

North Tyneside Council

Report to Cabinet

8 June 2015

ITEM 7(c)
Public Rights of Way –
Response to Overview,
Scrutiny and Policy
Development Committee
Sub Group Report

Portfolio(s): Housing and Transport

Cabinet Member(s): Cllr J Harrison

Report from Service Area: Environment and Leisure

Responsible Officer: Phil Scott,
Head of Environment and Leisure

Tel: (0191) 643 7295

Wards affected: All

PART 1

1.1 Purpose:

The purpose of this report is for Cabinet to respond to the recommendations as set out in Appendix 1 received from the Overview, Scrutiny and Policy Development Committee in relation to its study into Public Rights of Way (PRoW).

1.2 Recommendation(s):

It is recommended that Cabinet agrees the proposed responses to the recommendations from the Overview, Scrutiny and Policy Development Committee in relation to its study into Public Rights of Way, as shown in Appendix 1 of this report.

1.3 Forward Plan:

Twenty eight days notice of this report has been given and it first appeared on the Forward Plan that was published on 11 May 2015.

1.4 Council Plan and Policy Framework

This report relates to the following priority in the 2014/18 Our North Tyneside Plan:

- 1 C We will improve accessibility in the borough and support accessibility by walking and cycling

1.5 Information

Cabinet received the recommendations of the Overview, Scrutiny and Policy Development Committee study into Public Rights of Way at its meeting on 13 April 2015.

As part of the Environment Sub-Committee work programme 2014/15, Members agreed to carry out a review in relation to the Public Rights of Way network.

The main objective was to examine the current situation in relation to the recording of Public Rights of Way on the Definitive Map and Statement in light of the cut-off date of 1 January 2026 set out in the Countryside and Rights of Way Act 2000 for all Public Rights of Way to be recorded on the Definitive Map and Statement otherwise they would be lost forever. In addition the Sub-committee wished to examine options for the maintenance of the Public Rights of Way network.

A Rights of Way Sub Group of Environment Sub-Committee was formed. In order to obtain the relevant evidence to complete the study, the Sub Group undertook desk based research and met with officers of the Authority and of the Authority's Technical Partner. In addition the Sub Group met with representatives of Bridleway and Riders Action Group, British Horse Society, Living Streets, The Ramblers Association and Sustrans.

As a result of the study, the Sub Group identified six recommendations, which were directed to Cabinet. A proposed response to the recommendations is set out at Appendix 1.

1.6 Decision options:

The following decision options are available for consideration by Cabinet:

Option 1

Cabinet may accept the recommendation set out in paragraph 1.2 above.

Option 2

Cabinet may not accept the recommendation set out in paragraph 1.2 above.

Option 3

Cabinet may also accept, reject or amend any of the proposed responses at Appendix 1 on an individual basis.

Option 4

Cabinet may refer the matter back to Officers for further consideration of particular issue(s).

Option 1 is the recommended option.

1.7 Reasons for recommended option:

Option 1 is recommended in order to support the effective management of North Tyneside's Public Rights of Way network.

1.8 Appendices:

Appendix 1 Proposed response to Public Rights of Way recommendations

1.9 Contact officers:

Andrew Flynn, Integrated Transport Manager, 0191 643 6083
Kevin Ridpath, Highway Network Manager, Capita, 0773 028 5609
Graeme Clark, Public Rights of Way, Definitive Map & Cycle Network Officer, Capita, 0191 643 2221
Dave Parkin, Democratic Services Officer, 0191 643 5316
Alison Campbell, Financial Business Manager, 0191 643 7038

1.10 Background information:

The following background papers/information have been used in the compilation of this report and are available at the office of the author:

- (1) [Report to Cabinet 13 April 2015 'Public Rights of Way – Overview, Scrutiny and Policy Development Committee Sub-Group Report](#)

PART 2 – COMPLIANCE WITH PRINCIPLES OF DECISION MAKING

2.1 Finance and other resources

If approved the accepted recommendations will be delivered as far as possible from existing budgets. Any actions which will incur additional costs which cannot be contained within existing budgets will be reported back to Cabinet for a decision before any expenditure is incurred.

2.2 Legal

As the highway authority for the borough, the Authority has a duty under the Highways Act 1980, as amended by the Countryside and Rights of Way Act 2000, to assert and protect the rights of public to the use and enjoyment of any highway including a duty to prevent, as far as possible, the stopping up or obstruction of highways.

There is a statutory obligation on the Authority to maintain an up-to-date record of Public Rights of Way in the area on a Definitive Map and Statement.

2.3 Consultation/community engagement

2.3.1 Internal Consultation

Members consulted with officers of the Authority and with the Authority's Technical Partner.

2.3.2 External Consultation/Engagement

Members met with representatives of the Bridleway and Riders Action Group, British Horse Society, Living Streets, The Ramblers Association and Sustrans.

2.4 Human rights

There are no human rights issues directly arising from this report.

2.5 Equalities and diversity

There are no equality and diversity issues directly arising from this report.

2.6 Risk management

There are no risk management issues directly arising from this report.

2.7 Crime and disorder

There are no crime and disorder issues directly arising from this report.

2.8 Environment and sustainability

If approved the accepted recommendations will contribute to improving the maintenance, preservation and promotion of the Public Rights of Way network.

PART 3 - SIGN OFF

- Deputy Chief Executive X
- Head(s) of Service X
- Mayor/Cabinet Member(s) X
- Chief Finance Officer X
- Monitoring Officer X
- Head of Corporate Strategy X