

Lancashire's Unsurfaced, Unclassified Roads – Responses

NB. Please note that there can be different interpretations in terms of the definition of an unclassified road.

- **Blackburn with Darwen's Response**

Response received from: Paul Withington, Highway Inspection Manager

"If a PROW is successfully claimed over an Unsurfaced, Unclassified Road, it would be added to the Definitive Map as whatever status it is claimed.

When I think of Unsurfaced, Unclassified Roads I think of private roads, these are often recorded on the National Street Gazetteer but not the Definitive Map."

- **Blackpool's Response**

Response received from: Ian Large, Head of Highway and Traffic Management Services

"I would agree with what Paul from Blackburn has said, and in my mind a PROW and unsurfaced/unclassified roads are two separate things, the PROW recorded on the Definitive Map and un-adopted, un-surfaced, un-classified on the National Street Gazetteer and our asset register."

- **Lancashire County Council**

Response received from: David Goode, Public Rights of Way Manager

"Unsurfaced unclassified roads are generally taken to be those which are publicly maintainable roads but without a sealed (tarmac or concrete) surface. Because of the legislation, most of the road network has never been researched so we don't really know what public rights exist although we know that those on the List of Maintained Streets (or equivalent map) are publicly maintainable, whereas for those on the Definitive Map and Statement we have a recorded status, but we don't know whether they are publicly maintainable.

Mostly, this is no problem because we just assume that the vehicular rights exist on the tarmac ones, and we know that any way on the Definitive Map and Statement is publicly maintainable if it has been through a diversion order or if a public footpath/bridleway is older than 1949. The ones which fall through the gap are old roads on the List of Streets (or equivalent) historically

which don't have a tarmac surface. These are generally carriageways, i.e. have vehicular rights, which is not determined by whether it has a tarmac surface or not but are mostly used differently than the majority of the road network. The question is whether to go through a Definitive Map Modification Order process, which is quite onerous, just for the sake of copying them from one Council Record to another (we are resisting this, obviously but where there is a formal application, we have to process it).

