



ST MEWAN PARISH COUNCIL

Parish Clerk: Wendy Yelland (CiLCA)
Tre Bethan
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St Austell, PL26 7HL

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Terms of Reference – Rights of Way

Composition:	Six (6) elected members with voting rights
Quorum:	Three (3) members
Chairmanship:	Chairman and Vice-Chair to be elected by Members at the first committee meeting held in each Council year.
Meetings:	Three (3) In the event of an item of urgency, an Extra Ordinary Meeting can be called in line with Council's adopted Standing Orders and legislation.
Timing:	18.15pm
Venue:	St Marks Church Hall, Sticker, PL26 7HF
Reports to:	Full Council
Administration:	Clerk's Address

Terms of Reference & Matters Delegated to the Committee

1. Objective

To improve the quality of life in the Parish by:

1.1 Monitoring and maintaining the designated Parish Council footpaths, bridleways and byways of which they are responsible for in an efficient and cost-effective manner.

2. Rights, Powers and Delegation

2.1 The Rights of Way Committee may spend monies subject to the following limitations:

- Extent of the footpath budget

- Amount of expenditure on any single transaction as per the Council's Financial Regulations and Delegated Powers

2.2 The Rights of Way Committee may make recommendations to the Council for consideration and approval.

2.3 Matters of an urgent nature requiring settlement before the next meeting of the Council may be dealt with by the Parish Clerk in conjunction with the Chairman and if not the Chairman two other Councillors at their discretion to exercise or authorise and carry out that function but must be submitted for approval at the next meeting of the Committee. Delegated power of expenditure to the Parish Clerk is £1000.00

3. Responsibilities

3.1 By regularly using and inspecting paths the Rights of Way Committee shall ensure that all footpaths and bridleways within the parish are sign-posted and passable, that, when necessary, overgrowth, fallen trees etc, are removed and stiles and gates are kept in good order

3.2 If footpaths need to be cut back, fallen trees removed, surfaces or stiles/gates repaired, the matter may be referred to the landowner or Cornwall Council's Countryside Access Team.

3.3 If necessary, landowners are to be reminded of their legal duty to reinstate all footpaths and boundaries which directly affect footpaths. Any matter arising can be referred to Cornwall Council's Countryside Access Team.

3.4 The Rights of Way Committee should wherever possible ensure that hedgerows alongside footpaths and bridleways are maintained for wildlife habitat.

3.5 The Rights of Way Committee is to ensure that footpaths and bridleways are used for their designated purposes i.e.

- Footpaths for those on foot only
- Bridleways for those on foot, horseback or bicycle
- Byways where there is right of way for vehicles, but which are mainly used as footpaths or bridleways.
- The Committee is responsible for the production of written estimates, where possible of proposed expenditure by the Committee for the next financial year

3.6 The Rights of Way Committee's remit extends to:

- When recommending the undertaking of a new project or service provision to St Mewan Parish Council, the Committee will provide an assessment of risks/benefits for Full Council approval

Reviewed and Adopted: Full Council 8th June 2022
Minute No: FC66/22