

REPORT FOR DECISION

SUBMISSION TO REGULATORY AND LICENSING COMMITTEE

Date: 28 November 2013

Agenda Item: Item No. 4

Contact Officer and Telephone No. Carol Pepper: 308072

**SUBMISSION BY STRATEGIC DIRECTOR - DEMOCRATIC DEVELOPMENT AND
LEGAL SERVICES**

**PROPOSED DIVERSION OF PUBLIC FOOTPATH NO. 15 IN THE PARISH OF CHASE
TERRACE**

1. Purpose

- 1.1 To consider an application received from The Trustees of Mercia Construction Ltd's Retirement and Death Benefit Scheme for a proposed diversion of Public Footpath No. 15 in the Parish of Chase Terrace.

2. Summary

- 2.1 The proposed diversion of Public Footpath No. 15 in the Parish of Chase Terrace is being sought by Mr D K Lees on behalf of The Trustees of Mercia Construction Ltd's Retirement and Death Benefit Scheme. The diversion is necessary to divert the original footpath to follow the route already defined by a post and wire fence along the west and southern boundaries of the site.

3. Detail of Report

- 3.1 An application has been submitted under the Town and Country Planning Act 1990 from The Trustees of Mercia Construction Ltd's Retirement and Death Benefit Scheme for the proposed diversion of Public Footpath No.15 in the Parish of Chase Terrace.
- 3.2 Attached at **APPENDIX A** is a plan showing the existing Public Footpath with a bold black line (A to B). The proposed route of the footpath is shown by bold broken dashes (D to C to B). The diversion has been requested in order to divert the legally defined route to the western and southern boundaries of the site as indicated on the attached plan.
- 3.3 The footpath already follows the route along the western and southern boundaries and has done so for many years. It existed along this route when the site was observed in mid- 2007 and obviously had followed this route for some time previous to that date. Inspection on site shows the existence of a post and wire fence defining the route of the footpath along the west and south boundaries of the site.

- 3.4 Transferring the legally defined route of the footpath as suggested would mean that it would then be on land owned by the County Council.
- 3.5 Transferring the legally defined route of the footpath would remove certain restrictions to the proposed development of the site and would improve it visually and increase garden areas for future residents.

4. Financial Implications

- 4.1 Administrative and advertisement costs will be incurred in the making of the Public Footpath Order, however, these will be covered by the application fee for diversion of the public footpath.

5. Environmental Issues

- 5.1 None

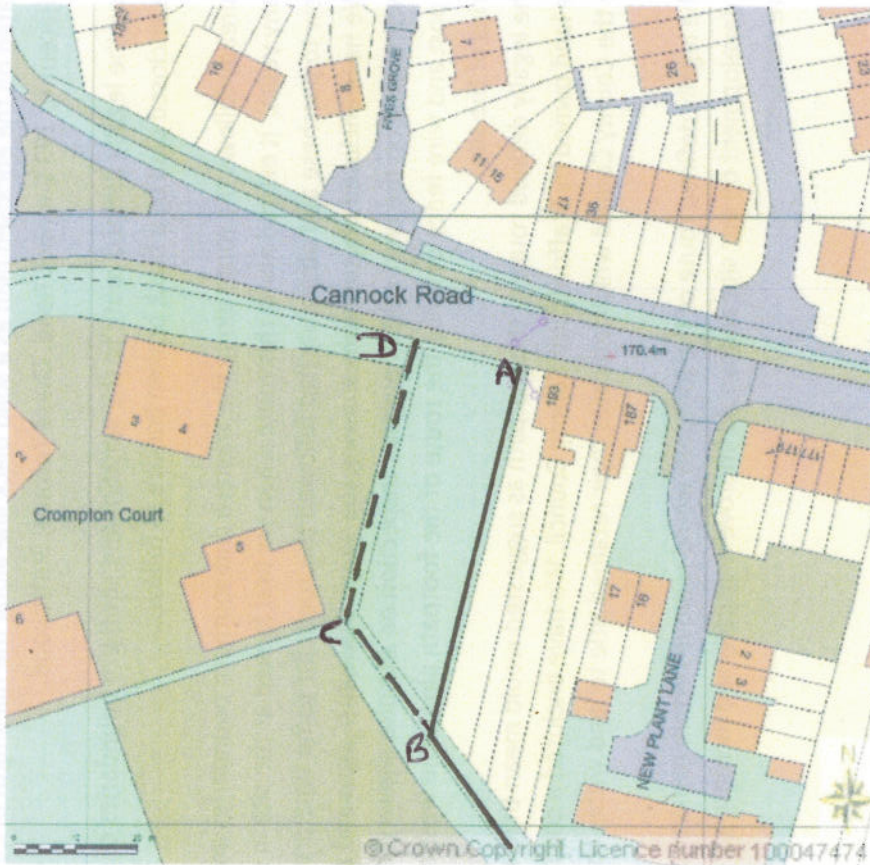
6. Strategic Plan Implications

- 6.1 None

7. Recommendation

- 7.1 That a Public Footpath Diversion Order be made under the Town and Country Planning Act 1990 to be known as The Lichfield District Council (Footpath 15 in the Parish of Chase Terrace) Public Footpath Diversion Order 2013.
- 7.2 That the Strategic Director – Democratic, Development and Legal Services be authorised to take all necessary action.

SITE LOCATION PLAN
AREA 2 HA
SCALE: 1:1250 on A4
CENTRE COORDINATES: 403457 , 309564



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