

Public Rights of Way Sub Committee

03 July 2023

**Wildlife and Countryside Act 1981– Part III,
Section 53 Application No. MA/5/231:
Applications for the Upgrade of Footpaths
Nos.23 and 25, Great Warford to Bridleway.**

Report of: Peter Skates, Director of Growth and Enterprise

Ward(s) Affected: Mobberley

Purpose of Report

- 1 The report outlines the investigation of an application made by Mrs L Roberts to amend the Definitive Map and Statement by the upgrading of two public footpaths to bridleways. This includes a discussion of the consultations carried out in respect of the claim, the historical evidence, witness evidence and the legal tests for a Definitive Map Modification Order to be made. The report makes a recommendation based on that information, for quasi-judicial decision by Members as to whether an Order should be made to upgrade the Footpaths to Bridleways.
2. The work of the Public Rights of Way team contributes to the Corporate Plan priority “A thriving and sustainable place”, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

Executive Summary

3. The report considers the evidence submitted and researched in the application to upgrade Public Footpaths Nos. 23 and 25 Great Warford to bridleways. The evidence consists of some use on horseback by individual witnesses and the submission of historical documents. The report determines whether on the balance of probabilities the status of public bridleways has been shown to subsist. The depiction of the routes as historical physical features in full or in part, is demonstrated through various maps such as County Maps and Ordnance Survey maps, Finance Act plans and Tithe Map and apportionment. There is very little user evidence, only two users with use spanning one year and

six years respectively. The evidence investigated has clearly shown the existence of the route over a significant time period but the status of the route has not been demonstrated so far as to indicate that a bridleway subsists on the balance of probabilities.

RECOMMENDATIONS

The Public Rights of Way Sub Committee is recommended to:

1. Decide that a Modification Order **not** be made under s.53 of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement to upgrade Public Footpaths Nos. 23 and 25 Great Warford to bridleway.
2. Decide that the application be refused on the grounds that there is not sufficient evidence to demonstrate that a bridleway subsists on the balance of probabilities.

Background

3. Introduction

- 4.1. This application was submitted in June 2004 by Mrs L Roberts to modify the Definitive Map and Statement for the Parish of Great Warford by upgrading Public Footpaths Nos. 23 and 25 to bridleways. The application consisted of user evidence from two individuals claiming use on horseback and references to multiple historical documents including the Tithe Map; Finance Act Map; hereditament & Field Books; County Maps; Ordnance Survey maps & an extract from an Ordnance Survey Hill Sketch.

5. Description of the Application Route.

- 5.1 Footpath No.23 runs from Noah's Ark Lane (UW 2641) to its junction with Footpaths Nos. 24 and 25 to the north of Springfield Farm. Footpath No. 25 runs easterly from this point to its junction with Warford Lane (UW 2642). The start of the route runs along the access drive to two properties: Noahwood House and Noah's Ark Barn. Adjacent to Noahwood House the current alignment of the Footpath runs north easterly away from the immediate vicinity of the properties and then parallel to Noah's Ark Barn in the adjacent field. This section of path was diverted under s.119 of the Highways Act 1980 in 2002. The application relates to the original alignment of the path which runs directly to the north northeast of Noah's Ark Barn across what is currently a garden and drive/parking area. The diverted route and original alignment

converge again just to the south east of Noah's Ark Barn where the path turns generally southerly across a small pasture field to a pedestrian gate where it enters a further long pasture field exiting via a kissing gate to then join a track through a small wooded area; this track then runs easterly to the north of Springfield Farm and joins the access drive to the Farm which it follows to the junction with Warford Lane. The width of the route varies along the length of the route being approximately 3 metres from Point A to Point B on Plan No. WCA/030, then no specific width as it crosses two pasture fields until it joins the track at Point C where it is approximately 2.5 metres widening to approximately 3 metres again along the surfaced drive to Point D.

5.3 *Investigation of the Claim*

An investigation of the available evidence has been undertaken. The documentary evidence that has been examined is referred to below and a list of all the evidence taken into consideration can be found in **Appendix 1**.

5.4 *Documentary Evidence*

County Maps 18th/19th Century

5.4.1 These are small scale maps made by commercial map-makers, some of which are known to have been produced from original surveys and others are believed to be copies of earlier maps. All were essentially topographic maps portraying what the surveyors saw on the ground. They included features of interest, including roads and tracks. It is doubtful whether mapmakers checked the status of routes or had the same sense of status of routes that exist today. There are known errors on many map-makers' work and private estate roads and cul-de-sac paths are sometimes depicted as 'cross-roads'. The maps do not provide conclusive evidence of public status, although they may provide supporting evidence of the existence of a route.

