

PROPOSED DIVERSION OF PART OF PUBLIC FOOTPATH NO.0.333 IN THE PARISH OF BURNTWOOD



Date: 3 October 2019
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Key Decision? No
Local Ward Member Chasetown Ward - Cllrs. Darren Ennis and Samuel Tapper

REGULATORY & LICENSING COMMITTEE

1. Executive Summary

- 1.1 To consider an application received from Taylor Wimpey West Midlands for the temporary diversion of public footpath No. 0.333 in the Parish of Burntwood. The application is to be considered under the Highways Act 1980, Section 119, as the development site is near to completion. The proposed footpath is to amend the previously approved diversion, under the Town and Country Planning Act Section 257, in May 2015. The diversion is necessary as part of the nearly completed residential development at Milestone Way, Burntwood.

2. Recommendations

- 2.1 To approve the proposed diversion of Public Footpath No.0.333 in the Parish of Burntwood as set out in Appendix A.

3. Background

- 3.1 In March 2015 the Regulatory and Licensing Committee granted permission to Taylor Wimpey West Midlands to divert the original footpath 0.333 to avoid it crossing the proposed development site as set out in Appendix B. In May 2015 the route of Public Footpath No.0.333 was confirmed as it had been requested by developer.
- 3.2 A discrepancy in the mapping of diverted Footpath 0.333 and permission was noted and approval is sought to correct this by amending the footpath. This will remove the element of the previously approved footpath from point D to point E shown on Appendix B which did not directly replace the original footpath.
- 3.3 Attached at Appendix A is a plan showing a final revised route for Footpath No: 0.333. The amended footpath route is shown as points A to B and B to C. Following completion of the development it is proposed that this diverted route will become permanent.

Alternative Options

1. Leave the footpath as it is unfinished and will be incorrect and confusing to users.

Consultation	1. An informal consultation has taken place with Outside Bodies and Local Ward Members and there are no outstanding objections.
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Financial Implications	1. No financial implications for the Council have been identified. 2. Administrative and advertisement cost will be incurred in the making of the Public Footpath Order, but these will be met by the Applicant
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Contribution to the Delivery of the Strategic Plan	1. None identified.
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Equality, Diversity and Human Rights Implications	1. None identified.
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Crime & Safety Issues	1. Not applicable.
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	Risk Description	How We Manage It	Severity of Risk (RYG)
A	Footpath diversion process not followed correctly and being challenged.	We have an agreed process which follows the relevant legislation and also legal advice if required	Likelihood (green) Impact (yellow)
B			
C			
D			
E			
Background documents Appendix A – Map of Proposed Diversion (Highways Act 1980 Section 119) Appendix B – Map of Approved Diversion Order (May 2015 under the Town and Country Planning Act 1990)			