

Delegated Decision

14 March 2024



**Public Footpath No. 5 Cassop-cum-
Quarrington, Proposed Diversion and
Definitive Map and Statement
Modification Order**

Ordinary Decision No.

Report of Neighbourhoods and Climate Change

Mark Readman, Head of Highways

Electoral division affected:

Coxhoe

Purpose of the Report

- 1 To consider changes to the Public Rights of Way network.
- 2 Public Footpath No. 5 Cassop-cum-Quarrington, proposed Diversion and Definitive Map and Statement Modification Order.

Executive summary

- 3 In the interests of the landowner it is proposed to divert part of Public Footpath No. 5 Cassop-cum-Quarrington Parish.
- 4 Consultations on the proposed diversion have been carried out and no objections have been received.

Recommendation

- 5 The proposal is in accordance with the Council's policy and the statutory framework on the diversion of public rights of way.
- 6 It is RECOMMENDED that a Diversion and Definitive Map and Statement Modification Order be made under the provisions of the Highways Act 1980 and the Wildlife and Countryside Act 1981 to divert Public Footpath No. 5 Cassop-cum-Quarrington Parish in the interests of the landowner, and the Order shall subsequently be either confirmed or referred to the Secretary of State for determination, and that the Corporate Director of Resources be informed accordingly.

Background

- 7 An application has been received from Network Rail Infrastructure Ltd to divert part of Public Footpath No. 5 Cassop-cum-Quarrington to formalise a route already used by the public and enable enhanced security for track side equipment, as shown on the attached plan.
- 8 Footpath No. 5 runs in a generally southerly direction between the two railway lines at Tursdale, north of an underpass beneath the East Coast Main Line.
- 9 The proposal is to divert a short section of Footpath No. 5 onto a more easterly alignment, away from the track side equipment and beyond an enhanced fence.
- 10 Consultations have been carried out with the Local Members, the Cabinet Portfolio Holder, Cassop-Cum-Quarrington Parish Council, the Ramblers' Association and other user groups. No objections have been received.

Options

- 11 The proposal retains and protects public access at this location.

Conclusion

- 12 Agreed to the Diversion Order in accordance with the Recommendation.

Contact: Mike Ogden

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Appendix 1: Implications

Legal Implications

N/A

Finance

The applicant will cover the administrative and advertising costs for making the Order, and any necessary works to provide the new path.

Consultation

Consultations have been carried out with the Local Members, the Cabinet Portfolio Holder, the Parish Council, the Ramblers' Association and other user groups. No objections have been received. If the Order is made the initial consultations are followed up by a Statutory Consultation period.

Equality and Diversity / Public Sector Equality Duty

The new Public Footpath will be as accessible as possible for the location.

Climate Change

Maintains the integrity of the public rights of way network.

Human Rights

All those affected by this proposal will have the opportunity to submit objections and to present their case at a Public Inquiry.

Crime and Disorder

The proposed route minimises any risk of crime or disorder.

Staffing

N/A

Accommodation

N/A

Risk

N/A

Procurement

N/A



Alsn Patrickson
Corporate Director
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**Draft Order Plan
Cassop cum
Quarrington
Fp 5**

Footpath to be created

Footpath to be extinguished
—————

Scale: 1:1,000

Public Rights of Way /
Highways not affected by
the proposal
----- Footpath

Drawn: 17 April 2023

Postcodes: DH6 5PG,
DH6 5NY