5.4.2 *"Among nearly 700 separate printed maps of Cheshire relating to the period from 1577 to 1900 only a handful were based on systematic and first-hand surveys of the countryside."* (The Historic Society of Lancashire and Cheshire Occasional Series Volume 1 – A survey of the County Palatine of Chester P.P. Burdett 1777). Aside from the Ordnance Survey maps which are listed later; the ones referenced below are four of a total of five of those based on

a first-hand survey, excluding Christopher Saxton's map of 1577.

- 5.4.3 *P.P. Burdett 1777*: The route is not shown on this map. On the *Greenwood map of 1819* part of the route from Warford Lane westwards is shown and depicted as 'cross road' in the key. Other routes shown in this partial way are now recorded in a mixture of ways, some as footpaths and some not recorded at all. On *Swire and Hutching's map of 1829* the route is shown throughout with the northern section of Noah's Ark Lane where it crosses Pownall Brook not shown at all. The property now known as Noahwood House is recorded as 'Brook House' on this plan. Again, the depiction is 'cross road'. *A Bryant's Map 1831* shows the route throughout and on the coloured version is depicted under 'Lanes and Bridleways' on the key. 'Brook House' is again annotated on this plan. The eastern extent of the route on *Swire and Hutching's* and *Bryant's* map is clearly shown running in a south easterly direction and not due easterly as the footpath is currently recorded.

Tithe Records

- 5.5 Tithe Awards were prepared under the Tithe Commutation Act 1836, which commuted the payment of a tax (tithe) in kind, to a monetary payment. The purpose of the award was to record productive land on which a tax could be levied. A map was produced by the Tithe Commissioners which showed parcels of land with unique reference numbers, and these were referred to in the apportionment document, which contained details of the land including its ownership, occupation and use. The Tithe Map and Award were independently produced by parishes and the quality of the maps is variable. It was not the purpose of the awards to record public highways. Although depiction of both private occupation and public roads, which often formed boundaries, is incidental, they may provide good supporting evidence of the existence of a route, especially since they were implemented as part of a statutory process. Non-depiction of a route is not evidence that it did not exist; merely that it did not affect the tithe charge. Colouring of a track may or may not be significant in determining status. In the absence of a key, explanation or other corroborative evidence the colouring cannot be deemed to be conclusive of anything.

The Tithe Map of the township of Great Warford is a first-class map dated 1842. A first class map is one that was an original survey and is considered legally accurate of all that it depicts. It shows the section of the route from its western end from Noah's Ark Lane to a point east of Brook House recorded with a plot name of road and a land use of thoroughfare. This apportionment, number 307, also includes a section of Noah's Ark Lane itself. The two sections of Noah's Ark Lane either side were excluded from apportionments. The next parcel of land where the route runs is numbered 299 and is recorded with the plot name, Barn Field and the land use as pasture. There is no reference to the route and no physical depiction of it on the mapping in the form of a pecked or double pecked line. The next plot is not within an apportionment parcel, and this forms the track from the west of Springfield Farm and up to its junction with Warford Lane although for part of this route, it runs on a different alignment to the currently recorded footpath in the same way as shown on two of the County Maps. This is recorded in the same way as other roads in the parish, however comparing it with other cul de sac routes and their status today, some are now footpaths and others have no status at all. It is an equally mixed picture for how plots with the land use of 'thoroughfare' are now recorded.

Quarter Sessions

- 5.6 The Quarter Sessions index 1762-1967 in the County Record Office was consulted and no evidence for a legal diversion or stopping up of any part of the claimed route was found.

Plan of an Estate in the Township of Great Warford 1844

- 5.7 This plan depicts seven lots of land for sale in the area around the route. The area around Brook House and Springfield Farm are shown as Lot 6. The section of route shown as excluded from hereditament on the Tithe Map is also shown as not included within this lot and again appears to form part of the surrounding road network although as a cul de sac. There was no Book of Reference to accompany the plan so it is not known how the land was described.

