

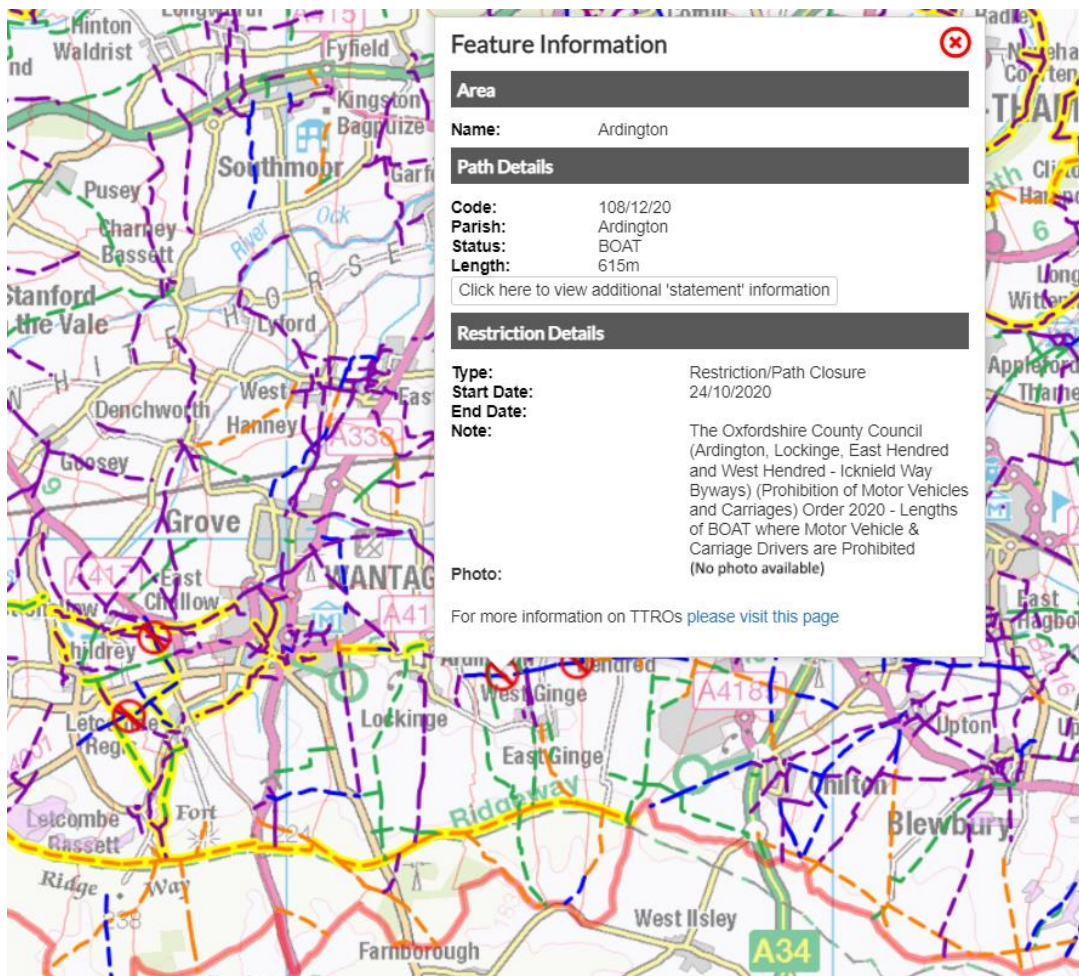
# OCAF Discussion Paper May 2023

## The TTRO Process

Temporary Traffic Regulation Orders are applied for by Highways (OCC) rather than the Countryside Records or Countryside Access teams. As such they are advertised prior to being made and signed on site, but there is no process for letting the public know about them other than that.

Ilse Lambert is aware of ongoing TTROs that restrict vehicular use on BOATs. These are usually renewed every 6 months and she asked Rebecca McNaught to find out if and when a particular group of TTROs were renewed and how a member of the public is supposed to know about them before getting to them.

Rebecca did a bit of research and was able (internally) to locate copies of the relevant orders that had just been made (Ilse was then able to check the notices had been posted on site). Rebecca asked Laurence Smith in Countryside Records if these TTROs could be put on to the Countryside Access Map on the OCC website. Laurence was able to action this very quickly and the TTROs are now visible as 'No Entry' style signs on the map, as shown below. Laurence added that it is part of the process to put these onto the Countryside Map, but that we were just ahead of them on these ones as the orders had only just been made.



## What are ORPAs?

### Other route with public access (ORPAs)

'Other route with public access' is the description for a symbol on Ordnance Survey maps, indicating routes which carry public rights of some sort, but which are not recorded either as Public Rights of Way nor coloured as most public roads are, in red, brown, orange or yellow. They are shown on the local authority's 'list of streets' as being highways maintainable at public expense and will normally (but not necessarily) be unsealed public carriage roads. ORPAs typically have the character of a 'green lane'. *Cheshire East Council*

Rachel Livingstone (BHS) raised questions about ORPAs because of the difficulty in getting maintenance carried out on a particular ORPA in North Leigh and the lack of promotion of them.

