

 <b>Regulatory Committee – 17<sup>th</sup> December 2012</b>		<b>Agenda Item No.</b>  <b>6</b>
<b>Title</b>	Confirmation of Footpath Diversion Order – Footpath W4, Long meadow, Packwood Lane, Lapworth	
<b>For further information about this report please contact</b>	Peter Oliver – 01926 418171 Penny Butler –	
<b>Wards of the District directly affected</b>	Lapworth	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>	Planning Committee 8 <sup>th</sup> December 2010	
<b>Background Papers</b>		

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality &amp; Sustainability Impact Assessment Undertaken</b>	No

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive		
Head of Service		
CMT		
Section 151 Officer		
Monitoring Officer		
Finance		
Portfolio Holder(s)		
<b>Consultation &amp; Community Engagement</b>		
<p>Insert details of any consultation undertaken or proposed to be undertaken with regard to this report.</p> <p>Statutory consultation in accordance with requirements of Highways act 1980 for footpath diversions</p>		
<b>Final Decision?</b>	Yes	
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **SUMMARY**

- 1.1 Planning permission was granted which obstructed the existing line of a public footpath. A Footpath Diversion Order has been made and there are no outstanding objections. The purpose of the report is for the Order to be confirmed as an unopposed Order

## 2. **RECOMMENDATION**

- 2.1 That the Public Footpath W4 (Long Meadow, Packwood Lane, Lapworth) Diversion Order 2012 be confirmed.

## 3. **REASONS FOR THE RECOMMENDATION**

- 3.1 At its meeting on 8<sup>th</sup> December 2010, the Planning Committee approved the grant of planning permission for "Erection of new replacement garage to be used as a temporary dwelling during construction of main replacement dwelling and the erection of new stables" at Long Meadow, Packwood Lane, Lapworth.
- 3.2 During consultation of the planning application it had come to light that both the existing garage and the proposed replacement garage were across the approved line of Footpath W4 as shown on the definitive map. The footpath on the ground had been diverted along the boundary of the property some time previously.
- 3.3 To regularise the position, it was necessary to make a Public Footpath Diversion Order so that the approved line as shown on the Definitive Map followed the line of the footpath on the ground. The Public Footpath W4 (Long Meadow, Packwood Lane, Lapworth) Diversion order 2012 was made on 16<sup>th</sup> August 2012 under powers in section 119 of the Highways Act 1980. A copy of the Order is appended to this report.
- 3.4 Notice of the making of the Order was given to neighbouring residents and local organisations, and advertised in the press, in accordance with statutory requirements. Two objections were lodged, but were subsequently withdrawn following explanation that the line of the path on the ground was not being affected. As there are no extant objections, the Order may be confirmed by the District Council as an unopposed Order.
- 3.5 Following confirmation, notice of such confirmation will be given in accordance with statutory requirements, and the Definitive Map will be amended.

## 4. **POLICY FRAMEWORK**

- 4.1 There is no impact on the policy framework. The report is an administrative report following the determination of a Planning application and enables the Council to meet its legal obligations.

## 5. **BUDGETARY FRAMEWORK**

- 5.1 There are no budgetary implications as the cost of making the Order is being met by the landowner.

6. **ALTERNATIVE OPTION(S) CONSIDERED**

- 6.1 The alternative option would have been to do nothing and retain the unsatisfactory position where the legal line of the footpath and the route on the ground do not coincide.