

DELEGATED DECISION

REGENERATION AND ECONOMIC DEVELOPMENT



2 February 2017

Public Footpaths Nos. 28 & 36 Lynesack & Softley Parish - Confirmation of Diversion and Definitive Map Modification Order

Report of Adrian White – Head of Transport and Contract Services

Purpose of the Report

To consider changes to the Public Rights of Way network.

Confirmation of The County Council of Durham (Public Footpaths Nos. 28 and 36 Lynesack & Softley Parish) Public Footpath Diversion and Definitive Map & Statement Modification Order 2016.

Background

On 4 September 2013 delegated authority was given to make an Order to divert a section of Footpath No. 28 Lynesack & Softley Parish and a section of Footpath No. 36 Lynesack & Softley Parish in the interests of the landowner.

The Order was made on 8 September 2016 and published on 14 September 2016 with a statutory notice period until 13 October 2016. No objections were received and all necessary works have now been completed on site by the applicant to the satisfaction of the Authority. The Order is therefore available for confirmation.

Details of any alternative options considered and rejected when making the decision

Confirmation of the Order completes the legal process and is the appropriate option in respect of an unopposed Order.

Recommendations and reasons

Confirmation of the Order is in accordance with the Council's policy and the statutory framework on the diversion of public rights of way. It is

RECOMMENDED that the Diversion and Definitive Map and Statement Modification Order made under the provisions of the Highways Act 1980 and the Wildlife and Countryside Act 1981 to divert Public Footpaths Nos 28 and 36 Lynesack & Softley Parish be confirmed, and that the Corporate Director of Resources be informed accordingly, as per table 5, paragraph 5 of the Constitution of the County Council.

Decision

Signed on behalf of Ian Thompson, Corporate Director, Regeneration and Economic Development

Reasons: Agreed to the confirmation of the Diversion Order as detailed in the Delegated Decision.

Background papers

Correspondence and consultations – F:\Rights of Way\ Public Path Orders and Agreements\On going Orders\Lynesack & Softley 28 & 36

Contact: Mike Ogden Tel: 03000 265331

Appendix 1: Implications

Finance – The applicant will cover the administrative and advertising costs for confirming the Order.

Staffing – N/A

Risk – N/A

Equality and Diversity / Public Sector Equality Duty - The new Footpaths are as accessible as possible for the location.

Accommodation – N/A

Crime and Disorder – N/A

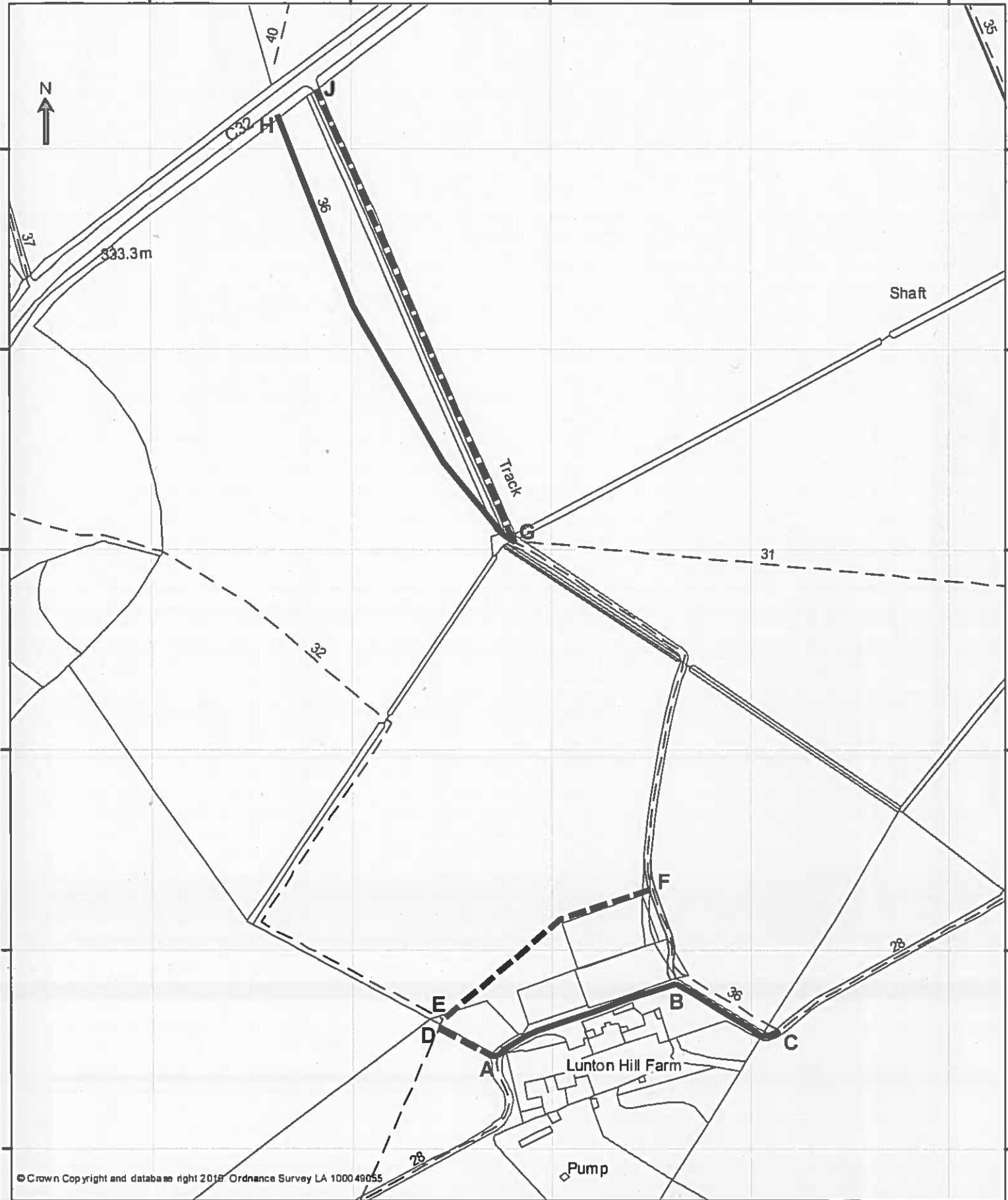
Human Rights - All those affected by this proposal had the opportunity to submit objections and represent their case at a Highways Committee and/or Public Inquiry.

Consultation – statutory consultations have been carried out and notices published in the press and on site. No objections have been received.

Procurement – N/A

Disability Issues – See Equality and Diversity.

Legal Implications – N/A



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IAN THOMPSON
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The County Council of
Durham (Public Footpath
Nos. 28 & 36 Lynesack
and Softley Parish) Public
Path Diversion and
Definitive Map and
Statement Modification
Order 2016

Footpaths to be extinguished
—————
Footpaths to be Created
- - - - -

Date: 24 08 2016

Scale 1: 2,500

PUBLIC RIGHTS OF WAY:

Footpath - - - - -
Bridleway | - | - | - | - |
Byway $\frac{V}{\wedge} \frac{V}{\wedge} \frac{V}{\wedge} \frac{V}{\wedge}$