

Record of Delegated Executive Decision(s)

1. Subject of decision

Wideopen 1, 2, 3, 4, 4a, 5, and 6 North Tyneside Council Definitive Map and Statement Modification Orders 2019

2. Name and Title of Decision Maker

Bryn Roberts, Head of Law and Governance

3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

None

4. Executive summary

The Wildlife and Countryside Act 1981 requires Local Authorities to keep the Definitive Map and Statement (DM&S) continually updated. The DM&S is a register containing of all public rights of way (PROW) that are used by the public across the borough. The Countryside and Public Rights of Way Act 2000 set a 'cut-off' date of the 1st January 2026, by which time the entire PROW used in the borough need to be recorded and registered. This means that any unrecorded footpaths and bridleways which were in use before 1949 cannot be recorded after that date. It is therefore important that the Authority continues to update the DM&S before the cut-off date.

The Authority updates the DM&S by creating Definitive Map Modification and Public Path Orders. As the legislation requires, the Orders are drafted and signed in the prescribed form. They are then placed at the site of the Order and an advert is published in the local press. The Orders are also sent to statutory consultees. Members of the public and statutory consultees will then have 42 days to object before the Orders can be confirmed.

In this instance the Authority has carried out the above process for the paths Wideopen 1, 2, 3, 4, 4a, 5, and 6. The Orders are attached and there have been no objections.

Orders that have completed this process and have received no objections need to be confirmed. In accordance with LG67 within the Officer Delegation Scheme, the Head of Law and Governance has the authority to confirm unopposed Definitive Map Modification and Public Footpath Orders within the Borough. This report requests approval to proceed with confirmation of the aforementioned Order.

5. Alternative Options considered

One further option was considered:

To not authorise the confirmation of the Public Footpath LB38 & Bridleway Wideopen 1 North Tyneside Council Definitive Map & Statement Modification Order 2019 and Wideopen 2, 4, 5 & 6 & Public Footpath 4A Definitive Map & Statement Modification Order 2019

6. Decision(s)

Authorise the confirmation Public Footpath LB38 & Bridleway Wideopen 1 North Tyneside Council Definitive Map & Statement Modification Order 2019 and Wideopen 2, 4, 5 & 6 & Public Footpath 4A Definitive Map & Statement Modification Order 2019, which updates the Definitive Map and Statement for the borough of North Tyneside

7. Reasons for the Decision(s)

The Order in question has received no objections and needs to be confirmed to update the Definitive Map & Statement

The Authority would be failing in its statutory obligations if it did not keep the Definitive Map & Statement up to date,

8. Date Decision Made

19.08.2019

9. Is this decision subject to call-in and if so expiry date of call-in period

Yes, the call-in period expires at 5.00pm on Monday 26 August 2019

10. Date of Publication

19 August 2019

11. Implementation Date (if decision not called in)

After 5.00pm on 26 August 2019