Ordnance Survey Records

- 5.8 Ordnance Survey (O.S.) mapping was originally for military purposes to record all roads and tracks that could be used in times of war; this included both public and private routes. These maps are good evidence of the physical existence of routes, but not necessarily of status. Since 1889 the Ordnance Survey has included a disclaimer on all of its maps to the effect that the depiction of a road is not evidence of the existence of a right of way. It can be presumed that this caveat applied to earlier maps.

O.S. 1st edition 1 inch 1842

This mapping shows the route throughout and recorded in a similar way to how it is shown on Bryant's Map of 1831. There are solid lines across the route shortly after its junction with Noah Ark's Lane and another at the end of the section that runs southerly and before it turns easterly, west of Springfield Farm. The route is bounded on both sides throughout excepting along the north south section where it is bounded on the east side and shown with a pecked line along its western edge.

O.S. 1st Edition County Series 25" to 1 mile 1875

The route is shown throughout, it has a solid line across the beginning of the route at the western end. This could indicate a gate or some structure. The first section is bounded both sides past Brook House with a solid line ending this section. It is then shown as a double pecked line through the pasture running south and easterly. This indicates that it was unfenced or unenclosed. There is a further solid line shown and then the route is bounded on both sides from the north of Springfield Farm to its junction with Warford Lane.

O.S. 2nd Edition County Series 25" to 1 mile 1897

The route is shown throughout in the same way as on the 1st edition with the exception of a solid line now shown at the eastern end of the route where it meets Warford Lane. There was no Book of Reference available to see the descriptions allocated to the different plot numbers on this map.

O.S. 3rd Edition County Series 25" to 1 mile 1909

The route is again shown throughout unchanged from the second edition.

O.S. revised New Series 1: 63,360 (1 inch: 1 mile) 1902-3 (Cassini Map)

The route is only partly shown here running from Warford Lane to Springfield Farm as a bounded track and referred to in the key as an unmetalled road. There is no depiction for the continuation of the route through to Brook House and Noah's Ark Lane.

Bartholomew's Half Inch to a Mile

These maps were revised for the benefit of tourists and cyclists with help from the Cyclists' Touring Club (CTC). Local CTC members would generally have cycled every available route in their area, and it is subsequently assumed that any route that appeared on these maps had initially at least, been used without hindrance. These maps were well used by cyclists for their outings so the depiction here is likely to have led to it being used.

The 1902 edition shows the route as uncoloured. On the key these are described as 'inferior and not to be recommended to cyclists'. On the 1920 edition the route is shown in the same way with the same notation. On this map Noah's Ark Lane is also shown as uncoloured. On the revised map of 1941 the route is again uncoloured and recorded as 'other roads' on the key. Noah's Ark Lane is shown with a dashed line and recorded as a 'serviceable road'.

Finance Act 1910

- 5.9 The Finance Act of 1910 involved a national survey of land by the Inland Revenue so that an incremental value duty could be levied when ownership was transferred. Land was valued for each owner/occupier and this land was given a hereditament number. Landowners could claim tax relief where a highway crossed their land. Although the existence of a public right of way may be admitted it is not usually described or a route shown on the plan. This Act was repealed in 1920.

Two sets of plans were produced: the working plans for the original valuation and the record plans once the valuation was complete. Two sets of books were produced to accompany the maps; the field books, which record what the surveyor found at each property and the so-called 'Domesday Book', which was the complete register of properties and valuations.

The plan for this area is recorded on O.S base map 3rd edition and the routes recorded are consequently shown in the same way. The plan shows the route within two hereditaments, numbers 1039 and 1036. There are deductions recorded for rights of way on hereditament 1039 of £8; this parcel includes Brook House and the pasture to the south where the path runs. Springfield Farm is included within hereditament 1036 and shows a deduction of £15 for rights of way. Taking the approximate lengths of the paths as they were then known to exist, there is approximately slightly less than twice the amount in hereditament 1036 as there is in hereditament 1039 which would account for the difference in deductions. There is no record of the status of the routes in the 'Domesday Book'.

Plans and elevations of hospital buildings c.1905

- 5.10 The property known as Brook House formed part of the Mary Dendy Hospital at one time. The hospital which spanned a number of properties in the Great Warford area was set up to provide education for children with learning disabilities. This plan dated 1905 shows proposed extensions to Brook House possibly in preparation for housing children. The route is shown only as far as the edge of Springfield Farm and in a similar way to the 3rd Edition O.S. map.

