

Public Rights of Way (PROW)



What are we responsible for?

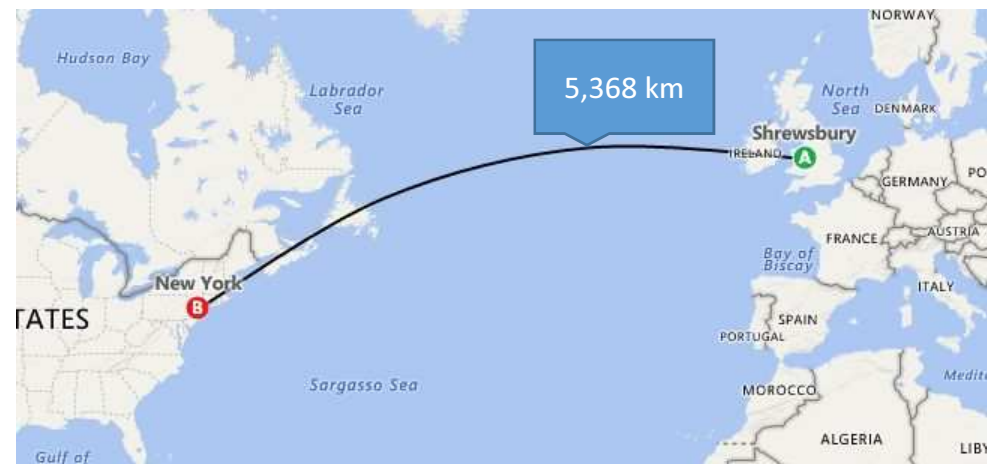
- Duty to assert & Protect
- Duty to keep the Definitive Map up to date
- Maintenance of the PROW (surfaces in the main)
- Enforcement of the network
- Furniture provision
- Legal Orders
- Planning and PROW
- Searches



The existing network

Shropshire has

- A Public Rights of Way network of over 5,600km.
- Is the third largest network of Public Rights of Way in England.
- Is the largest landlocked area.



The existing network

Types of Public Rights of Way

Footpaths (FP), which allow access for the public on foot only.

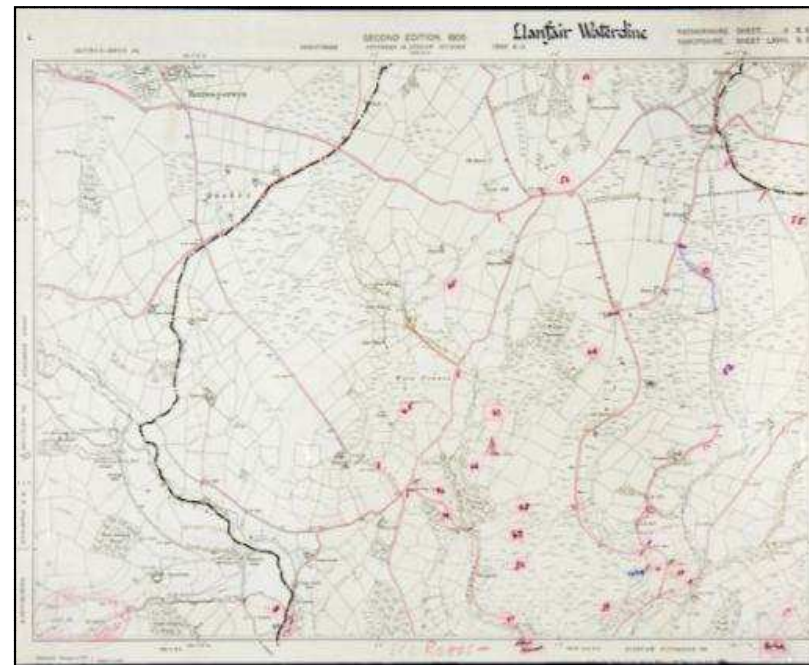
Bridleways (BW), which allow access on foot, horseback and with pedal cycles.

Restricted Byways (RB), which allow access for the public on foot, horse, pedal cycle and non-motorised vehicles (e.g. horse and cart).

Byways Open to all Traffic (BOAT), which allow access for the public on foot, horse, pedal cycles and motorised vehicles.

