

Question One.

On the 18th August 2010 Saltash Town Council submitted an application to Cornwall Council for the Definitive Map And Statement of Public Rights of Way to be modified adding the obstructed part of Yellow Tor Lane as a Public Footpath. The application included much evidence of over twenty years use by members of the public prior to the way being obstructed and other evidence obtained by STC.

Cornwall Council spent much of their resources, time and effort in examining this application and accompanying evidence and other evidence they had and decided that it was not a Public Footpath – but that it is a Restricted Byway (*open to members of the public to use and enjoy: in or on non-mechanical propelled vehicles, riding or leading a horse or on-foot.*)

On completion of their long investigation Cornwall Council produced and published an Order saying it was a Restricted Byway – then allowed the necessary time for objections – then confirmed their order as an Unopposed Order - and added the way to the Definitive Map and Statement of Public Rights of Way. This must have been a very time consuming and very expensive legal process.

But, the way still remains obstructed and unusable. I have reported this to Cornwall Council – but received a reply from CORMAC (not Cornwall Council) indicating CORMAC won't clear it because CORMAC's lack of resources to do so.

What I would like is for Saltash Town Council to ask Cornwall Council to explain how after spending time, other resources legal and financial on investigating. Making an Order and Confirming their Order the way remains in a condition that it can be used and enjoyed by members of the public because of a lack of resources. And to please insist on a reply from Cornwall Council - and to not accept a reply from CORMAC.

Peter Clements
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