

Minutes of the Countryside and Rights of Way Panel Meeting held on 16 February 2024

Present: Mark Winnington (Chair)

Attendance	
Jak Abrahams	Paul Snape
David Smith	Carolyn Trowbridge

Also in attendance:

Apologies: Robert Pritchard and Jill Waring

Part One

45. Declaration of Interest

There were no declarations of interest on this occasion.

46. Minutes of meeting held on 19th January 2024

Resolved – That the minutes of the meeting held on 19 January 2024 be confirmed and signed the Chairman.

47. Wildlife and Countryside Act 1981 Application for the Addition of an Alleged Public Footpath from Mill Lane to Public Footpath 12 Kingstone

The Panel considered a report from the Director for Corporate Services for an application for the addition of an Alleged Public Footpath from Mill Lane to Public Footpath 12 Kingstone.

The report was presented verbally, to take Members through the evidence relevant to the application. Members were made aware that they should examine the evidence in its totality. During their consideration of the application, Members had regard to the Appendices attached to the report including:

- Application Form 1
- Plan of claimed route
- Addendum 1 (Landowner Response Forms)
- Addendum 2 (Local Cllr. Comments)
- Deposited Railway Plans 1845 and 1846
- Ordnance Survey Maps 1886 and 1901
- Responses from Statutory Consultees

The Chair read out the local member comments in the email at addendum

2. The officer confirmed, whilst the Ordnance Survey Map cannot clarify the status of the route; the status is ratified by the evidence and description of the application route in the Deposited Railway Plan which had been through a parliamentary legal process.

The Panel decided that the available evidence submitted by the Applicant in the application at Appendix A is sufficient to show, that a Public Footpath is reasonably alleged to subsist along the route marked "A to B" on the plan attached at Appendix B to this report and therefore should be added to the Definitive Map and Statement of Public Rights of Way.

Decided – That (a) the evidence submitted by the applicant and that discovered by the County Council was sufficient to show, that a Public Footpath was reasonably alleged to subsist along the route marked "A to B" on the plan attached at Appendix B to this report and therefore should be added to the Definitive Map and Statement of Public Rights of Way.

(b) an Order be made to add the alleged Public Footpath marked "A to B" on the attached map at Appendix B to the Definitive Map and Statement of Public Rights of Way for the Borough of East Staffordshire.

(c) the route shall be to the standard minimum width of 1.5 metres throughout its length.

48. Wildlife and Countryside Act 1981 Application to upgrade Public Footpath 56 Cotton to a Public Bridleway in the parish of Cotton

The Panel considered a report from the Director for Corporate Services for an application to upgrade Public Footpath 56 Cotton to a Public Bridleway in the parish of Cotton.

The report was presented verbally to take Members through the historical evidence relevant to the application. Members were made aware that they should examine the evidence in its totality. During their consideration of the application, Members had regard to the Appendices attached to the report including:

- Copy of application and associated submitted letters and documents
- Plan of claimed route
- Copy of Inclosure Award evidence
- Copy of Statement accompanying the draft Definitive Map
- Copy of map "showing way other than a footpath"
- Copy of 1 and a quarter mile Ordnance Survey Map
- Copy of map "showing route as a RUPP"
- Copy of Staffordshire County Council's response to e-petition
- Copy of extract from Kind v Secretary of State for the Environment Food and Rural Affairs
- Copy of owner/occupier evidence form from Landowner 1

- Copy of owner/occupier evidence form from Landowner 2
- Copy of correspondence from statutory consultees
- Copy of Parish Survey Card for Public Footpath 56
- Copy of response to draft report from applicant and further evidence. Copy of officer's response

The Panel decided that the available evidence submitted by the applicant and that discovered by the County Council was insufficient to show that, on a balance of probabilities, public bridle rights exist along the line of Public Footpath 56 Cotton Parish.

Decided – That (a) the evidence submitted by the applicant and that discovered by the County Council was insufficient to show that, on a balance of probabilities, public bridle rights exist along the line of Public Footpath 56 Cotton Parish.

(b) Public Footpath No 56 Cotton Parish which was subject to the claim remains as a footpath as currently shown on the Definitive Map and Statement of Public Rights of Way for the District of Staffordshire Moorlands

49. Exclusion of the Public

Resolved – That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972 indicated below.

Chair