

DELEGATED DECISION

REGENERATION AND LOCAL SERVICES



6 September 2018

Public Footpath No. 37 Durham City
Withdrawal of Diversion and Definitive Map
and Statement 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.

Public Footpath No. 37 Durham City, Diversion and Definitive Map and Statement Modification Order – withdrawal of Order.

Background

On 19 May 2015 delegated authority was given to make a Diversion and Definitive Map and Statement Modification Order in respect of Public Footpath No. 37 Durham City, following an application from Durham University.

The Order was subsequently made on 25 June 2015 and advertised in accordance with statutory provisions. No objections were received, but as the development progressed minor amendments meant that there was no longer a need to divert the Public Footpath.

The applicant is happy that the Order is no longer required and that it can be withdrawn.

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

As the original path is still in place there is no need for a Diversion and Definitive Map and Statement Modification Order. The Order cannot be abandoned without a formal decision to withdraw it.

Recommendations and reasons

The proposal 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 County Council of Durham (Public Footpath No.37 Durham City) Public Path Diversion and Definitive Map and Statement Modification Order 2015 be withdrawn under the provisions of the Town and Country Planning Act 1990 and the Wildlife and Countryside Act 1981, and that the Corporate Director of Resources be informed accordingly, as per paragraph 77 of the Constitution of the County Council.

Decision

Signed on behalf of Ian Thompson, Corporate Director, Regeneration and Local Services

Reasons: Agreed to the withdrawal 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\ Durham 37

Contact: Mike Ogden Tel: 03000 265331

Appendix 1: Implications

Finance – Withdrawal of the Order will save any further costs.

Staffing – N/A

Risk – N/A

Equality and Diversity / Public Sector Equality Duty - The existing Footpath is as accessible as possible for the location.

Accommodation – N/A

Crime and Disorder – N/A

Human Rights – Withdrawal of the Order is supported by the applicant.

Consultation - Consultations were carried out with the Local Member, the Cabinet Portfolio Holder, the Ramblers' Association, other user groups and Utility Companies. No objections were received. No objections were received during the statutory consultation period. The applicant has been consulted on the withdrawal.

Procurement – N/A

Disability Issues – See Equality and Diversity.

Legal Implications – N/A