Great Warford Civil Parish Meetings/Minutes 1894-1937

- 5.11 The minutes of the 27th September 1920 record a reference to correspondence from the Footpath Association to the Parish Council regarding a footpath from Pownall Brow through Brook Farm. It was decided that the Parish write to a Mr Blakeway to inform him that this is a recognised footpath and that users of such are not on sufferance i.e. there by permission. A further entry of the 12th April 1921

recorded there was no further correspondence from the Footpath Association and nothing heard from Mr Blakeway.

There is reference in a minute of 28th January 1936 to a letter from the Footpaths Preservation Society, London, stating the Society had written on previous occasions to a Mr Hayman asking him to replace a stile at the end of the footpath at Springfield Farm. He had not complied, and the Society were requesting the Parish Council to write with the same request, which they agreed to do. As there was a junction of three footpaths at Springfield Farm it is not possible to say whether this related to Footpath No. 23 or 25.

Pre-Definitive Map Records

- 5.12 The Public Rights of Way team hold records that pre-existed the Definitive Map process. The route is shown on the Macclesfield Footpath Map annotated with a dashed line which indicates 'Footpaths, repairs of which in the past have been doubtful'. The date of this Map is unknown. There are no other specific records relating to this path from this era.

Definitive Map Process – National Parks and Access to the Countryside Act 1949

- 5.13 The Definitive Map and Statement is based on surveys and plans produced in the early 1950s by each parish in Cheshire, of all the ways they considered to be public at that time. The surveys were used as the basis for the Draft Definitive Map.

The survey schedules for Footpath Nos. 23 and 25 have 'Bridle Road' shown with 'Footpath' crossed out. In the general description for Footpath No. 25 it is recorded that the old footpath which ran across the fields from Springfield Farm in a north easterly direction towards Pownall Brow and its junction with Warford Lane, has been 'done away with' and this Bridle Road put in its place. There are other notes with the surveys that record the agreement to discontinue the path across the fields in favour of the farm drive noting that the Alderley Edge Footpaths Preservation Society are

in support. There is no formal record of an alteration to this path in terms of a diversion order or any other legal process. Footpath No. 23 is described as a good metalled drive for about 200 yds which would take it to the edge of the paddock currently adjacent to Noah's Ark Barn. Field Gates are recorded at this junction and again at the next field boundary and the junction with the track where it bears easterly. The Parish Map also records these field gates plus at a further one at the north of Springfield Farm and a wicket gate recorded at the junction with Warford Lane. The Footpath Preservation Map shows a gate at the Noah's Ark Lane junction and two stiles, one at the point where the path turns to run easterly from a southerly direction and another north of Springfield Farm.

At the Draft Map stage both these routes are recorded as footpaths with field gates shown along the route. There are no records to indicate why or how this change came about but it could just be at the stage the County Council were coordinating the records and inspectors were checking the routes. This then remains the case through the Provisional stage to its final iteration on the Definitive Map. There were opportunities for formal objection by the public to the Draft stage and by landowners to the Provisional stage but neither of these was utilised in this instance.

Land Registry Information

- 5.14 There are three separate landownerships along the route of the path. They are the occupants of Noahwood House at the western end then the owners of Noah's Ark Barn with the majority of the route in the ownership of Springfield Farm. However, there is a section of the access track to Springfield Farm from where the entrance to the Farm joins the track to the junction with the two tracks that diverge north easterly and south easterly.

Witness Evidence

5.15 There were three user evidence forms submitted with the application. Two of these claimed use of the route on horseback. One had used the route twice in the year 1980 - 81 and the other had used the route twice a year during the years 1964 – 1970. It has not been possible to speak to these users for further information of their use. However, on face value this level of use would not be sufficient to suggest a level capable of claiming rights under S.31(1) of the Highways Act 1980.

An interview was held with the applicant by telephone. They stated that they often use the route on foot to visit their horse which is liveried at Springfield Farm and has been for about 30 years. They believe the route was blocked at the Noahwood House end for several years in the 1990s and would not have been available for any type of user. As far as they understand it the owners of Springfield Farm would not be averse to the recording of a bridleway. There used to be a showground on land at Springfield Farm which held horse/riding club events and consequently large numbers of horses would have been accessing the site potentially along the route from Noah's Ark Lane and not just along the route in Springfield Farm ownership.

