

NORTH EAST DERBYSHIRE DISTRICT COUNCIL

RECORD OF DECISION TAKEN BY THE MANAGING DIRECTOR

29/11/2022

PUBLIC PATH STOPPING UP ORDER – ECKINGTON

Authority for decision	Council's Constitution and Delegation Scheme: 10.24 To carry out Rights of Way functions for which the Council is responsible in Schedule 1 of the Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended).
Decision	To make a public path Stopping Up Order for Public Footpath no. 52 (Part) in the Parish of Eckington, under Section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") because it is satisfied that it is necessary to divert the footpaths to which this Order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely "22/00806/FL, Application for the Change of use of former Public house (Sui Generis) to single dwellinghouse (C3) (Conservation Area/Affecting a Public Right of Way) Butchers Arms Main Road Marsh Lane Sheffield S21 5RH", conditionally approved by The North East Derbyshire District Council on 21/10/22.
Exemption Paragraph (if needed)	Not Exempt
Reasons	To enable the public path Stopping Up Order to go ahead to allow the development to commence.
Alternative options considered and rejected	To deny the application made by the applicant to "stop up part of footpath 52 in the Parish of Eckington to enable the development to take place". This option was rejected as there are insufficient grounds to deny their application. If the footpath was not stopped up, then the development would not be able to proceed. A consultation was carried out via letter and e-mail with local walking groups, statutory undertakers, DCC and local councillors between 9th November 2022 and 25th November 2022. No valid objections were received.
Conflicts of interest and any dispensation	No



Please complete the following where relevant:

Key Decision?	No
Do General Exception or Special Urgency Rules apply to this decision?	No
Consultation has taken place with the Section 151 & Monitoring Officer?	Yes
The Leader, Deputy Leader or relevant Portfolio Member have been consulted?	Yes

Authorising Signature: .

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Job title: Managing Director

Unique Reference Number: DD/110/22/LF

Date decision may be implemented following call in (if necessary):

Circulation to:

Head of Paid Service

Monitoring Officer

Section 151 Officer

Scrutiny Officer

Internal Audit