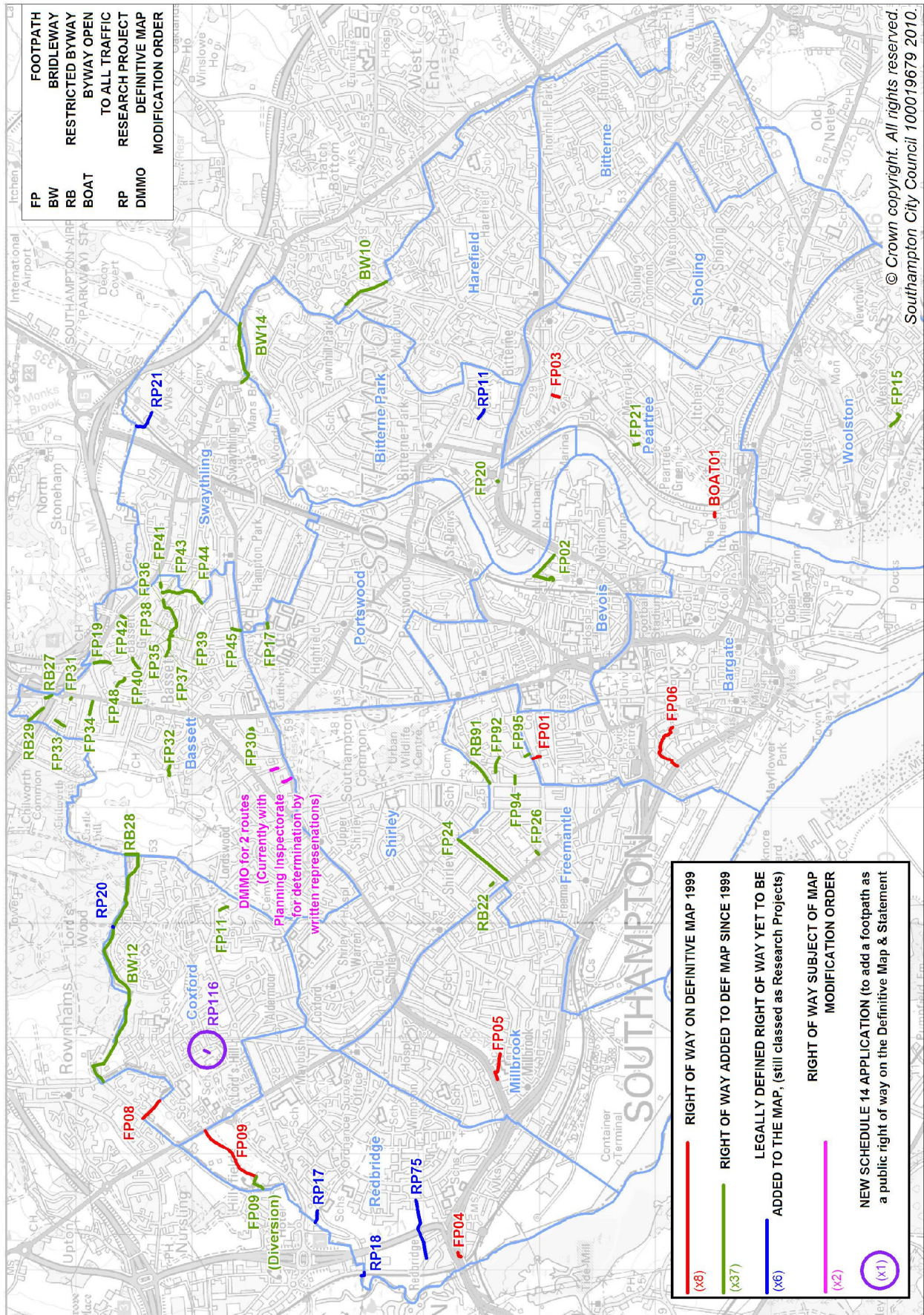
6. Resources

- 6.1 Due to Divisional Restructuring late 2010, the Assistant Right of Way Officer post was deleted, with the incumbent having taken redundancy. This has resulted in Rights of Way reverting to a sole-officer function.
- 6.2 The work and responsibilities that were assigned to the redundant post will, in part, be absorbed into those carried out by the Rights of Way Officer.
- 6.3 As the work and responsibilities within the function overall have increased over the last several years, consideration has had to be given to prioritising them and which will result in a short-fall in the projected work-plan for the Ward Review.
- 6.4 There will also be a reduction in facility time to respond to status enquiries, land charges searches, planning application consultations and implementing actions identified within the Rights of Way Improvement (Action) Plan.

End DP Blakeway

January 2011

Status of Rights of Way



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Southampton City Council 100019679 2010.

