

Regulatory Committee

Meeting to be held on 26th January 2022

Part I

Electoral Division affected:
Lancaster Rural North

Highways Act 1980 – Sections 25/26

Creation or Dedication of Bridleway on Green Hill Lane Nether Kellet

(Annex 'B' refers)

Contact for further information,

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Brief Summary

Request from the Committee that officers consider the possibility of the creation of bridleway rights on Footpath Nether Kellet 11 known as Green Hill Lane, and confirmation that consideration has commenced.

Recommendation

That officers continue to consider the possibility of the creation by Order or Agreement of public bridleway rights along Footpath Nether Kellet 11, and to bring a further report back to Committee at the appropriate time.

Detail

A decision on whether there is enough evidence to show that bridleway rights exist along Green Hill Lane, currently recorded as Footpath Nether Kellet 11, was considered by Regulatory Committee earlier on the agenda. The Committee will have made a decision regarding the making of a Definitive Map Modification Order on this route.

If the decision was that no Order be made, that decision may still be appealed.

If the decision was that an Order be made, the Order would need to be made in accordance with statutory procedure, and the Order be confirmed or not confirmed.

It is therefore not possible to conclude with certainty at the moment, despite the Committee decision, whether bridleway rights already exist on Footpath 11 Nether Kellet. However, if no appeal is made and no further new evidence presented or any Modification Order made is determined for confirmation, at some future date this will be sufficiently clear.

In the meantime, officers confirm that the information and evidence and tests for creation of a bridleway on Green Hill Lane are being considered, as directed by Committee.

Investigations may indicate a freehold owner and the possibility of a creation by agreement. Alternatively, to create a new type of highway on private land by Order is not a decision to be taken lightly and appropriate care will be taken by officers and, at the appropriate time, officers will bring a report to Committee.

Local Government (Access to Information) Act 1985
List of Background Papers

Paper	Date	Contact/Directorate/Tel
None		
Reason for inclusion in Part II, if appropriate		
N/A		