Rebecca McNaught passed Rachel's questions to Countryside Records for comment:

#### **1. Do all ORPAs have public access?**

*That was the intention. The background to the showing of ORPAs by the OS on its maps was that it was originally raised by The Ramblers as a request that OS shows routes from highway authority records that were not 'obviously' public on the OS map.*

*Historically, many routes indicated on OS maps were essentially not promoted for the public to access them. This is because they were not recorded as public right of way on Definitive Maps but were, usually, routes that had come to be known as 'white roads' (as they were uncoloured routes on OS mapping), or as green lanes or unmetalled unclassified roads (by some highway authorities that regarded them as highway but did little in the way of maintenance).*

*An OS field surveyor visited LA Highways Departments to obtain information of any public highways which could supplement the existing RoW network at that time. This was a one-off exercise (late 1990s / early 2000s) selecting from the list of streets with the objective of linking gaps in the existing rights of way network. This was not comprehensive (ORPAs are not shown in urban areas, for example). No other documentation was used, and the original maps annotated by the surveyor have been disposed of following the transfer to electronic data. There is no mechanism in place to update them.*

#### **2. How do we know which user groups can use it?**

*ORPAs are defined (by OS) as routes accessible by the public and either join public rights of way together or suggest how rights of way can be accessed from nearby roads. They usually indicate that a route exists on a "list of streets", usually unclassified roads, and can be used by all types of user.*

*Their exact nature and accessibility may be unclear so, prior to using one of these routes, you may want to contact the local highway authority to see if they can advise you on any restrictions.*

*This is less than helpful where routes have been taken from the list of streets and assumed to have rights for any type of user. As we know, use by motor vehicles on some unmetalled roads has been challenged. This can lead to the need to fully investigate the status of the route and make Definitive Map Modification Orders to add them to the Definitive Map. At the end of the day a list of streets is a list of highways maintainable at public expense and not, necessarily a list by status. Some authorities take the view that only the basic level of public use is assured (as footpath)*

**3. North Leigh Lane is a public highway (road) if ORPAs are public roads what is the difference between an ORPA and a BOAT?**

*These are all, potentially, different things.*

*A public highway is a generic term for all highways, whatever their status. Public footpaths are highways.*

*A BOAT is a category of public right of way. It is a public right of way for all types of use, but a route predominantly used by walkers, horse riders and cyclists.*

*An ORPA is an Ordnance Survey construct, designed to be helpful to the public by showing them on its mapping. ORPAs are not legal entities and, as described above, likely to have been derived from lists of streets and cannot be 100% clear in terms of who can use them*

**4. Is there a way Oxfordshire County Council can promote and maintain these very useful routes?**

*Based on what is stated above they probably already are.*

**5. Would its status need to be changed to a BOAT (or bridleway, or restricted byway) so it would appear on the Countryside Access map?**

*The Countryside Access Map is, effectively, the Definitive Map. Theoretically another layer can be added so that these routes could be 'switched on' but, as the map is used by a breadth of organisations, this is likely to raise more questions than answers. Investigating any route with uncertain status, then making a Modification Order, would mean that it is added to the Definitive Map and, as a consequence, the Countryside Access Map.*

*But what we do not want to encourage, is large scale claiming of routes that are already captured on the Council's list of streets.*

**6. Does it need a DMMO to be shown on the countryside access map? If a DMMO application was submitted, would this end up being a Restricted**

**Byway instead? due to NERC. In which case it would lose motor vehicle access.**

*NERC has already extinguished public rights with motor vehicles where those are not already recorded. There are some exceptions to this. As explained in (5) above, it is likely to need a DMMO to appear on the Countryside Access Map. Whether a route ends up as a restricted byway or something else would depend on the evidence and the NERC situation.*

- 7. If an ORPA is shown as an unclassified lane, and maintainable at public expense, will it be safe after the DMMO 2026/2031 cut-off date?**

*Again, this is conflating different terms. But anything recorded on the list of streets is due to be excepted from the cut-off.*

- 8. As North Leigh Lane is a public road fallen trees and vegetation clearance should be reported through Fix My Street, but this is impossible as the Eastern end is not recognised on Fix My Street. How can obstructions be reported? Could this be another reason for it to become a BOAT? so it is recognised for clearance work.**

*This question was briefly answered by Countryside Access Team – Lack of budget to maintain the existing network will mean that adding to the network will not necessarily mean the required maintenance gets done on ORPAs*

**Two questions for discussion:**

**Who should be carrying out the maintenance on ORPAs – Countryside Access Team or Highways?**

**How should they be promoted to the public?**