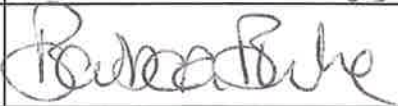





APPENDIX B – DECISION REPORT (22 JUNE 2016)

COVERING PAGE FOR DECISION REPORT ON APPLICATION TO ADD A FOOTPATH TO THE DEFINITIVE MAP AND STATEMENT OF PUBLIC RIGHTS OF WAY – IDMISTON (PORTON)

PLEASE SIGN OFF THE REPORT NEXT TO YOUR NAME

		Signature	Date Signed Off
To:	Sarah Marshall (Solicitor – Highways)	N/A	—
	Barbara Burke (Definitive Map and Highway Records Team Leader)		27.06.2016
	Richard Broadhead (Rights of Way and Countryside Manager)		13/07/2016
	Ian Brown (Head of Environment Services)		21/7/16
	Tracy Carter (Associate Director – Waste and Environment)		7.11.16
From:	Janice Green		
Date of report:	22 nd June 2016		
Return to:	Janice Green, Rights of Way (Ext. 13345)		

Nature of Report:

This is a report from Janice Green (Case Officer) to Tracy Carter (Officer with the relevant delegated powers).

Executive Summary:

Wiltshire Council are in receipt of an application, made under Section 53 of the Wildlife and Countryside Act 1981 and dated 3rd November 2015, to add a footpath to the definitive map and statement of public rights of way, in the parish of Idmiston, leading from Porton High Street, (adjacent to the property Rose Cottage), in a generally north-north-westerly direction, through Bourne Close, to the recreation ground. The application is supported by 27 completed user evidence forms and photographic evidence.

Following an assessment of the evidence, Officers are satisfied, on the balance of probabilities, that a right of way for the public on foot, which is not shown on the definitive map and statement, can be reasonably alleged to subsist and should be recorded within the definitive map and statement of public rights of way, as such.

Additionally, there is insufficient evidence of the landowner's non-intention to dedicate the land as a public right of way, during the relevant public user period of 1995 – 2015.

Officer's Recommendation:

That a definitive map modification order be made to add a right of way for the public on foot to the definitive map and statement of public rights of way in the parish of Idmiston, leading from Porton High Street, in a generally north-north-westerly direction, through Bourne Close, to the recreation ground and if no objections are received, the order be confirmed by Wiltshire Council as an unopposed order.