

County Council Meeting – 14 December 2023**Question to Councillor Victoria Wilson
Cabinet Member for Communities and Culture****By Councillor Yates**

Question

In specific regards to Biddulph Town Footpath 89 which was logged by Biddulph Town Council with the County as a footpath dispute under the Highways act 1980 section 130 (6) on Thursday 31st January 2019 (almost five years ago), could the cabinet member give an update on the backlog of applications in relation to the definitive map: time taken to resolve; waiting list; etc. As a follow-up (or as context) you could report the progress to date on footpath path 89 that my residents are particularly concerned about?

Reply

Public Footpath No 89 Biddulph Town is recorded as a cul-de-sac footpath on the County Council's Definitive Map of Public Rights of Way with no connection between Mill Cottage and Hurst Road. However, an application made under section 53 of the Wildlife and Countryside Act 1981 has been submitted to the County Council.

At the present time the *route* from Mill Cottage to Hurst Road is not a public highway and the status of this *route* is in question. Previous case law states that we ought not to take action to remove any obstructions until its status has been determined via the s53 process.

The section 53 application is currently being worked on with a view to the draft report being circulated for informal consultation in the New Year and will hopefully go to the Countryside and Rights of Way panel in the spring, subject to any further comments/evidence which may be received following the informal consultation.

With regard to the backlog of s53 work, the council currently has a backlog of 278 undetermined Definitive Map Modification Applications, and of those the number of undetermined applications on which it has been directed by the Secretary of State to determine within a specified timeframe is 49. These 49 applications have been prioritised. Of the determined

applications, the Council has a backlog of 77 Definitive Map Modification Orders to be made and published.

