The difficulties of small communities trying to keep vehicular access open and unobstructed are too difficult with lack of any clear guidance, and too costly to take any legal enforcement action, should any be identified. Should a HA fail to record the way on the List of Streets or Street Works Register, with some HA's only making the List of Streets viewable in List format, and not even raising a Street Works Register, raising a Local Street Gazetteer instead that public have no right to view, these roads remain unrecorded and outside scope of statutory Definitive Map procedures. Regrettably, as in Lincolnshire, the DMMO process is painfully slow. We have an instance of a highway Awarded by statute under an Enabling Act that should clearly already be on the List of Streets but its recent progress through the DMMO queue indicates a 90 year wait.

Section 130(6) of 1980 Highway Act would not appear to function as it ought, with HA's seeming to think that being unrecorded vehicular rights have been extinguished by s.67 of the NERC Act 2006, even though there are clear exceptions. They are also outside scope of s.130A of 1980 Highway Act which is limited to paths.

To promote Rural Tourism, we need to be able to promote rural access, and this matter deserves to be considered, even though it would appear to come under DfT rather than Defra, as it lets down Defra objectives.

*September 2016*