

2nd October 2015
TITLE OF REPORT: Creation of a Bridleway, Bill Quay, Gateshead.

REPORT OF: Strategic Director, Communities and Environment

Summary

The purpose of this report is to seek approval to amend the recommendation of the Rights of Way Committee on 27th March 2015 for the dedication of a Bridleway at Bill Quay, Gateshead.

Purpose of the report

- 1) The Committee approved the dedication of a bridleway via a Deed of Dedication on the 27th March 2015 at Bill Quay, Gateshead. A copy of that report is attached at Appendix 3 to this report. The reason the report requested that a bridleway be dedicated via a deed of dedication was because it was understood that the bridleway would be on land that was in the ownership of the Council.
- 2) On further investigation of the title to the land the bridleway was proposed to be dedicated on, it was discovered that there are two small sections of unregistered land. This means that the bridleway cannot be dedicated via a deed of dedication as the whole of the bridleway would not be on Council owned land. Therefore to overcome this issue it is proposed that the bridleway be created via a creation order as oppose to a deed of dedication. The route of the bridleway that was previously approved by Committee will not change; it will just be the method by which the bridleway will be created that will require amendment.
- 3) In light of the above, officers would request that the bridleway shown on the plan as a green line from Point D through to Points E, F, G, H and Point I at Appendix 2 to this report, be created via a creation order under Section 26 of the Highways Act 1980.

Recommendation

- 4) The Rights of Way Committee approves:
 - i) That the part of the decision of Public Rights of Way Committee dated 27th March 2015 as set out in minute RW9(iii) "That a deed of dedication be made to dedicate a public bridleway on Council land from Point D-E-F-G-H-I as shown with a green line on the plan attached at the appendix to the minutes"; and minute RW9(v)(iii) "that delegated authority be granted to the Strategic Director of Corporate Services and Governance to undertake to complete and publicise a deed of dedication to dedicate a bridleway from Points D-E-F-G-H-I as shown with a green line on the plan attached at the appendix to these minutes" be rescinded, and

- ii) That approval be given for a public path creation order to create a bridleway at Bill Quay, Gateshead, from Point D-E-F-G-H-I, as shown with a green line on the plan attached at Appendix 2 to this report.

Grant delegated authority to the Strategic Director of Corporate Services and Governance to undertake the following:

- iii) To consult the statutory consultees and make a public path creation order to create a bridleway from Points D-E-F-G-H-I, as shown with a green line on the plan attached at Appendix 2 to this report.
- iv) If no objections are received, to confirm the order or if objections are received and not subsequently withdrawn, to send the order to the Secretary of State for determination as an opposed order.

Contact: Rob Hindhaugh Ext 3094

1 FINANCIAL IMPLICATIONS

The costs of making and advertising the order will be covered by existing budgets.

2 RISK MANAGEMENT IMPLICATIONS

None

3 HUMAN RESOURCES IMPLICATIONS

Staff from Legal, Democratic and Property in conjunction with the Public Rights of Way Officer, will carry out the processing of the order.

4 EQUALITY AND DIVERSITY IMPLICATIONS

None

5 CRIME & DISORDER IMPLICATIONS

None

6 SUSTAINABILITY IMPLICATIONS

None

7 HUMAN RIGHTS IMPLICATIONS

Under Article 8, everyone has the right to respect for his or her private and family life, home and correspondence.

8 WARD IMPLICATIONS

Pelaw and Heworth.

9 BACKGROUND INFORMATION

None

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