

Record of Delegated Non Executive Decisions by Officers

1. Subject of decision

Delegation Reference (Refer to Meeting Minute Number or Officer Delegation Scheme):

GD6 states that a Director can *“take decisions on behalf of the Authority on all matters where they have managerial or professional responsibilities for their service areas. A summary of the scope of the Assistant Chief Executive/each Director of Service’s responsibility is set out at the beginning of each service area’s section in the scheme.”*

This decision has been delegated to one or more officer(s) under:

(a) A specific express authorisation (provide the date, report and decision of Council, Committee or Sub-Committee etc which delegated this to the specific officer(s))

(b) a general authorisation to take such decisions **and**, the effect of the decision is to:

(i) grant a permission or licence;

(ii) affect the rights of an individual; or

(iii) award a contract or incur expenditure which, in either case, materially affects the Authority’s financial position.

[Insert a cross in the appropriate box(es)]

2. Name and Title of Decision Maker

Jacqueline Laughton, Assistant Chief Executive

3. Details of any Conflict of Interest and any Dispensation granted in respect of such Interest

n/a

4. Executive Summary (To be taken from written report)

The purpose of the report is to seek the making of a Definitive Map Modification Order (DMMO) in relation to the paths referred to in the report that are considered to be public rights of way and as such should be included in the Authority's Definitive Map and Statement. The proposed order is appended to the report at Appendix 1.

The proposed order is not a "legal event" modification order made under section 53(2) of the Wildlife and Countryside Act 1981 (the "1981 Act") following one of the events listed in section 53(3)(a) of the 1981 Act.

It is proposed that the Assistant Chief Executive use the General Delegation given to all Directors relating to matters over which they have managerial or professional responsibilities in their service area.

GD6 states that a Director can : -

"take decisions on behalf of the Authority on all matters where they have managerial or professional responsibilities for their service areas. A summary of the scope of the Assistant Chief Executive/each Director of Service's responsibility is set out at the beginning of each service area's section in the scheme."

It is proposed that the Assistant Chief Executive, in consultation with the Director of Regeneration and Economic Development, make a DMMO under section 53(2) and section 53(3)(c) of the 1981 Act by adding specified Rights of Way to the Definitive Map and Statement using GD6.

It is further proposed that the Assistant Chief Executive agree, if no objections are received to the making of the DMMO, to confirm the DMMO as an "unopposed order."

5. Alternative options considered

Option 1 – To approve the recommendations in section 1.2 of the report.

Option 2 – Not to approve the recommendations in section 1.2 of the report.

6. Decision(s)

The Assistant Chief Executive has decided to:

- (1) in consultation with the Director of Regeneration and Economic Development make the Definitive Map Modification Order at Appendix 1 of the report and thereafter take all necessary steps to give notice to the making of the Order in accordance with the requirements of the Wildlife and Countryside Act 1981;
- (2) confirm the Definitive Map Modification Order as an "unopposed order" on receipt of confirmation that no representations and objections have been received following the making of the Definitive Map Modification Order and that all necessary steps are taken to modify the Definitive Map and Statement accordingly; and
- (3) note that if representations or objections are made to the making of the Definitive Map Modification Order, a further report will be provided to the Assistant Chief Executive on the further steps that must be taken by the Authority in accordance with the Wildlife and Countryside Act 1981.

7. Reasons for the Decision(s)

It is considered expedient that the Footpath and Bridleway be formally recorded in line with the Authority's statutory duty and to legally protect them into the future for continued use by the public.

The Authority has appropriate evidence as set out in section 1.4.4 of the report.

8. Date Decision Made

18 August 2022

To be completed by Democratic Services

9. Date Of Publication

22 August 2022

- This pro forma must be completed and forwarded, together with the accompanying report, to Paul Wheeler in Law and Governance within 2 working days of the decision having been taken.