6. Main Issues

6.1 Section 53(2)(b) of the Wildlife and Countryside Act 1981 requires that the Council shall keep the Definitive Map and Statement under continuous review and make such modifications to the Map and Statement as appear requisite in consequence of the occurrence of certain events:-

6.2 One such event, (section 53(3)(c)(ii)) is where

“(c) the discovery by the authority of evidence which (when considered with all other relevant evidence available to them) shows:-

(ii) that a highway shown in the map and statement as a highway of a particular description ought to be there shown as a highway of a different description;

The evidence can consist of documentary/historical evidence or user evidence or a mixture of both. All the evidence must be

evaluated and weighed, and a conclusion reached whether, on the 'balance of probabilities' the rights subsist. Any other issues, such as safety, security, suitability, desirability or the effects on property or the environment, are not relevant to the decision.

- 6.3 Where the evidence in support of the application is user evidence, section 31(1) of the Highways Act 1980 applies. This states; -

“Where a way.....has been actually enjoyed by the public as of right and without interruption for a full period of twenty years, the way is deemed to have been dedicated as a highway unless there is sufficient evidence that there was no intention during that period to dedicate it.”

This requires that the public must have used the way without interruption and as of right; that is without force, secrecy or permission. Section 31(2) states that “the 20 years is to be calculated retrospectively from the date when the right of the public to use the way is brought into question”.

- 6.4. In the case of, R (on the application of Godmanchester Town Council) v Secretary of State for the Environment, Food and Rural Affairs (2007), the House of Lords considered the proviso in section 31(1) of the Highways Act 1980:

“...unless there is sufficient evidence that there was no intention during that period to dedicate it”.

The proviso means that presumed dedication of a way can be rebutted if there is sufficient evidence that there was no intention to dedicate the way, during the relevant twenty year period. What is regarded as 'sufficient evidence' will vary from case to case. The Lords addressed the issue of whether the “intention” in section 31(1) had to be communicated to those using the way, at the time of use, or whether an intention held by the landowner but not revealed to anybody could constitute “sufficient evidence”. The Lords also considered whether use of the phrase “during that period” in the proviso, meant during the whole of that period. The House of Lords held that a landowner had to communicate his intention to the public in some way to satisfy the requirement of the proviso. It was also held that the lack of intention to dedicate means “at some point during that period”, it does not have to be continuously demonstrated throughout the whole twenty-year period.

6.5 In consideration of the evidence there is a clear history of the existence of the route from the earliest map of Swire and Hutching's in 1828 when the route first appears, throughout through the Tithe Map, Ordnance Survey maps, Sales plan, Finance Act, Parish records, Definitive Map records etc. However, the depiction of the route is mixed and the alignment has also changed over time. At the eastern end of the route the original alignment of the route ran south easterly; this is demonstrated in all the documents considered up until the first edition O.S. map where the straight east west alignment of Footpath No. 25 is first shown. There is an absence of map evidence between 1843 and 1870 so it is unclear when this change occurred. A further change to the accepted footpath route happened in 1951 when the Parish Meeting accepted the removal of the footpath across fields running north easterly towards Pownall Brow in exchange for the current route of Footpath No. 25 along Springfield Farm Drive. This suggests that until this time the route along the drive was possibly not considered a right of way. and in which case. the disappearance of the historic route running south easterly sometime between 1843 and 1870. would have excluded any access other than by now defunct footpath.

The depiction of the route on County maps is categorised as 'Cross Road' or 'Lane and Bridleway'. It is not known what the definition of Cross Road was intended to be, and it might refer to private roads as well as public. The Tithe Map shows that the eastern extent of the route potentially fell into the same category as other known roads in the Parish and this is replicated on the Sales Plan a year or two later; however when looking at how other cul de sac routes shown in this way are currently recorded in the Parish there is a mix between being recorded as footpaths or not recorded at all. Equally the western end of the path is recorded as 'thoroughfare' and the treatment of similarly recorded routes on the Definitive Map is a mix of footpath or unrecorded. The Finance Act records reductions for rights of way on both the hereditaments affected but there is no record of the status of these paths.

It is known that Brook House formed part of a collection of buildings housing children with special educational needs, although how long this was the case is not clear. Whether or not the existence of a bridleway directly through the site would have influenced the selection of this property for such a purpose cannot be determined.

The Parish Minutes demonstrate that the routes in the vicinity of Brook House and Springfield Farm were considered to be footpaths during the 1920s and 30s by the Parish and also by the walking societies.