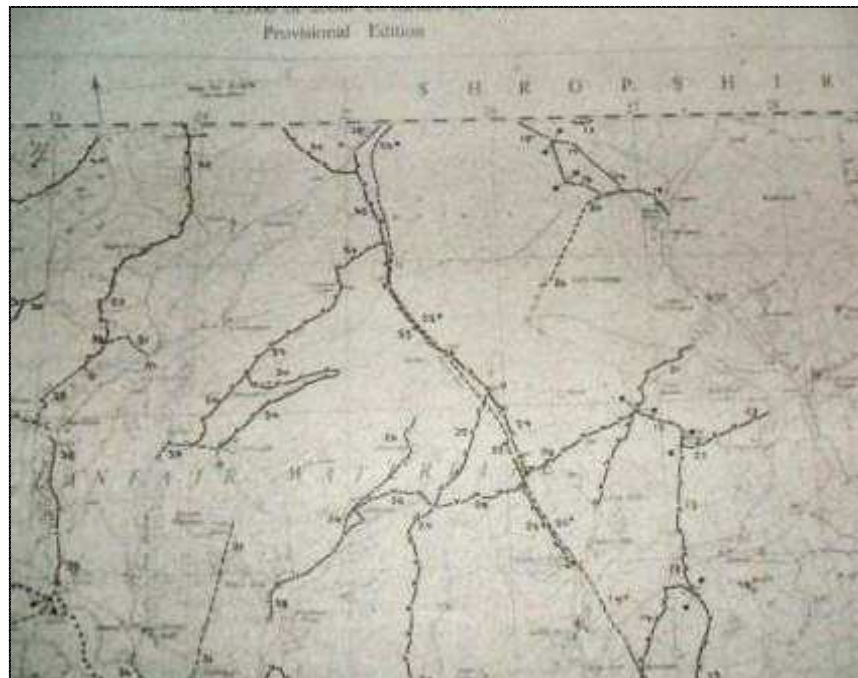


- The National Parks and Access to the Countryside Act 1949 placed a duty on local authorities to produce a definitive record of public rights of way within their areas.
- All Parish Councils were therefore asked to mark on maps and schedules where they believed they had public rights of way.
- These original claims then went through a formal checking and objection process before becoming definitive in the late 1950's.



