

Dear Members of the Wirral Footpaths and Open Spaces Preservation Society,

Notice of Decision for CWaC 007 Ness Acre Lane

Cheshire West and Chester Council has made a decision on your application to record a footpath running from Neston Road along Ness Acre Lane to Public Footpath 32 Ellesmere Port and Neston in the Willaston area.

The purpose of this letter is to notify you that the Council has decided not to make an order to record the route shown on the attached plan.

The Decision

The decision **not** to record this route as a footpath is based on our assessment of the evidence that was available to us and the application of the relevant legal tests and case law. It is explained in the attached Officer Decision Report.

What happens next?

Now that we have made our decision you as the applicant have the right to appeal to the Secretary of State within the 28 days after the receipt of the attached decision. Details of this process can be found on the Planning Inspectorate's website at

[Appeal a right of way decision: When you can appeal - GOV.UK \(www.gov.uk\)](http://www.planningportal.gov.uk/planning/countryside/schedule14/schedule14appeal)

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The Secretary of State's department can be contacted at Rights of Way Section, The Planning Inspectorate, Room 3/25 Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Their telephone number is 0303 444 5523 and their email is

RightsofWay@pins.gsi.gov.uk

If you decide to make an appeal you should ensure that you do so within the timescale and that you notify the Cheshire West and Chester Council of the fact that you have appealed. If you do not, your appeal will be rejected by the Secretary of State.

If an appeal is made and the Secretary of State considers that an order should have been made, they will direct Cheshire West and Chester Council to do so. In such cases any order would need to be advertised and it would be open for anyone wishing to object to do so. If objections were received this might result in a public inquiry.

Informing others

As part of the statutory requirements, we write to various people and organisations to inform them of this decision, but we cannot contact individual members of the public. As the applicant, you may wish to inform local residents and other people who contributed to the application.

I hope this clarifies the decision, but if you have any queries, please contact me.

Yours sincerely

Public Right of Way Officer
Cheshire West and Cheshire Council