

Dear Cllr Bowen

Further to the below, HC has now advised under FOI IAT 11070, copy attached, that even roads such as Rockfield Road and the road to Dinedor Camp are to be registered as 'Private Streets **without** any public highway rights', contrary to DfT 2012 Code of Practice, and contrary to Council practice of self-registration of our urban footways and cycleways.

HC have self-registered the hitherto unregistered urban footways and cycleways that they are aware of, with procedures in place enabling the public to apply for correction of any errors and omissions, but not doing this for our unadopted roads, opting instead to make registration of them all subject of application will surely incur greater workload and costs than self-registering those HC are aware of with applications limited to those seeking correction of errors and omissions as for urban footways and cycleways.

Unlike the Definitive Map the SWR/LSG are not legally conclusive records so registration of public highway dedication does not create any public rights should none exist, but it does protect those rights that do exist from extinguishment in 2026, and does produce a highway record of a standard that the public expect.

My analysis of the envisaged cost savings of asserting authority and self-registration of our unadopted roads with public highway dedication that HC simply must be aware of such as those in regular public use including cul-de-sac's leading to public places and to public paths mentioned on the written statements as road to which path connects are threefold, being :

- 1) Less applications to process and determine.
- 2) Able to self-register as unadopted highway, whereas Parishes are likely to apply for maintainable status.
- 3) In the long term where gaps remain unregistered and public rights of use extinguished in 2026, HC will be faced with costs of Creation Orders reinstating those rights.

I therefore suggest yet again that this issue ought be subject of scrutiny.

Rgds

Peter McKay

Leominster

9 February, 2016

Dear Sir,

ENVIRONMENTAL INFORMATION REGULATIONS REQUEST EIR IAT 11070

Further to our previous correspondence, your request has now been considered and the council's response is set out below:

When updating the LSG, work scheduled by Geoplace LLP to be completed by end March, what DTF 8.1 'Table 5.1.2 - Street state code', 'Table 5.7.1 - Highway dedication code' and 'Table 6.1 - Street maintenance responsibility code' are being used for roads presently shown online with road status of 'Neither 1, 2 nor 4', for those in regular public use including cul-de-sac's leading to public places and to public paths mentioned on the written statements as road to which path connects, and if highway dedication code 12 is being used what evidence supports your reasoning that neither codes 2, 4, 6, 8, 9, 10 nor 11 apply ?

A) For roads presently shown on the LSG on our online Highways Maps as “Neither 1, 2 nor 4” I am advised we will use the following codes;- 5.1.2 – Street State Code = 2 – Open 5.7.1 – Highway Dedication Code = 12 - Neither 2, 4, 6, 8, 9, 10 nor 11 6.1 – Street Maintenance Responsibility Code = 3 – Neither 1, 2, 4 nor 5 The evidence upon which the Highway Dedication Code is based will be our existing Definitive Map, List of Streets, and Street Works Register.

If you are dissatisfied with the handling of your request, further information regarding our review procedure is available in the 'Internal Review Procedure for EIR and FOI requests' which is published on Herefordshire Council's website via the following link: <https://www.herefordshire.gov.uk/government-citizens-and-rights/data-protection-and-freedom-of-information/data-protection>