


Shropshire LAF

Discovering Lost Ways & The
Deregulation Act 2015

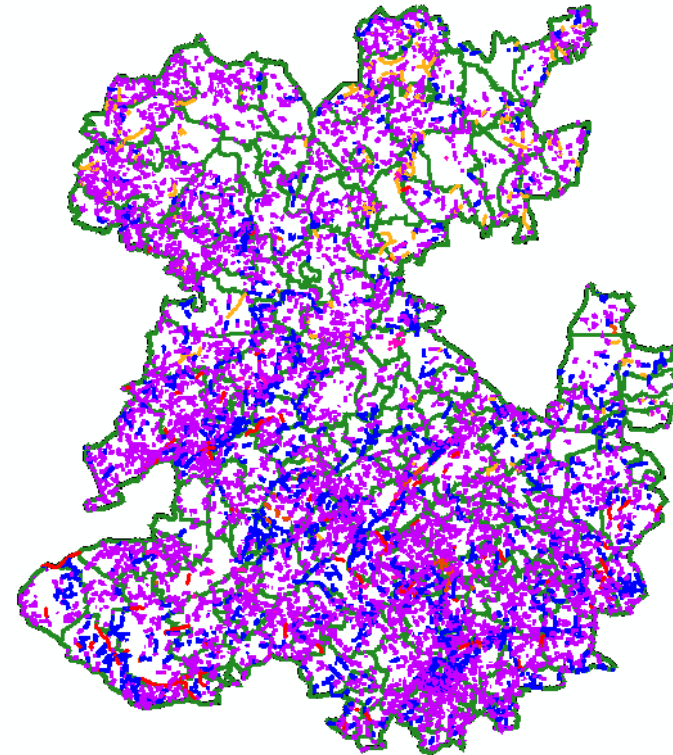


The Current Situation

Shropshire's Definitive Map (the legal record of Public Rights of Way)

- 4382 km Footpaths (FP)
- 1082 km Bridleways (BW)
- 112 km Restricted Byways (RB)
- 91 km Byways Open to all Traffic (BOAT)

- Over 5600 km in TOTAL

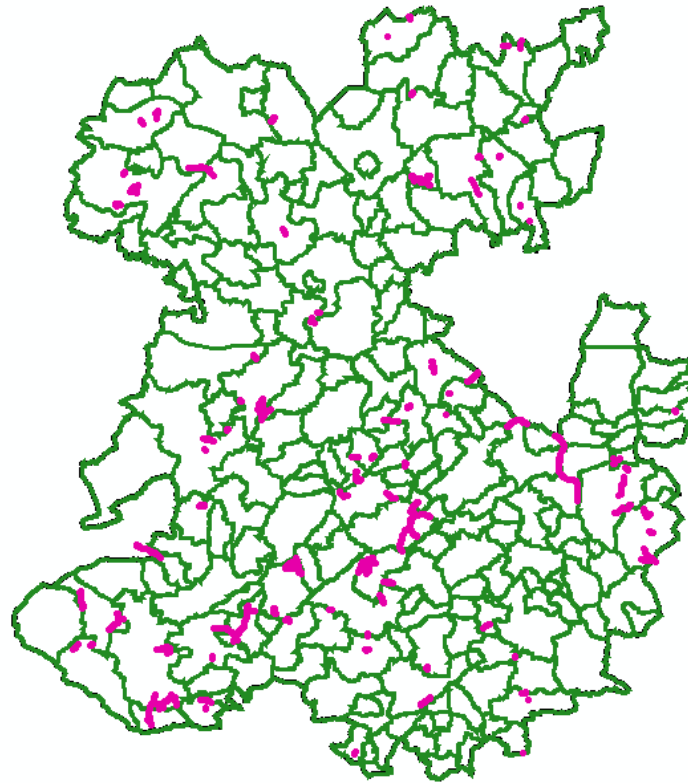


The 2026 Cut off

- In 2000, the Countryside and Rights of Way Act was introduced. Section 53 of the Act provides for a 'cut-off date' in 2026.
- which means that many historic routes (pre 1949) will be extinguished if they are not formally recorded.

