

DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL		
SUBJECT:	PUBLIC RIGHTS OF WAY: ANNUAL UPDATE REPORT		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	SENIOR MANAGER; LEGAL, HR and DEMOCRATIC SERVICES		
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STATEMENT OF CONFIDENTIALITY
None.

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, January 2012.

RECOMMENDATIONS

- i That the Panel notes the content 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 8th January 2008 that an update report be received annually with interim e-mail updates to the Panel members (Minute 38).
2. At its meeting 15th 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 and illustrate to Panel those activities and issues which have developed since the last Annual Report, January 2012;
 - Appendix 1 being the Report of the Rights of Way Section on its activities January 2012 to January 2013;
 - Appendix 2 being a Map illustrating the present state of the Public Rights of Way network;
 - Appendix 3 illustrating potential rights of way within Bitterne Park Ward following research carried out as part of the PATHH Project;
 - Appendix 4 being an extract from the Final Report of the PATHH Project, and
 - Appendix 5 listing the annual pass rates for the local performance indicator.

CONSULTATION

4. A draft (version 1) of this report and appendices were sent to officers within Legal, Finance and Travel & Transport Policy and also to the Executive Director Economic Development.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

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.

DETAIL

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.

FINANCIAL / 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, Transport & 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;
 - The Human Rights Act 1998 and anti-discrimination legislation; and

- The Equality Act 2010.

POLICY FRAMEWORK IMPLICATIONS

13. Whilst the publication of an Improvement Plan and maintenance of a Definitive Map & 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:
- Southampton Core Strategy
 - Southampton City Council Plan 2011-14
 - Southampton Connect Plan 2012-15
 - City Safety Partnership (Annual Plan 2012-13)
 - City of Southampton Local Transport Plan
 - Partnership for Urban South Hampshire (PUSH)
 - Green Spaces Strategy 2008

SUPPORTING DOCUMENTATION

Appendices

1.	Report of the Rights of Way Section on its activities since January 2012
2.	Plan illustrating current Rights of Way network.
3.	Plan illustrating potential rights of way in Bitterne Park Ward.
4.	Extract from the Final Report of the PATHH Project
5.	Table illustrating the Annual Pass Rates for Performance Indicator

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:

WARDS/COMMUNITIES AFFECTED:	ALL
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