

Officer Decision Notice



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

Decision Maker: Senior Manager (Asset and Network)

Decision in matter of: Wildlife and Countryside Act 1981 s53 to make an order to modify the Definitive Map and Statement by the addition of a footpath on land between Church Street and Cross Lane in the Parish of Tarvin

Decision:

1. It is confirmed that a delegated officer decision report in respect of the above-mentioned matter has been prepared by the respective Public Right of Way Officer and notice of the same was sent to Councillors Tom Lush and Edward Cooper respectively (Ward Members for Tarvin) on 31 July 2025.
2. A call in period ran for fifteen working days from the date of notification of the delegated officer decision report as per the Council's Constitution (June 2025) Part 3/Page 151/para.83
3. It is confirmed that the delegated officer decision report was not called in during the call in period.
4. Accordingly the Senior Manager (Asset and Network) being pursuant to delegated powers set in the Council's Constitution does hereby confirm the recommendation contained in the application report (reproduced below) as a decision of the Council.

The Recommendation:-

- 1) That the proposed modification order be **refused** be made on the grounds that there is insufficient evidence to give rise to a "reasonable allegation" in favour of presumption of dedication
- 2) That the Senior Manager (Asset and Network) be authorised to take any action considered necessary in respect of the confirmation of the Order duly authorised to be made.

Signed

Senior Manager (Asset and Network)

Name – Eraina Smith

Date – 26th August 2025

Contact Officer : Michael Goan – Public Rights of Way Officer