

CHESHIRE EAST COUNCIL

REPORT TO: PUBLIC RIGHTS OF WAY COMMITTEE

Date of Meeting: 7 September 2009
Report of: Green Spaces Manager
Subject/Title: Highways Act 1980 – Section 25
Creation Agreement for a New Public Footpath in the
Parish of Bollington

1.0 Report Summary

- 1.1 A new path has been constructed by volunteers of the Kerridge Ridge and Ingersley Vale (KRIV) Countryside and Heritage Project up to the White Nancy viewpoint in the Parish of Bollington. It is proposed that the Council enter into creation agreements with the landowners who have agreed to dedicate this route as a public footpath.

2.0 Recommendations

- 2.1 That creation agreements be entered into under Section 25 of the Highways Act 1980 to create a new public footpath in the Parish of Bollington, as illustrated on Plan No. HA/008, and that public notice be given of these agreements.

3.0 Reasons for Recommendations

- 3.1 A new path has been constructed in order to help relieve the pressure of the estimated 40,000 - 50,000 visitors who walk up to the White Nancy view point each year.
- 3.2 The White Nancy feature has been recognised in the Bollington Town Plan 2008 as the symbol of the town. The Town Plan also recommends the development of public access to the hilltop area. The construction of this new path has contributed to this aim.
- 3.3 Consultation undertaken for the statutory Rights of Way Improvement Plan (ROWIP) of the former Cheshire County Council identified the need for an increase in the number of circular routes available for local people. The new path offers users an alternative route to the existing right of way which climbs open hillside, thereby creating a circular route with a mix of landscape characteristics.

4.0 Wards Affected

- 4.1 Bollington and Disley Ward.

5.0 Local Ward Members

- 5.1 Councillor Matthew Davies
Councillor Harold Davenport
Councillor Diana Thompson.

6.0 Policy Implications including - Climate Change - Health

- 6.1 The development of circular walking routes for local residents and visitors alike is aligned with the health and wellbeing objectives and priorities of the Council as stated in the Corporate Plan (2.1.1 Encouraging healthier lifestyles), the Local Area Agreement (National Indicator 8 Adult participation in sport and active recreation) and the Health and Wellbeing Service commitment to the Change4Life initiative.

7.0 Financial Implications for Transition Costs (Authorised by the Borough Treasurer)

- 7.1 None arising.

8.0 Financial Implications 2009/10 and Beyond (Authorised by the Borough Treasurer)

- 8.1 The KRIV Project Chairman has agreed that any maintenance tasks and costs associated with the proposed footpath will be covered by the KRIV project until June 2015. Thereafter, any maintenance works will be resourced by the public rights of way team.

9.0 Legal Implications (Authorised by the Borough Solicitor)

- 9.1 Under Section 25 of the Highways Act 1980, a local authority has power to enter into an agreement with any person having the capacity to dedicate a public footpath.
- 9.2 The Highways Act 1980 requires the authority to have regard to the needs of agriculture and forestry (including the breeding and keeping of horses), and to the desirability of conserving flora, fauna and geographical and physiographical features. In this case, the path has already been constructed in agreement with the landowners.

10.0 Risk Management

- 10.1 No risks are foreseen.

11.0 Background and Options

- 11.1 The KRIV Project is a community initiative that aims to retain and restore industrial heritage features that are found in the local landscape

and specifically to improve public access to that landscape. The project is a partnership between local residents, Bollington Town Council, Rainow Parish Council, the former Macclesfield Borough Council, the Bollin Valley Partnership, and Groundwork. The project's volunteer programme offers local people the opportunity to work in the countryside on environmental and conservation tasks and over 2000 volunteer hours have been donated in the construction of the new path.

- 6.2 The route runs from OS grid reference SJ 9380 7725 off public footpath No. 17, Bollington and climbs in a generally south-easterly direction through Redway Wood for a distance of approximately 200 metres to its junction with public footpath No. 35, Bollington at OS grid reference SJ 9390 7712, as shown in Plan No. HA/008. The path comprises approximately 199 steps faced with stone or wood and has a soil and wood chip surface.
- 6.3 The KRIV project has requested that the new path is adopted as a public footpath in order to protect this public access for perpetuity.
- 6.4 The landowners are in support of the proposed creation agreements.
- 6.5 Bollington Town Council and the local Members have been consulted; no responses have been received.

12.0 Overview of Year One and Term One Issues

- 12.1 None arising.

13.0 Access to Information

The background papers relating to this report can be inspected by contacting the report writer:

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