



Northamptonshire County Council

Mr James Davis

Request-13230-
03fe706@whatdotheyknow.com

Please ask for: Rubertine Carmen Allen
Tel: 01604 236328
Our ref: FR1347RCA
Your ref:
Date: 9th July 2009

Dear Mr Davis

Freedom of Information Request FR1347

Thank you for your Freedom of Information request dated 11th June 2009. Your request has been dealt with under the Freedom of Information Act.

Your request is detailed below in italics.

Please could you tell me of any guidelines, policies or advice you have in place regarding the fragmentation of existing rights of way networks caused by changes to rights of way (for example, reclassification, extinguishing, traffic restriction orders).

Our Response

I have been supplied the following information in response to your Freedom of Information request from Environment, Growth and Commissioning – Highways which reads:-

“We ensure that we consult with local communities and user organisations – the Ramblers for footpaths, the British Horse Society for bridleways, and motorised groups for byways – before any changes are put forward.

Generally, if these groups are content with the proposals, it goes to the next stage which is order making, where anyone can raise comments if they so wish.

Having said all this, there are several legislative tests to meet before we decide to make an order, and more still before we confirm an order. These tests address the issue of fragmentation because we cannot confirm a diversion order if it has a detrimental effect on the route as a whole or make an extinguishment order unless it can be shown that a path



is not needed for public use. Both these tests make our activities limited by legislation which is designed to ensure that rights are not easily lost or adversely affected.

Traffic Regulation Orders can be made without such tests and are made to address specific issues such as protecting the route against damage, or to preserve the character of a route. Whilst there is the potential for certain classes of traffic being stopped from using routes this restriction is usually temporary in nature or seasonal (i.e. in the winter months to prevent damage in wet periods).

Specifically regarding reclassification, all the Roads Used As Public Paths (RUPPS) were reclassified in the 1980s so this potential impact on the network has long since passed.

The disclosure to you of the enclosed information does not give you a right to reproduce or publish such information without the express permission of the County Council or any other owners of the copyright therein.

If you require any further assistance please do not hesitate to contact our department.

If you are unhappy with my response, you can ask the Council to review it. To do this you write to the address below:

Paul Edwards
Head of Business Intelligence and Performance
Northamptonshire County Council
PO Box 93
County Hall
Northampton
NN1 1AN

If our internal review does not resolve the issue to your complete satisfaction, you have the right to apply to the Information Commissioner for a decision at the following address:

Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Or, if you have any complaints in respect of your information request please complete the on-line comments form that can be found at www.northamptonshire.gov.uk, along with a full set of guidance.

Yours sincerely

Miss Rubertine Carmen Allen
Freedom of Information / Data Protection Officer
Legal and Democratic Services