**Original Parish Claim
Map**

The Definitive Map

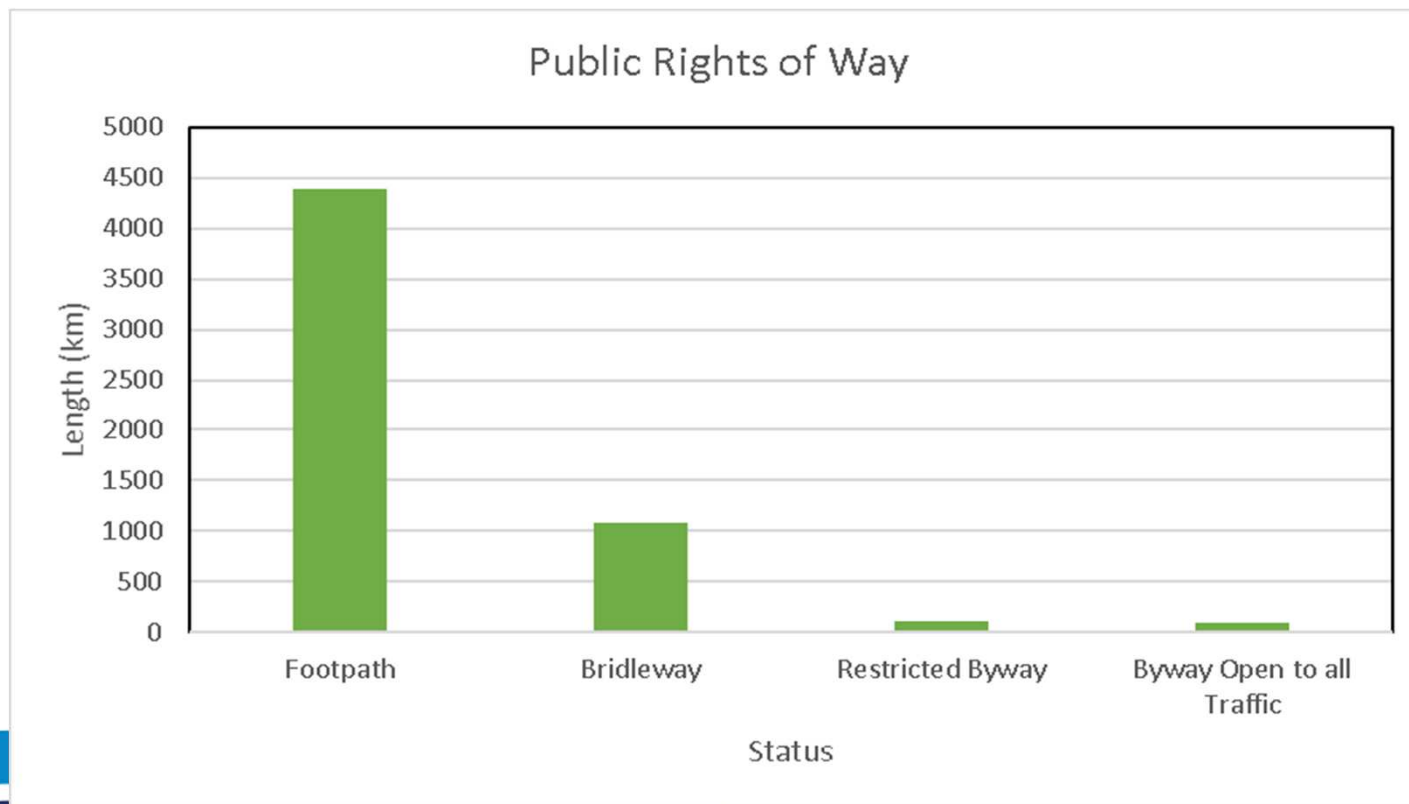


Shropshire's Definitive Map

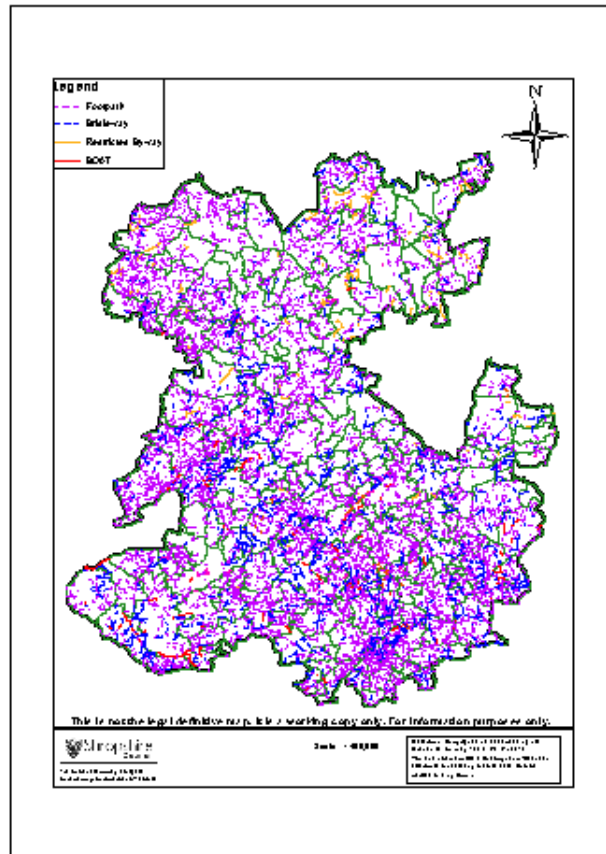
- Legal Document.
- Conclusive to what it shows.
- Can be amended but only via a legal order.
- The current relevant date for Shropshire's Map is **1 September 1965** and the map is at a scale of 1:25000.

Existing Network

- The graph demonstrates that the majority of the network in Shropshire are footpaths.
- They make up over **77%** of the overall network compared to **19%** of bridleways and the remainder are restricted byways and BOAT's.



