

General Purposes Committee

Thursday, 15 March 2007

Present: Councillor (Chair), Councillor (Vice Chair) and Councillors Peter Baker, Ken Ball, Thomas Bedford, Dennis Edgerley, Catherine Hoyle, Hasina Khan, Marion Lowe, Peter Malpas and Edward Smith

07.GP.07 APOLOGIES FOR ABSENCE

Apologies for absence were submitted on behalf of Councillors Magda Cullens, Margaret Lees, Michael Muncaster and Ralph Snape.

07.GP.08 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest by any Member on any of the agenda items.

07.GP.09 MINUTES

RESOLVED - That the meeting of the General Purposes Committee held on 7 February 2007 be confirmed as a correct record for signature by the Chair.

07.GP.10 HIGHWAYS ACT 1980 - SECTIONS 118 AND 119 PROPOSED DIVERSION OF PARTS OF PUBLIC FOOTPATH NO 76 AND NO 80 COPPULL AND EXTINGUISHMENT OF PART OF PUBLIC FOOTPATH NO 79 COPPULL, CHORLEY BOROUGH

The Director of Customer, Democratic and Legal Services submitted a report requesting the Committee to consider a proposal submitted by Lancashire County Council for the diversion of a length of Public Footpath No 76 Coppull and a length of Public Footpath No 80 Coppull in conjunction with the extinguishments of a length of Public footpath No 79 Coppull.

The Committee (minute 07.GP.06 7 February 2007 refers) initially considered the proposal, but resolved to defer a decision until Coppull Parish Council has had the opportunity to consider the proposal. The report indicated that the Parish Council has now met and offered no objection to the proposal.

RESOLVED 1. That no objection be raised to the making by Lancashire County Council of a Public Path Extinguishment Order under Section 118 of the Highways Act 1980, for the purpose of extinguishing a length of Public Footpath No. 79, Coppull, as indicated on the submitted map attached to the report, as it runs north from point F to point B.

2. That no objections be raised to the making by Lancashire County Council of a Public Path Diversion Order under Section 119 of the Highways Act 1980, for the purpose of diverting lengths of Public Footpaths Nos. 76 and 80 from their current routes leading to/through Bogburn Hall Farm on to new routes to the south of the farm buildings.

07.GP.11 HIGHWAYS ACT 1980 - SECTION 26 AND 118 PROPOSED CREATION OF PUBLIC FOOTPATH AND EXTINGUISHMENT OF PART OF PUBLIC FOOTPATHS NOS. 6 AND 8 ULNES WALTON, CHORLEY BOROUGH

The Director of Customer, Democratic and Legal Services submitted a report requesting the Committee to consider a proposal submitted by Lancashire County

Council for the creation of a public footpath in conjunction with the extinguishments of a length of Public Footpath Nos. 6 and 8 Ulnes Walton.

The report indicated that the length of Footpath No 8 that ran directly along the river bank had been washed away due to flooding. Because of the tendency of the river to overflow its banks at this location, the County Council considered that, in order to preserve the Public Footpath system in this area, the best solution was to extinguish the majority of Footpath No 8 and create a replacement footpath further to the south on ground not vulnerable to flooding.

RESOLVED 1. That no objection be raised to the making by Lancashire County Council of a Public Path Extinguishment Order under Section 118 of the Highways Act 1980, for the purpose (i) of extinguishing a length of Public Footpath No. 8 Ulnes Walton, as shown by the solid black line A-B-C-D-E-F-G-H-I-J-K on the submitted map, and (ii) of extinguishing a small length of Public Footpath No. 6 as shown by the solid black line L-J.

2. That no objection be raised to the making by Lancashire County Council of a Public Path Creation Order under Section 26 of the Highways Act 1980, for the purpose (i) of creating a new replacement Public Footpath on a route to the south of the existing line of Public Footpath No. 8, as shown by the broken black line A-N-M-L-K on the submitted map, and (ii) of creating a linking footpath from what will be the new line of Public Footpath no. 8 and Public Footpath No 16A, as shown by the broken black line M-G on the submitted map.

07.GP.12 WILDLIFE AND COUNTRYSIDE ACT 1981 - PART III CLAIM FOR DEFINITIVE MAP MODIFICATION ORDER APPLICATION NO. 804/449 (BRINSCALL, WHEELTON AND HEAPEY)

The Director of Customer, Democratic and Legal Services submitted a report requesting the Committee to consider a claim submitted to Lancashire County Council for the status of Bridleway to be conferred on Dick Lane, Brinscall and for the status of Public Footpath Nos. 3, 22 and 29 Wheelton to be changed to that of a Bridleway.

The claim had been lodged with Lancashire County Council under Part III of the Wildlife and Countryside Act 1981 on the basis that the "claimed" route had been used by the public at large for horse riding purposes for more than 20 years without interruption. In accordance with paragraph 3 of Schedule 14 of the Wildlife and Countryside Act 1981, the County Council are obliged to investigate the claim and to consult with every local authority in whose area the claimed way was situated.

The evidence submitted to Lancashire County Council indicated 21 evidence of use forms, indicating knowledge and use of the route by horse riders for more than 20 years, photographic evidence and historical map and other documentary evidence.

The Committee were of the view that there are a number of riding establishments in the area and that these had been considered in the County Council consultation.

RESOLVED - That no objection be made to the claim for the grant of bridleway status being conferred on Dick Lane, Brinscall and for the status of Public Footpath Nos. 3,22(part) and 29 (part) Wheelton, and on a short length of unnamed road/track running south to Chapel Lane/Four Lanes End, Heapey.

Chair