Action Plan: by ID

ID	Action	Priority	Spend	When	Involving	Year	07	08	09	10	11	12	13	14	15	16	17
M1	Investigate the use of Field Operatives to monitor and assess seasonal vegetation growth and general route conditions.	H	REV	2007 - 08	RoW / Hwys		C										
M2	To carry out a feasibility study towards instigating a programme of general maintenance and cutback, (including height clearance for cyclists & horse riders), which is independent of current practices involving other divisions.	H	REV	2007 - 09	RoW / NP / P & OS			C									
M3	To establish maintenance regimes around wildlife and ecological considerations, e.g. nesting birds.	M	CAP	2008 - 10	RoW / P & OS / Hwys				C								
M4	Upgrade surfaces where appropriate to accommodate less mobile users.	M	REV	2010 - 13	RoW / P & OS / Hwys												
M5	Where appropriate and conducive, install waste bins for both litter and dog waste.	L	CAP	2013 - 17	RoW / P & OS / Hwys												
M6	Where appropriate and conducive, improve lighting along routes with consideration to wildlife, e.g. bats.	L	CAP	2013 - 17	RoW / SL / Hwys												
A1	Where appropriate and conducive, assess removal of barriers, stiles or gates that obstruct free use by wheelchairs and similar, but with reservation that in some cases barriers assist in the reduction of anti-social and criminal behaviour.	M	REV	2010 - 17	RoW / P & OS / Hwys												
A2	During the continuous review of the Definitive Map, to place more strategic importance on routes that link open space, schools, shops and other local amenities and that link to the wider countryside.	H	REV	2007 - 17	RoW		I/H										
A3	Negotiate for the upgrade of suitable routes to Bridleway or Restricted Byway, where practical, to extend the equestrian and cycle networks with consideration to ecological issues.	L	REV	2012 - 17	RoW / BHS / Users												
A4	Ensure that routes affected by proposed development are considered in the planning application and development control process.	H	REV	2007 - 17	RoW / P & DC		I/H										
A5	Prepare guidance notes for planners and developers that advise on routes and public rights of way affected by proposed developments.	M	REV	2008 - 11	RoW / P & DC			I/H									
A6	To assess and advise on the creation of new routes as part of the planning and development process.	H	CAP	2007 - 17	RoW / P & DC		I/H										
A7	To advise on any proposals that develop waterside areas where it is possible to create links to other existing or planned routes.	M/H	REV	2009 - 10	RoW / P & DC		I/H										
A8	To liaise with the Planning Ecologist when creating, upgrading or working on routes when in ecologically sensitive areas.	M	REV	2007 - 17	RoW / PEco / P&DC		I/H										
A9	To strengthen links to water user groups and develop improvements to access to water via known public hard, quays and slipways, and make better use of non-tidal waterways.	M	REV	2009 - 11	RoW / Hwys / Users												
A10	To upgrade and improve the quality of signposts to better combat vandalism.	H	REV	2007 - 09	RoW		I/H										
A11	To carry out a sign and route condition audit to better identify signing needs and improvements.	H	REV	2007 - 09	RoW		C										
A12	To improve road safety at road crossings where rights of way and link routes meet main carriageways.	M	CAP	2011 - 17	RoW / Hwys / HCC												
A13	To work more closely with adjoining Local Authorities on actions within this RoWIP that involve cross-boundary issues.	M	REV	2007 - 17	RoW / HCC			I/H									
A14	To research internal and external opportunities for funding projects to improve the rights of way network and other access issues.	H	REV	2007 - 17	RoW		I/H										
C1	Strengthen links with local community groups to ensure they are aware of / involved in the overall management of rights of way and access issues by closer involvement with Neighbourhood Partnerships.	H	REV	2007 - 09	RoW / NP / Users		I/H										
C2	To prepare and present to the relevant Council committee proposals for a comprehensive policy document on rights of way, to involve the Local Access Forum, (Hampshire Countryside Access Forum) during preparation stage.	H	REV	2007 - 10	RoW / NP / Users / HCAF / L & DS		I/H										
C3	To prepare and publish a new reformatted version of the Definitive Map & Statement by late 2009.	H	REV	2007 - 09	RoW				I/H								
C4	To prepare leaflets on rights of way; their meaning, status, where they are and the Definitive Map.	M	REV	2008 - 10	RoW / P & OS / PEco / P & DC			I/H									
C5	To prepare leaflets that promote walks to and within open spaces, outlining topics of interest, such as flora and fauna, and which are available to different users in other languages or medium.	L	REV	2011 - 13	RoW / P & OS / PEco												
C6	To prepare leaflets aimed at promoting responsible use of the network, and the rights and responsibilities of users and landowners.	M	REV	2009 - 11	RoW												
C7	To revise internal procedures for responding to allegations of misleading signs on or along rights of way.	M	REV	2011 - 13	RoW												
C8	To encourage use of the network by including destination, distance and user information on signposts.	M	CAP	2011 - 13	RoW												
C9	To produce a biannual rights of way newsletter for all interested groups and individuals.	H	REV	2007 - 08	RoW			C									
C10	To increase the amount of rights of way information available on the City Council's web pages.	H	REV	2007 - 09	RoW / IT				C								
C11	To undertake a feasibility study into creating an interactive Definitive Map facility for Southampton.	M	CAP	2010 - 13	RoW / IT			C									

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HCAF Hampshire Countryside Access Forum
HCC Hampshire County Council,
(Rights of Way Section)
Hwys (Highways) Balfour Beatty Group

IT Information Technology Unit
Southampton City Council
L & DS Legal & Democratic Services,
Southampton City Council
NP Neighbourhood Partnerships

P & DC Planning & Development Control,
Southampton City Council
P & OS Parks & Open Spaces,
Southampton City Council
PEco Planning Ecologist,
Southampton City Council

RoW Rights of Way Section,
Southampton City Council
SL Street Lighting
Users User groups
C COMPLETED or IN HAND,
I/H as at DEC 2010

CAP Capital Spend
REV Revenue Spend
→ On-going

Action Plan: by Priority

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