

Minutes of the Countryside and Rights of Way Panel Meeting held on 15 March 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

50. Apologies

Jill Waring, Robert Pritchard

51. Declaration of Interest

There were no declarations of interest on this occasion.

52. Minutes of meeting held on 16th February 2024

Resolved – That the minutes of the meeting held on 16 February 2024 be confirmed and signed the Chairman.

53. Wildlife and Countryside Act 1981 - Application to Upgrade Public Footpath 82 Ipstones Parish and Public Bridleway 85 Ipstones Parish to a Restricted Byway

The Panel considered a report from the Director for Corporate Services for an application to upgrade Public Footpath 82 Ipstones Parish and Public Bridleway 85 Ipstones Parish to a Restricted Byway.

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 plan
- Plan of claimed route
- Applicant's Evidence
- Staffordshire County Council Evidence

- Landowner responses
- Evidence from Statutory consultees and user groups

The Panel decided that the available evidence submitted by the applicant and that discovered by the County Council was sufficient to show that, on the balance of probabilities, both Public Footpath, 82 Ipstones and Public Bridleway 85 Ipstones should both be added as highways of a different description, namely Restricted Byways to the Definitive Map and Statement of Public Rights of Way for the District of Staffordshire Moorlands.

Decided – That (a) the evidence submitted by the applicant and that discovered by the County Council was sufficient to show that, on the balance of probabilities, Public Footpath, 82 Ipstones should be added as a highway of a different description, namely a Restricted Byway to the Definitive Map and Statement of Public Rights of Way for the District of Staffordshire Moorlands.

(b) the evidence discovered by the County Council was sufficient to show that on the balance of probabilities Public Bridleway, 85 Ipstones should be added as a highway of a different description, namely a Restricted Byway to the Definitive Map and Statement of Public Rights of Way for the District of Staffordshire Moorlands.

(c) an Order be made under Section 53(3)(c)(ii) of the Wildlife and Countryside Act 1981 to modify the Definitive Map and Statement by upgrading Public Footpath 82, Ipstones to a Restricted Byway along the route shown between points A to B, and by upgrading Public Bridleway 85, Ipstones to a Restricted Byway along the route shown between points C to D on the plan attached at Appendix B at page 23.

54. Wildlife and Countryside Act 1981 - Application for the upgrade of Public Footpath 41, Sheen to a Restricted Byway, Sheen

The Panel considered the report from the Director of Corporate Services regarding the proposed Agreement with Derbyshire County Council under section 101 of the Local Government Act 1972 for the discharge of functions from one local authority to another in relation to the matter of determining an application made under section 53 Wildlife and Countryside Act 1981 which crosses the county boundary for the application for the upgrade of Public Footpath 41, Sheen to a Restricted Byway.

Decided – That (a) an agreement be entered into with Derbyshire County Council under Section 101 of the Local Government Act 1972 for Derbyshire County Council to delegate its powers to Staffordshire County Council to determine an application made under Section 53 of the Wildlife

and Countryside Act 1981 as the alleged right of way forms one continuous route that crosses the Staffordshire/Derbyshire County Border.

(b) In accordance with such arrangements as may from time to time be agreed between the Director for Corporate Services and the appropriate officer of Derbyshire County Council.

55. 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