Existing Formal Applications

Over 60 Formal
Application awaiting
determination



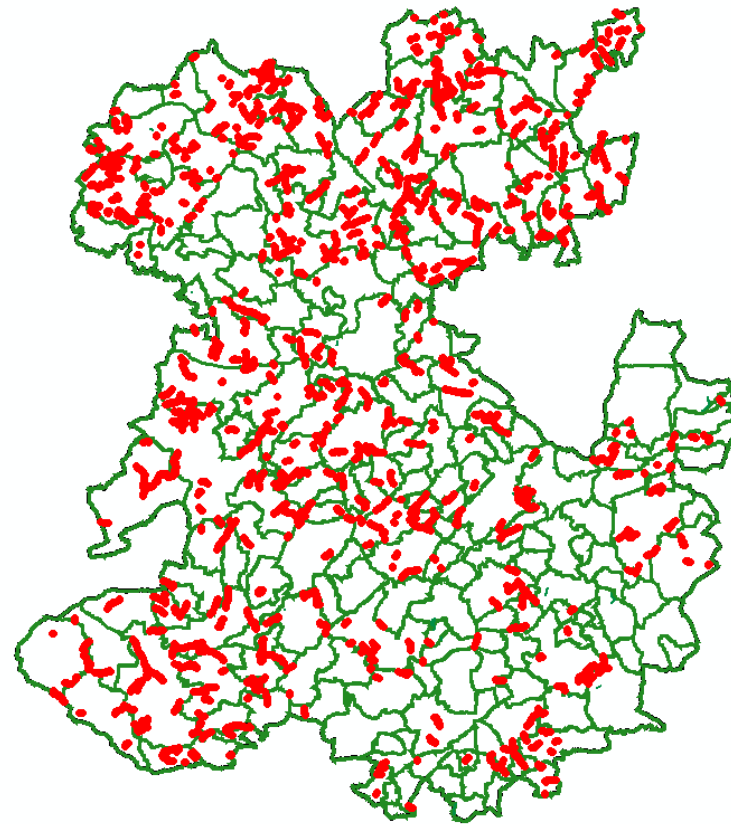
Discovering Lost Ways (DLW)

- 2004-2007 The Discovering Lost Ways (DLW) project was set up by the Countryside Agency (now Natural England). The focus of the project was to identify so called 'lost ways' through systematic archive research.

- May 2007 Review of the Project
- Stakeholder Engagement –
Resulting in the finding the way
forward report
- 5 Pathfinder Projects -including
Shropshire
- Project reported to DEFRA
- NE Report DLW outcome of the
review and recommendations for
the way forward.