Map of Public Rights of Way



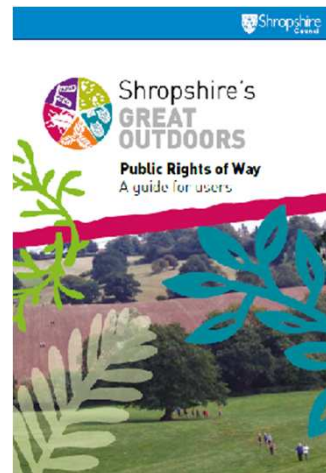
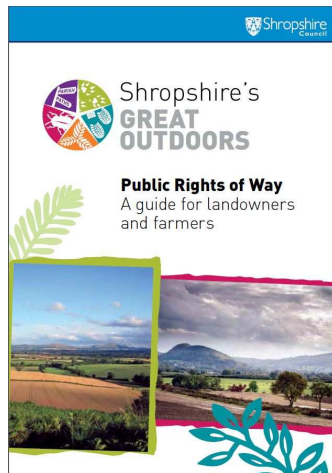
**Working Map available on the
Council Website use link below**

<https://shropshire.maps.arcgis.com/apps/webappviewer/index.html?id=00a0e03e79ee453ab6b787961ab192ec>

Other Responsibilities

Landowners

- Reinstatement
- Maintenance of furniture
- Overgrowth from adjoining hedges & overhead vegetation
-



