

CHESHIRE EAST COUNCIL

Public Rights of Way Committee

Date of Meeting:	16 th September 2013
Report of:	Public Rights of Way Manager
Subject/Title:	Technical Amendment to the Diversion of Public Footpath No. 3 in the Parish of Swettenham

1.0 Report Summary

- 1.1 This report is an informative item to brief members on a technical amendment to the diversion route of Public Footpath No.3 Parish of Swettenham. Committee members resolved to make an order to divert this footpath at the meeting held 18th June 2013 and recorded in item 7 of the minutes from that meeting.

2.0 Recommendation

- 2.1 No decision is required by Committee.

3.0 Reasons for Recommendations

- 3.1 N/A

4.0 Wards Affected

- 4.1 Brereton Rural

5.0 Local Ward Members

- 5.1 Councillor John Wray

6.0 Policy Implications

- 6.1 Not Applicable

7.0 Financial Implications

- 7.1 Not Applicable

8.0 Legal Implications

- 8.1 Not applicable

9.0 Risk Management

- 9.1 None

10.0 Background and Options

10.1 Referring to the Rights of Way Committee Item No.7 from the meeting held on 16th June 2013, it was resolved that the Council make an Order under Section 119 of the 1980 Highways Act 1980, as amended by the Wildlife and Countryside Act 1981, to divert part of Swettenham Public Footpath No. 3 in the Parish of Swettenham by creating a new section of public footpath and extinguishing the current path section, as illustrated on Plan No. HA/083, on the grounds that it was expedient in the interests of the owner of the land crossed by the paths.

10.2 During the initial consultation period prior to the Committee meeting, a number of statutory consultees opposed the diversion on the basis that it would bring users directly onto Swettenham Hall Lane (point E on Plan No. HA/083). This exit point was considered to be less safe than the exit point of the current route into the turning circle at the entrance of Swettenham Hall.

This concern also generated some discussion between Members at the Committee meeting.

10.3 Given the strength of objection and concern to this proposed exit point and following further consideration, it was agreed with the applicant that the diversion should be amended to bring users to an exit point in the turning circle.

The amended route is shown on the Plan No. HA/083A between points D-E.

Steps will be installed to enable users to traverse the steep slope at point E. It is likely that these will be made of earth and timber to merge with the current environment and will have a handrail.

10.4 As this technical amendment does not significantly change the walking experience that will be provided by the new route both in terms of enjoyment and convenience, it is not intended that any further consultation be undertaken before the order is made.

11.0 Access to Information

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

Name: Mike Taylor

Designation: Public Rights of Way Manager

Tel No: 01270 686 115

Email: mike.taylor@cheshireeast.gov.uk