

RIGHTS OF WAY SUB-COMMITTEE

Minutes of the meeting held at 7.00 pm on 23 September 2021

Present:

Councillor Tony Owen (Chairman)
Councillor Kieran Terry (Vice-Chairman)
Councillors Vanessa Allen, Mike Botting, Richard Scoates,
Harry Stranger and Michael Tickner

1 APPOINTMENT OF CHAIRMAN AND VICE-CHAIRMAN

Councillors Tony Owen and Kieran Terry were appointed chairman and vice-chairman. Councillor Owen took the chair.

2 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Simon Fawthrop, who was replaced by Councillor Tony Owen.

3 DECLARATIONS OF INTEREST

Councillor Richard Scoates declared that his father lived nearby at Broadcroft Road.

4 QUESTIONS

No questions had been submitted.

5 MINUTES OF THE MEETING HELD ON 4 FEBRUARY 2015

RESOLVED that the minutes of the meeting held on 4th February 2015 be confirmed.

6 PROPOSED PUBLIC RIGHT OF WAY AT HEATHSIDE, PETTS WOOD

Report ES20126

The Sub-Committee was asked to determine an application for a Definitive Map Modification Order to recognise a public right of way at Heathside, Petts Wood. The application had been made under the Wildlife and Countryside Act 1981 which placed a duty on the Council, as the surveying authority for public rights of way, to keep the Definitive Map and Statement under continuous review. The Council had commissioned Sue Ruffitt Associates to investigate the application; their recommendation was that, on balance, the evidence supported the making of an Order.

In response to questions, officers confirmed that, should the paths be added to the Definitive Map, there would be no intention or obligation to pave them. The paths would be designated as 2 metres wide, following the 2007 Defra guidance, and the Council would ensure vegetation was removed and the paths clear. Members noted that the land had been sold at auction in 2018, but the applicant had not been able to contact the new owner. It would not be possible to develop over the footpaths, unless they were diverted.

RESOLVED that the Director of Corporate Services, in consultation with the Director of Environment and Public Protection, be authorised to make a Definitive Map Modification Order under section 53(c)(i) of the Wildlife and Countryside Act 1981 to add a bridleway to the Definitive Map and Statement for the routes shown from A-B and from B-C and from B-D and make an Order under Section 53(3)(c)9ii) for the route shown as above on the plan shown in Appendix A DoC 2 Page 5.

7 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

RESOLVED that the Press and public be excluded during consideration of the item of business referred to below as it is likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

**The following summary
refers to matters involving exempt information**

8 PROPOSED PUBLIC RIGHT OF WAY AT HEATHSIDE, PETTS WOOD - APPENDIX

The Sub-Committee received an appendix with detailed submissions about the proposed right of way.

The Meeting ended at 7.13 pm.

Chairman