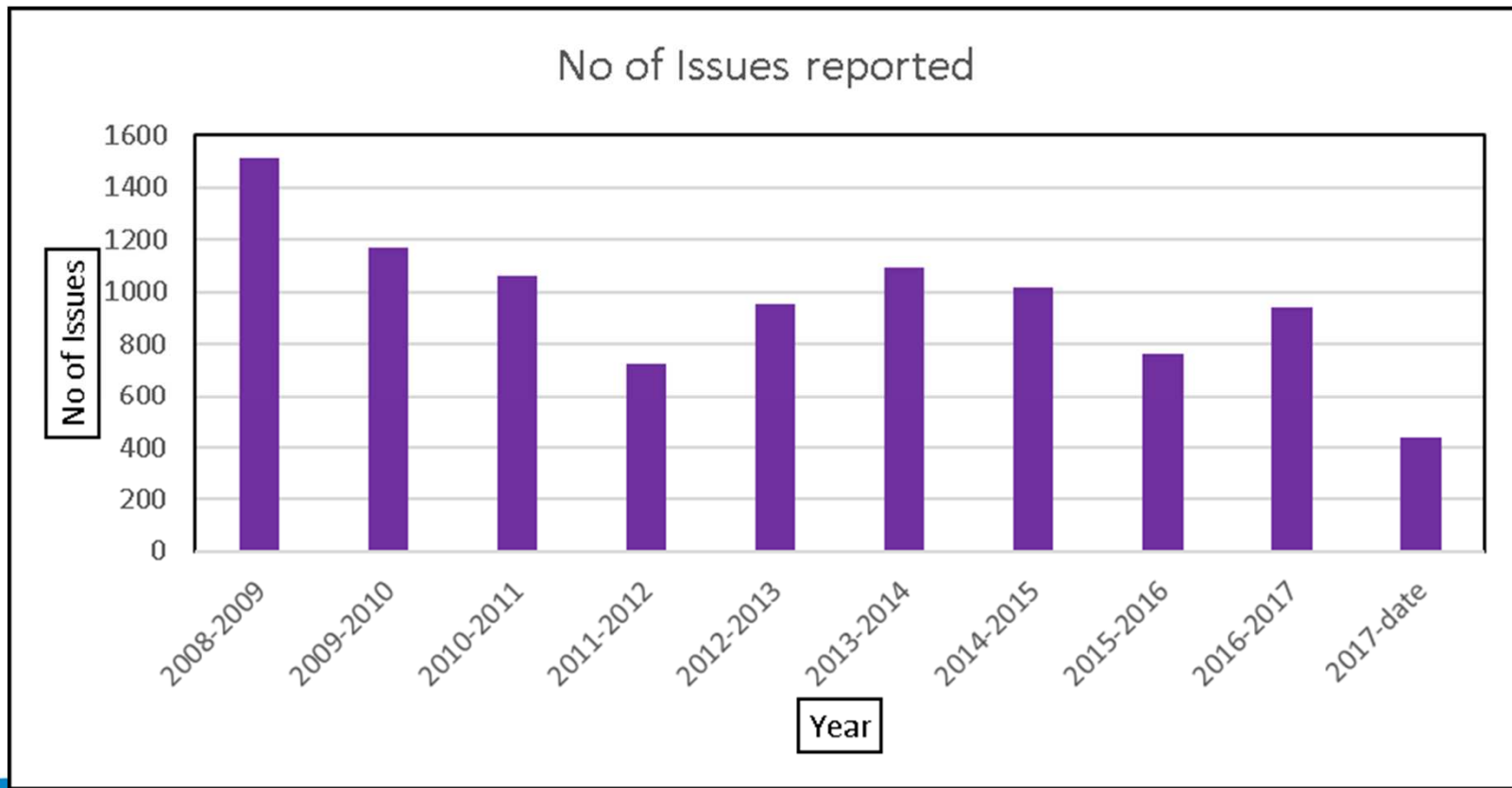
The Public/Users

- Follow the Highways Code
- Be safe and plan ahead
- Leave gates and furniture how you find it
- Follow advice and signage

Issues Reported on the Public Rights of Way Network

During the past ten years nearly **20,000** issues were reported to the Council.

On average, the number of issues reported annually is **967**.



Cross Path Issues

The most common category reported over the last ten years relates to cross path issues which account for just over **30%** of all of the issues reported.

This clearly shows that that **cropping** and **fencing** on Public Rights of Way were the highest category, followed by **electric fencing**.



Planning Consultation

- In 2017/18 we responded to **447** Planning Applications that directly affected or had a Public Right of Way running within close proximity
- The Outdoor Partnerships Team is also consulted on Public Open Space Provision on developments of 10 houses and above.



Planning and Public Rights of Way



Issues

- Routes historically obstructed by buildings
- New Builds/Extensions
- New Housing Developments
- Agricultural Buildings
- Temporary Closures whilst work undertaken

Planning and Public Open Space (POS)

- **POS** is a public space that is generally open and accessible to people within new developments.
- The inclusion of public open space is critical to the continuing health and wellbeing of the local residents.
- **87** applications affecting Public Open Space provision(2017-18) have been dealt with.



Rights of Way Searches(Con 29)

- Since June 2016 the Public Rights of Way question has become part of the standard Land Charges Search. **5811** searches have been responded to by the Mapping and Enforcement Team during 2017/18.

The following searches are awaiting Answering or are in the process of being answered.

District Ref.	Online Ref.	Applicant	Property Address	Received
18_05147	1CH_ESRI:27179371000	SearchFlow Limited	16, Winterton Way	16 Nov 18
18_05149	1CH_ESRI:27180362000	SearchFlow Limited	Pine View, Avenue Ro	16 Nov 18
18_05151	1CH_ESRI:27181459000	SearchFlow Limited	6, Church Street	16 Nov 18
18_05157	1CH_TWPC:100722801	Thames Water Property Searches	34, Oak Meadow	19 Nov 18
18_05163	1CH_PIE:191200931719	1513059	31, MILLERS GREEN	19 Nov 18
18_05171	1CH_ESRI:27185939000	SearchFlow Limited	6, Beech Grove	19 Nov 18
18_05173	1CH_ESRI:27186348000	SearchFlow Limited	Land near telephone	19 Nov 18
18_05174	1CH_ESRI:27186673000	SearchFlow Limited	Barn at Burnt House	19 Nov 18
18_05175	1CH_ESRI:27186546000	SearchFlow Limited	5, Rosewood Drive	19 Nov 18
BR/18_05158		Severn Trent	2, Turley Grove	19 Nov 18

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Restrict list to searches returned by the Land Charges department for correction :

