

EXTRACT FROM MINUTES OF REGULATORY COMMITTEE

2ND NOVEMBER, 2005

65. **Wildlife and Countryside Act 1981 – Section 53 Definitive Map Modification Order No. 7, 2005 Upgrading Footpath 21 Grimstead (Macks Lane) to a Byway Open to All Traffic** At the beginning of this item

Mr. R. Hambling, Miss. L. du Boulay, Ms. H. Birchenough, local residents and Mr. R. Britton, local District Councillor, made statements objecting to the proposal to which the Chairman responded.

The Committee then considered in detail a report by the Director of Environmental Services, the views of Mr. W.R. Moss, the local member and various letters received from local residents. The Committee also received legal advice from the Deputy Head of Legal Services on the statutory procedure and the legal tests to be applied.

The following Motion was proposed by Mr. P.R. Davis and seconded by Mrs. E.A. Chettleburgh:-

“To forward the Modification Order, made under Section 53 of the Wildlife and Countryside Act 1981, to upgrade Footpath No. 21 Grimstead to a byway open to all traffic and dated 17th March 2005, to the Secretary of State for decision with the recommendation that the Order be not confirmed”.

At the request of Mr. P.R. Davis the Committee agreed to a recorded vote, which was as follows:-

For the Motion

Mrs. E.A. Chettleburgh, Mr. P.R. Davis and Mr. J.R. Henning.

Against the Motion

Mr. M. Connolly, Mr. A. Davis, Mr. A.N. Deane, Mrs. S.K. Doubell, Mrs. M.E.M. Groom, Mr. J.P. Johnson, Mr. A. Molland, Mrs. M.S.N. Taylor and Mr. A.J. Trotman.

Thereupon the Chairman moved the officers' recommendation and it was

Resolved: To forward the Modification Order, made under Section 53 of the Wildlife and Countryside Act 1981, to upgrade Footpath No. 21 Grimstead to a byway open to all traffic and dated 17th March 2005, to the Secretary of State for decision with the recommendation that the Order be confirmed without modification.