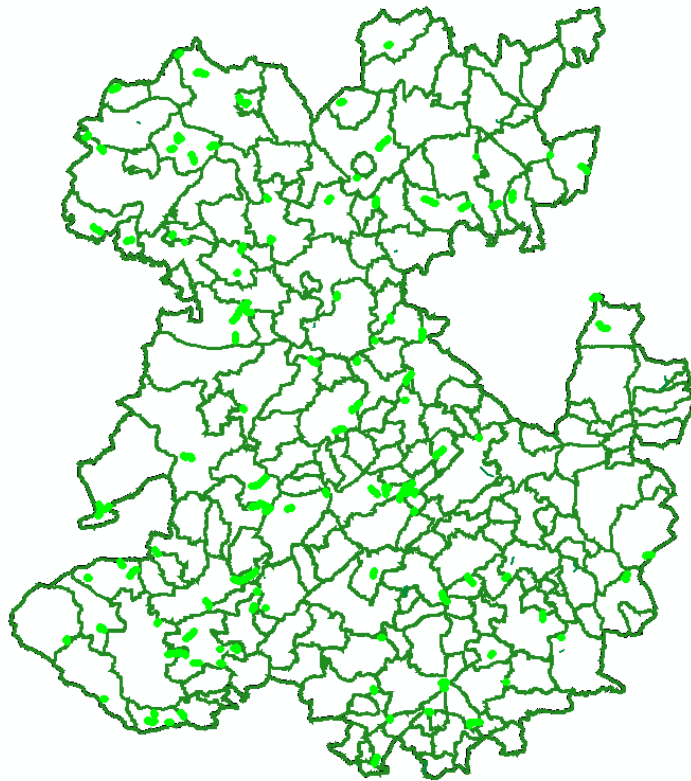
Discovering Lost Ways

Officer analysis
as part of the
Pathfinder
Project

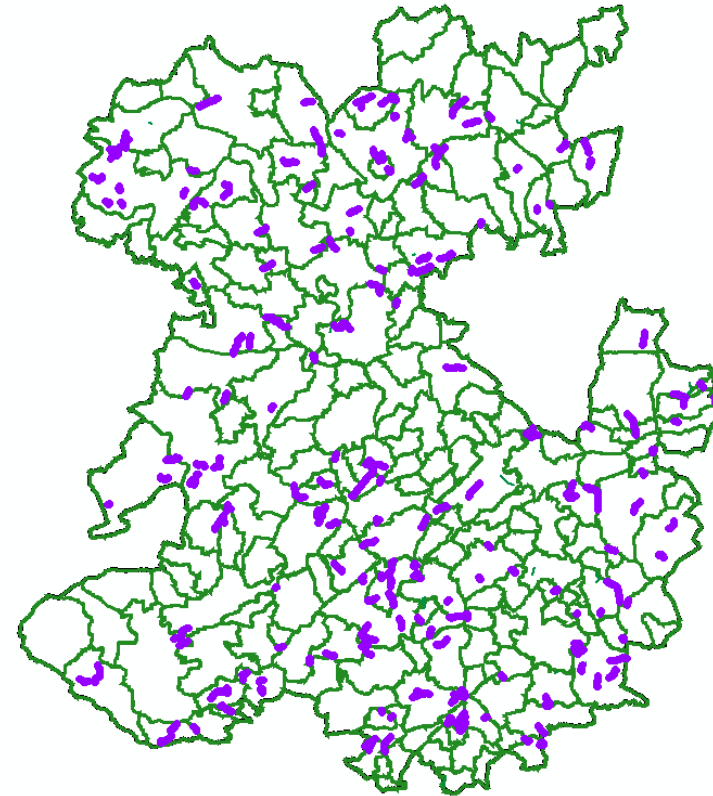


The existing anomalies

Cul de sac routes



Status anomalies

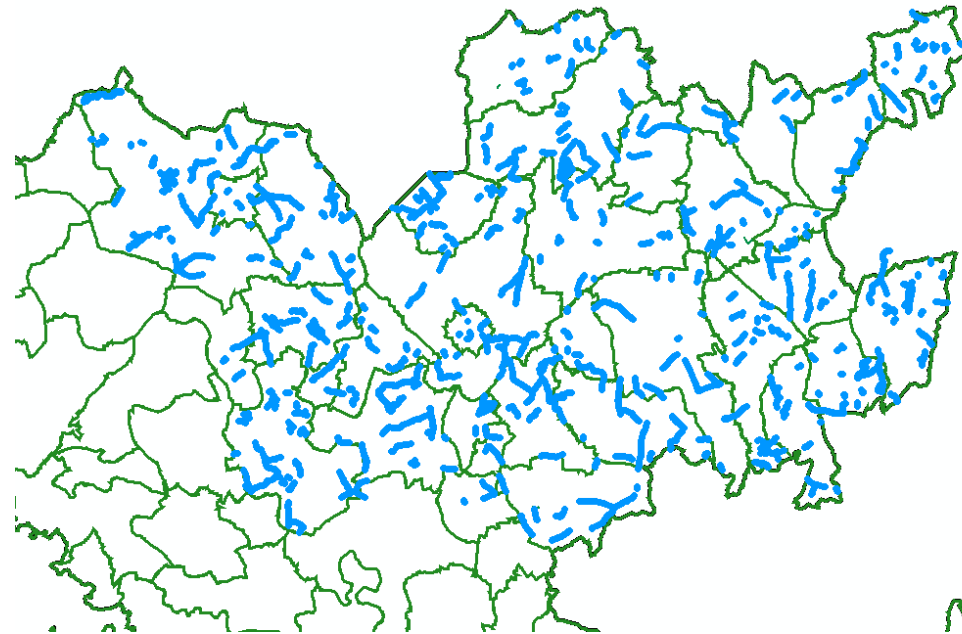


DLW – The North

All routes highlighted as potential Lost Ways in the North of the County investigated.

Approximately 80 Case Files resulting from this research.

Some work undertaken in Area 2 (Oswestry/Central Shropshire) but not completed as project ceased.



- Natural England set up Stakeholder Working Group 2008
- Stepping Forward Report
- 2013 Stakeholder proposals included in Deregulation Bill
- 2015 Deregulation Act
- Awaiting guidance due out April 2016

The Deregulation Act- Summary

2026 “cut off” date implemented with protection for potentially useful Rights of Way

- Routes exempted if on list of streets , private streets carrying public rights, routes in continuous use at cut of date and routes already subject to a DMMO application
- Local Authority able to make their own applications
- **Improvements to processes for recording rights of way**
- Applications can be transferred
- Local Authority to approach landowner not applicant
- Basic Evidential Test
- Changes to advertising in the press
- Draft Orders
- Local Authority able to discount irrelevant objections
- Ability to correct factual errors on the Definitive Map

Summary Cont:

Applications directly to the Secretary of State if not determined within 12 months.

- Applicants able to appeal to the Magistrates Court if cases not determined within a reasonable time scale.

A single set of guidance relevant to all parties produced.

Extending some of the proposals to Public Path Order Processes

- Right to apply
- Similar changes as proposed for evidential orders to make the process simpler and more efficient.

Any Questions?

