

TRAFFORD BOROUGH COUNCIL

STATEMENT OF EXECUTIVE DECISION

<u>DATE OF DECISION</u>	Tuesday, 4 December 2018	<u>DECISION MAKER</u>
<u>DECISION REFERENCE</u>	O/04.12.18/RR	Corporate Director, Place

RECORD OF THE DECISION

Application for an Order Modifying the Definitive Rights of Way Map and Statement, to Add a Claimed Public Footpath in Timperley from Timperley Metro Station to Southern End of Footpath No 19, Sale on Canal Offside Ref DMMO 104

1. That the Corporate Director of Governance and Community Strategy be authorised to make and advertise a Modification Order under section 53(2)(b) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by adding a public footpath running along the eastern side of the Bridgewater Canal from a gate at the rear of Timperley Metro station's western platform to the southern end of footpath no 19, Sale.
2. That the Modification Order includes in the schedules a limitation on user of footpath as detailed in appendices 7.1 and 7.2 to the report.
3. That if objections received are maintained or modifications to the Order are required, authorisation be given to the Corporate Director of Governance and Community Strategy to determine on behalf of the Council whether to submit the Order to the Secretary of State for confirmation.
4. That, if the Order is submitted to the Secretary of State for confirmation, that authorisation be given to the Corporate Director of Governance and Community Strategy to determine on behalf of the Council whether to recommend to the Secretary of State that the objections should be dealt with by written representation procedure or at a public local inquiry.

REASONS FOR THE DECISION

To determine an application made to Trafford Council to have a public footpath included on the Definitive Map and Statement under s53(2) Wildlife and Countryside Act 1981.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED AT THE MEETING/BY MEMBERS

Not to authorise the Director of Legal and Democratic Services to make and advertise a Modification Order under section 53(2)(b) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement. This option is not recommended as it is considered that it would not be in accordance with the interpretation of the relevant guidance and legislation following analysis of the available evidence.

CONFLICTS OF INTEREST DECLARED BY ANY EXECUTIVE MEMBER CONSULTED AND ANY ASSOCIATED DISPENSATION

None. No Executive Members were consulted in making this decision.

CALL-IN DEADLINE DATE

**Delegated Officer Decision – Not
Subject to call-in.**

PUBLICATION DATE

Tuesday, 11 December 2018

RECORDED BY:

Corporate Director of Governance and
Community Strategy