



# Planning Committee

Matchborough Ward

2nd March 2010

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## DIVERSION OF PUBLIC FOOTPATH NO. 619 (PART) – ARROW VALLEY PARK, MATCHBOROUGH WEST

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(Report of the Executive Director of Leisure, Environment and Community Services)

### 1. Summary of Proposals

To consider the Diversion of Public Footpath No. 619 (Part), Arrow Valley Park, Matchborough West, as shown on the plan attached to the Report

### 2. Recommendations

The Committee is asked to RESOLVE that:

- 1) approval be given to the making of an Order under Section 257 of the Town and Country Planning Act 1990, to divert Public Footpath No. 619 (Part), Arrow Valley Park, Matchborough West, as shown on the plan attached to the report; and
- 2) It be noted that, in the event of an objection being received during the public consultation period, which cannot be resolved, the Order will have to be submitted to the Secretary of State for the Environment, for confirmation under Section 259 of the Act.

### 3. Financial, Legal, Policy, Risk and Climate Change/ Carbon Management Implications

#### Financial

- 3.1 The administrative costs involved in making the Order, including all necessary consultations carried out by this Council, are met from the approved Capital Scheme for the provision of the BMX Track, in association with British Cycling

#### Legal

- 3.2 This Authority is empowered to make the necessary Order under Section 257 of the Town and Country Planning Act 1990

### Policy

- 3.3 The Policy implications are detailed in the Report

### Risk

- 3.4 Without the Public Footpath Diversion Order being made, the construction of the BMX Track cannot take place

### Climate Change/Carbon Management

- 3.5 Not applicable

### Report

#### **4. Background**

- 4.1 Planning consent has been obtained by the Council, to construct a BMX Track within Arrow Valley Park. The existing route of this footpath is affected by such works, thereby necessitating its diversion. A condition of the Planning Consent stipulates that the footpath shall be formally diverted
- 4.2 Two other points have been considered. Firstly, no formal Diversion Order was undertaken when the existing skate board park was constructed some years ago. Secondly, it is also plainly visible on site, that users of the footpath have 'selected' their own preferred route to avoid this feature. Consequently, this proposed Order will formerly 'regularise' the line of the footpath

#### **5. Key Issues**

- 5.1 To enable this footpath diversion to be carried out, this Council must undertake the making of the necessary Order, under Section 257 of the Town and Country Planning Act 1990
- 5.2 A Committee Resolution is required to enable the Order to be made

#### **6. Other Implications**

- |                  |   |  |
|------------------|---|--|
| Asset Management | - | None identified  |
| Community Safety | - | The diverted footpath route will provide a more accessible route for users |
| Health           | - | None identified  |
| Human Resources  | - | None identified  |

Social Exclusion - None identified

Environmental/  
Sustainability - None identified

**7. Lessons Learnt**

None identified

**8. Background Papers**

Planning Application Ref: 2009/219/RC3

**9. Consultation**

9.1 This report has been prepared in consultation with relevant Borough Council Officers

9.2 Other consultee was Worcestershire County Council

**10. Author of Report**

The author of this report is Pete Liddington (GIS/Design Officer), who can be contacted on extension 3638, (e-mail: [pete.liddington@redditchbc.gov.uk](mailto:pete.liddington@redditchbc.gov.uk)) for more information

**11. Appendices**

Appendix A – Drawing No. P2112/1A –  
Diversion of Public FP No.619 (Part) –  
Layout Details