The only record of significance that suggests the route was thought to be a bridleway were the walking schedules compiled by the Parish Meeting in the early 1950s. There is a possible explanation for this in that the route of Footpath No. 25 was substituted for a footpath crossing fields and physically it had the capacity to be a bridleway. This entailed that a connecting path would need to be shown as bridleway to create a through route. This is a purely speculative suggestion, but it might hold an element of truth given that at the Draft stage of the Definitive Map process the routes reverted to being shown as footpaths and stayed that way through the full legal process to the final Definitive Map stage with no further consideration given to the status of bridleway.

Consultation and Engagement

- 7.1 Consultation letters and a plan of the claimed route were sent out to the Ward Member; Parish Council; User Groups/Organisations; statutory undertakers and landowners on the 6th January 2023.
- 7.2 A response from East Cheshire Ramblers commented that they would wish to see the surface improved if the claim to upgrade were successful.
- 7.3 One of the landowners responded requesting further information. During a telephone discussion a strong objection to the application was expressed. They stated that they keep ponies in the field the path crosses and would not want horses passing through. Knowing that the path had been diverted in 2002 they found it hard to understand how higher rights could now be claimed on the original route. Following a site visit in early June, a further email was sent to state their objection and to query why the route could not follow the diverted footpath if the claim was to be successful. They state that they were not made aware of the claim when they bought the property six years ago as it did not show up on any searches. They would have concerns about security and currently have electronic gates across the driveway, also the area in front of the property is where they park their vehicles which could be damaged by passing horses. Their dog is usually at large in the garden and they have two rescue ponies in the adjacent paddock; they would have concerns about the safety of these animals with gates being left

open and also the potential stress of encountering passing horses. The claim is causing immense upset to themselves and their family.

7.4 The Peak and Northern Footpath Society responded to say they had no comment to make.

7.5 Cadent Gas also responded with no objection to make.

Reasons for Recommendations

8. The evidence in support of this application must show, on the balance of probabilities, that bridleway rights subsist along the claimed route. The balance of historic evidence does not support the case that a bridleway subsists along the routes A-B-C-D (Plan No. WCA/030); therefore, it is considered that the requirements of Section 53(3)(c)(ii) have not been met and it is recommended that this application be refused.

9. The work of the Public Rights of Way team contributes to the Corporate Plan priority “A thriving and sustainable place”, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

Other Options Considered

10. Not applicable – this is a non-executive matter.

Implications and Comments

Monitoring Officer/Legal

11. Upon determination of this application, the authority must serve notice on the applicant to inform them of the decision. Under Schedule 14 of the WCA, if the authority decides not to make an order, the applicant may, at any time within 28 days after service of the notice, appeal against the decision to the Secretary of State. The Secretary of State will then consider the application to determine whether an order should be made and may give the authority directions in relation to the same.

Section 151 Officer/Finance

12. If an appeal is successful and the subsequent Order objected to this may lead to a subsequent hearing/inquiry, for which the Council would be responsible for any costs involved in the preparation and conducting of such although as a directed Order the Council would be at liberty to take a neutral stance. The maintenance of the Public Right of Way, if upgraded on the Definitive Map and Statement, would fall to the landowner and Council in line with legislation. The associated costs

would be borne within existing Public Rights of Way revenue and capital budgets

Policy

13. The work of the Public Rights of Way team contributes to the Corporate Plan priority “A thriving and sustainable place”, and the policies and objectives of the Council’s statutory Rights of Way Improvement Plan.

A thriving and sustainable place

- A great place for people to live, work and visit
- Welcoming, safe and clean neighbourhoods
- Reduce impact on the environment
- A transport network that is safe and promotes active travel
- Thriving urban and rural economies with opportunities for all
- Be a carbon neutral council by 2025

Equality, Diversity and Inclusion

14. The legal tests under section 53 of the Wildlife & Countryside Act 1981 do not include an assessment of the effects under the Equality Act 2010.

Human Resources

15. There are no direct implications for Human Resources.

Risk Management

16. There are no direct implications for risk management.

Rural Communities

- a. There are no direct implications for Rural Communities.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- b. There are no direct implications for Children and Young People

Public Health

- c. The recommendations are anticipated to offer a positive overall impact on the health and wellbeing of Cheshire East residents.

Climate Change

- d. There are no direct implications for Climate Change. .

Access to Information

Contact Officer:	Clare Hibbert clare.hibbert@cheshireeast.gov.uk
Appendices:	Plan No. WCA/030 & Appendix 1
Background Papers:	File MA/5/231