
REPORT TO:	Environmental Services Committee	AGENDA ITEM: 7
DATE OF MEETING:	11 July 2002	CATEGORY: DELEGATED
REPORT FROM:	Planning Services Manager	OPEN PARAGRAPH NO: N/A
MEMBERS' CONTACT POINT:	Derrick Kinsey ext 5725	DOC: commrepf5ros11july02
SUBJECT:	Proposed Diversion Public Footpath No 5 (Part) Parish of Rosliston	REF: DK/JM/E/7/3/97
WARD(S) AFFECTED:	Walton on Trent	TERMS OF REFERENCE: ES 06

1.0 Recommendations

- 1.1 It is recommended that an order be made under the provisions of Section 119 of the Highways Act 1980 to divert part of the definitive line of Public Footpath No 5 Parish of Rosliston (part) to the proposed line on the enclosed plan.

2.0 Purpose of Report

- 2.1 To determine an application to divert part of Public Footpath No 5 Parish of Rosliston.

3.0 Detail

- 3.1 An application has been received from Mr M Hill of 1 Cinderlands, Linton Road, Rosliston, Swadlincote, Derbyshire, DE12 6RU to divert a section of the above public right of way. The diversion is required in the interest of the efficient agricultural administration of the land.

The Definitive Line

- 3.2 Footpath No 5 which is approximately 700 metres long runs from Linton Road in a generally north easterly/and south westerly direction to Main Street, Rosliston. The footpath is moderately used.

The Proposal

- 3.3 The proposed diversion (under the Highways Act 1980 Section 119) relates to the approximately 208 metre section marked A to B to C shown as a bold solid line on the enclosed plan, the alternative route is shown as a bold broken line between points A and C. A stile will be required indicated at point X to prevent the ingress and egress of stock. A 1.8 metre width will be required.

Assessment

3.4 My assessment of the proposal is as follows:

- The proposed line would be only a few metres away from the original line.
- The proposed line would not alter the termination of the footpath.
- The alternative is considered to be no less convenient to the user.
- The whole of the new proposed line would be on a grass pasture.
- The applicant will provide a hardcore surface around the stile.

Therefore I conclude that the proposed diversion is acceptable.

4.0 Financial Implications

4.1 There are no direct financial implications for the council as the costs associated with the order are met by the applicant.

5.0 Corporate Implications

5.1 The Rights of Way Officer has completed the informal consultation and no objections have been received. Subject to the Committee approval, the application, will be referred to the Legal and Members Services to complete the order making process.

6.0 Background Papers

10.1 07/02/02 application 22/04/02 informal.