

DECISION-MAKER:	PLANNING AND RIGHTS OF WAY PANEL				
SUBJECT:	PUBLIC RIGHTS OF WAY: ANNUAL UPDATE REPORT				
DATE OF DECISION:	18 FEBRUARY 2014				
REPORT OF:	HEAD OF LEGAL AND DEMOCRATIC SERVICES				
<u>CONTACT DETAILS</u>					
AUTHOR:		Name:	D. BLAKEWAY	Tel:	023 8083 3987
		E-mail:	david.blakeway@southampton.gov.uk		
Director		Name:	Mark Heath	Tel:	023 8083 2371
		E-mail:	mark.heath@southampton.gov.uk		
STATEMENT OF CONFIDENTIALITY					
NOT APPLICABLE					

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 2013.

RECOMMENDATIONS:

That the Planning and Rights of Way 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 on 15th February 2011, it was agreed although not minuted, that the quarterly e-mailed update reports would be 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 2013 to January 2014;
 - Appendix 2 being a Map illustrating the present state of the Public Rights of Way network and
 - Appendix 3 being a Map illustrating the present state of Coastal Access.

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 (Including consultation carried out)

Consultations

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

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 on page 4 of Appendix 1.

Other Responsibilities

7. Non statutory work undertaken is identified and listed on page 4 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 items of legislation and therefore any financial implications have not been taken into account.
- The controllable budget for the Rights of Way service is contained within Legal Services, with an equal, uncontrollable recharge passed onto Environment and Transport

Property/Other

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

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

11. As set out in Page 4 of Appendix 1.

Other Legal Implications:

12. Those Acts that directly impact on the rights of way function;
 - Sections 53 and 53B of the Wildlife and Countryside Act 1981;
 - Sections 60 and 61 of the Countryside and Rights of Way Act 2000;
 - Section 61(1)(e) of the Countryside and Rights of Way Act 2000;
 - Section 94 of the Countryside and Rights of Way Act 2000;
 - Section 17 of the Crime and Disorder Act 1998;
 - Natural Environment and Rural Communities Act 2006;
 - The Highways Act 1980, as amended by various statutes including the Clean Neighbourhoods and Environment Act 2005;
 - The Human Rights Act 1998 and anti-discrimination legislation;
 - The Equality Act 2010; and
 - The Growth and Infrastructure Act 2013

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:

- Southampton Core Strategy
- Southampton City Council Plan 2013-16
- Southampton Connect Plan 2012-15
- City Safety Partnership (Annual Plan 2012-13)
- Local Transport Plan 3
- Partnership for Urban South Hampshire (PUSH)
- Green Spaces Strategy 2008

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	All
------------------------------------	-----

SUPPORTING DOCUMENTATION

Appendices

1.	Appendix 1 being the Report of the Rights of Way Section Jan 2013 to Jan 2014
2.	Appendix 2 being a Map illustrating the present network of Public Rights of Way
3.	Appendix 3 being a Map illustrating the present state of Coastal Access.

Documents In Members’ Rooms

1.	None
----	------

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out?	Yes/No
--	---------------

Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. None	