

Agenda item no. 4 - Questions from members of the public

Question No.	Questioner	Question	Question to
PQ 1.	Peter McKay, Leominster	I enquire if the draft addendum to the ROWIP, amplifying your Public Right of Way Glossary that says CRF's and CRB's were intended to be shown as RUPP's (Roads used as Public Paths), acknowledging were shown as Footpaths and Bridleways, in consultation with Members, Officers and Local Access Forum members, so that could be worked through, developed and incorporated in the ROWIP when reviewed in 2028, as recorded reply to question 17 July 2025, will include an evidence base identifying Government Circular 81 of 1950 as being the cause of the parishes submitting data for non-statutory CRF and CRB rather than for RUPP's, with your consulting with Government requesting that they acknowledge their error, advise most cost effective manner for Counties that showed these as Footpath and Bridleway to rectify this, and accepting any costs incurred?	Councillor Hurcomb

Response:

Under the provisions of the National Parks and Access to the Countryside Act 1949 (NCPA 1949) Parishes were given specific guidance in how to claim what they considered to be Public Rights of Way within their areas in order to form what we now refer to as The Definitive Map. This gave them four status options which were FP (Footpath), BR (Bridleway), CRF or CRB (Cartroad or Carriageway or green unmetalled lane mainly used as a footpath or mainly used as a bridleway). This resulted in routes being added to the Map as either a footpath, a bridleway or a Road Used as a Public Path (RUPP). Many routes originally claimed as CRF's or CRB's resulted in being recorded as RUPP's on the map. However, due to the status of RUPP's being unclear subsequent legislation was put forward under the Countryside Act 1968 and under the provisions of the Wildlife and Countryside Act 1981 to try to establish the exact rights on RUPP's to ensure clarity. Whilst many authorities did reclassify these routes under the provisions of the WLCA1981 there was a large backlog which resulted in provisions being brought in under the Countryside and Rights of Way Act 2000 (CROW Act 2000) to redesignate all remaining RUPP's as Restricted Byways in 2006.

Throughout these processes representations and objections could be made if the public, users or landowners considered there to be an error. This took place in Herefordshire therefore it is not considered that an addendum is required within the Rights of Way Improvement Plan (ROWIP). There are clear provisions within the WLCA1981 which allow applications to be made should there be evidence to show that the Definitive Map is in error. The sole recording of a route as a CRF or CRB alone would not be sufficient to warrant an alteration to the Definitive Map and would need to be further substantiated with all available evidence.

Supplementary Question:

Will you consider including a paragraph in the ROWIP (Rights of Way Improvement Way) when reviewed in 2028 saying that, amplifying your glossary that says CRF's and CRB's (Cartroad or Carriageway or green unmetalled lane mainly used as a footpath or mainly used as a bridleway) were intended to be shown as RUPP's (Road Used as a Public Path) ?

Supplementary Response:

Thank you. The council are happy to accept that CRFs and CRBs are added to the glossary when reviewed in 2028 stating that these categories were often recorded as RUPP's.

PQ 2.			
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Response:

Supplementary Question:

Supplementary Response: