

Officer Decision Notice

2024505



The following decision has been taken under the Council's Constitution as amended.

Decision Maker:

Decision in matter of: Wildlife and Countryside Act 1981 – Section 53: Application for a Definitive Map Modification Order

Decision:

1. In September 2023 an Order was made under section 53(2)(b) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by the addition of Public Footpath No. 20 in Farndon.
2. During the consultation period a number of objections were raised.
3. Consultant Robin Carr provided a draft response to the objections and in recognition of some of the technical points raised in the objections, recommended that a new Definitive Map Modification Order (DMMO) be made in order to resolve those issues.
4. This new DMMO will cite the correct Definitive Map title, as per the original Definitive Map, and it will also take account of the fact that Harrier Way now bisects the claimed route, thereby splitting the claimed route into two footpaths; Public Footpath No 20 and Public Footpath No 21.
5. The amended DMMO will be re-advertised for a period of 42 days, once the order has been signed and sealed.
6. The current Order must be sent to PINs along with the newly made Order, as the Council have no authority to abandon the defective order.

The Recommendation:-

1. A new Order be made under section 53(2)(b) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by the addition of Public Footpath No 20 and Public Footpath No 21 in the Parish of Farndon to the Definitive Map and Statement, as shown between Points A-B and C-D on the Plan MO 571B, and that the requisite notice of the making of an Order be given.

Signed

A handwritten signature in black ink, appearing to read "R McArthur", with a horizontal line underneath.

Name... Rose McArthur – Director of Transport, Highways and Climate Change

Date... 10.12.24.....

Contact Officer : Deborah Lack - Public Rights of Way Officer