

**DEDICATION OF A NEW HIGHWAY ON LAND OWNED BY THE COUNCIL LINKING
COMPSTALL ROAD AND FOOTPATH 18BR.**

Report of the Director for Place Management

1. INTRODUCTION AND PURPOSE OF REPORT

1.1. The Area Committee is requested to consider whether to dedicate a Highway with public rights for pedestrians and cyclists over land it owns in Romiley, as shown marked A – D on the plan at Appendix 1. This route is considered a safe route to school for pedestrians and cyclists.

2. LEGAL POSITION

2.1. The land on which the route is located is currently owned by the Council and is within the control of the Communities, Regeneration and Environment Directorate (land ownership is shown on the plan at Appendix 2)

2.2. The Council has the power under Section 2 Local Government Act 2000 to do anything which it considers promotes or improves the economic, social or environmental wellbeing of its area.

2.3. Landowners can dedicate highways across their land to the public if they wish and of any status they wish. The dedication may also define the width of the way in question.

3. BACKGROUND

3.1. The route forms an important off-road route for the local community and has been identified and promoted as a "safer route to school". Work has been undertaken by the Council to surface, sign and light the route. This improvement of the route makes it also more accessible to those with disabilities. The signage for the route clearly indicates that the expected users of the route are pedestrians and cyclists.

3.2. Being within Council ownership the process of dedication offers a simple opportunity to formalise the route as a type of highway commensurate with the typical users.

3.3. The Council has received a claim under s53 Wildlife and Countryside Act 1981 from the public claiming this route as a public footpath in consequence of long user by the public on foot. However, the submitted supporting information was not considered sufficient to substantiate the claim. The dedication of the path as a Public Right of Way is desired by the groups submitting the claim as they wish to improve the protection of the route as a footpath and cycle route.

4. DESCRIPTION OF THE ROUTE

4.1. The section of path to be dedicated is shown on Appendix 1 and described as follows:-

4.2. The proposed highway to be dedicated runs between points A -D as shown on the plan at Appendix 1, commencing at Point A (where the route exits onto the adopted Compstall Road, at a point grid referenced 394723,390824), running generally south-easterly for a distance of 210 metres to Point B (grid referenced

387278,387677). Proceeding generally in an easterly direction from point B for 138.3 meters to point C (grid reference 394950,390708) proceeding from point C generally south easterly for 217 meters to point D (grid reference 395077,390536) proceeding 130 meters in a generally westerly direction to point E (grid reference 395200, 390564).

4.3. The width of the Cycle Track with Pedestrian Right of Way between Points A and D is a minimum of 3 metres

5. LAND OWNERSHIP

5.1. The Council owns the land over which the section of path marked A – D runs; it is currently managed by the Neighbourhoods Team (MAN68331 Greenspace and MAN67341 Greenspace).

5.2. The land over which the entirety of this route runs is owned by the Council and the route may therefore be dedicated by it. This ownership is marked on the plan in Appendix 2.

5.3. The Neighbourhoods Team and Estates management have both been consulted about this proposal and have expressed their support of the change.

6. SUMMARY

6.1. There is a visible route across the area of Tangshutt Fields as marked A-B-C-D which is considered to deserve a formal highway status.

6.2. The proposed route is unrecorded on the Definitive Map for Stockport but is being actively used by the public although the evidence submitted by the claimant was considered insufficient to establish a legal status.

6.3. The current use suggests that dedication as a Public Footpath only is not the appropriate classification for this route and it is considered that the status of the route for cyclist deserves to be equally recognised .

6.4. There has been no objection to the current public use by pedestrians and cyclists.

7. CONCLUSION

7.1. This route provides an aesthetic and pleasant path through the park and a safe convenient route for the public on foot and cycle who wish to avoid the public vehicular highways in journeys between the Cherry Tree estate and the centre of Romiley, including the journeys to and from Romiley Primary School.

7.2. As part of its wider aspiration to provide safer off-road routes to school and for the public generally it is considered desirable to dedicate the route shown in Appendix 1 as a public pedestrian and cycle route.

8. RECOMMENDATIONS

8.1. That Area Committee resolve to:-

- (i) Authorise the dedication of the highway for pedestrians and cyclists over Points A – D, as shown on the plan at Appendix 1.

BACKGROUND PAPERS

There are none

Anyone wishing to inspect the above background papers or requiring further information should contact Emily Brough on telephone number Tel: 0161 474 4592 or alternatively email emily.brough@stockport.gov.uk