FIND SEARCH BY REFERENCE

Reference
 Address
 Applicant

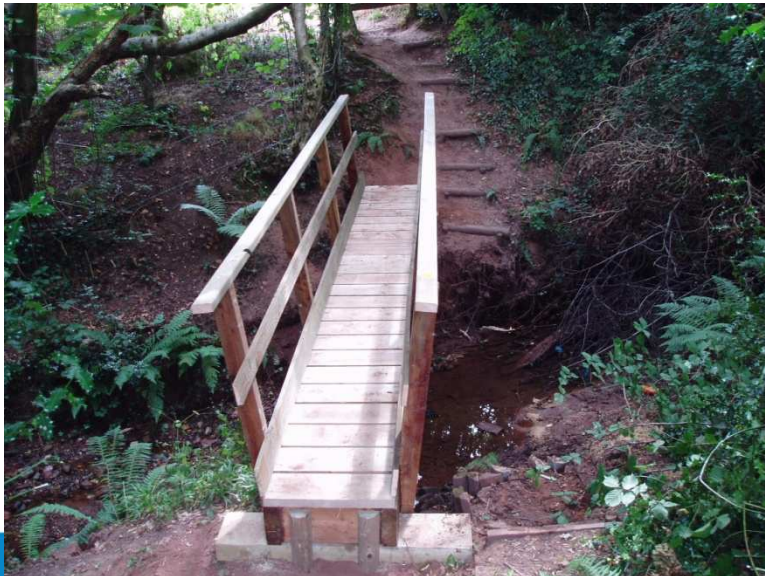
Reference:

District Ref:

Online Ref:

[Find](#) No current selection criteria. [List All](#)

Furniture on Public Rights of Way



- Easier Access Policy
- Can insist on gates if undertaking a PPO
- Negotiation is key
- Good range of options available
- Trained experienced officers to advise
- Bridges
- Stock Control
- Authorisation

Volunteers

Stile needed replacement in Marton



Stile replaced with a gate providing easier access



Oswestry P3 - Gate installation at High Fawr



Wentnor Birchope Step Installation

Before



During





After

Ellesmere Rural Stile Replacement

Before



After



Other examples

Cockshutt Bridge and gate installation



Hadnall Group undertaking Clearance



Legal Orders

Preferential Orders

Diversions

Extinguishments

Stopping up/Creation

Fee applicable unless in the public interest

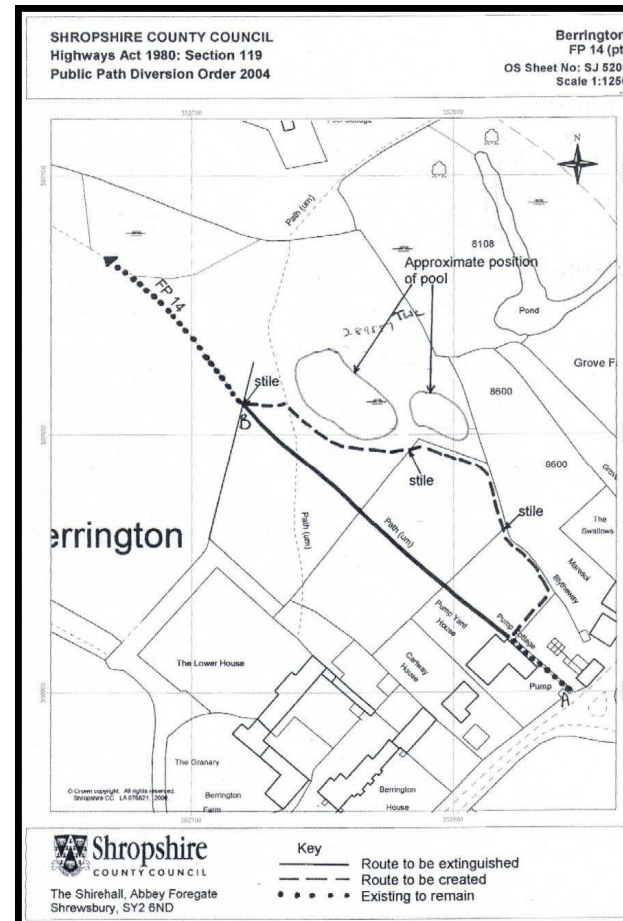
Evidential Orders

Wildlife & Countryside Act 1981

Evidential based

User/Historical

No fee



Some Vocabulary

- NCPA1949 (National parks and Access to the Countryside Act 1949)
- WLCA1981 (Wildlife and Countryside Act 1981)
- CROW 2000 (Countryside and Rights of Way Act 2000)
- FP (Footpath)
- BW (Bridleway)
- RUPP (Road used as a Public Path)
- BOAT (Byway open to all Traffic)
- RB (Restricted Byway)

Any Questions?



Contact:

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Outdoor Partnerships Team

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