

**Name of meeting and date:**

Planning sub-committee (Huddersfield area) – 17 May 2018

**Title of report:**

**Applications for a definitive map modification order to add public footpaths to the definitive map and statement, Clayton Fields, Edgerton. (Application references 30, 31, 184, 185 & 186). Application for a definitive map modification order (“DMMO”) to vary the recorded width of recorded public footpath Huddersfield 345 (part) (Application reference 187).**

**1. Purpose of report**

**Members are asked to consider** the evidence and decide on any requisite modification of the definitive map and statement of public rights of way. Six applications have been received for definitive map modification orders to record (x5) public footpaths and to amend (x1) the width recorded for part of an existing recorded public footpath.

**2. Summary of Report**

In February 2018 sub-committee determined one of the DMMO applications at Clayton Fields and are now asked to consider and determine the six others received by the council.

Members are asked whether the evidence demonstrates that any DMMO is warranted. Six applications made in 1996 (x2) and 2014 (x4) have been submitted with evidence relating to public use and the physical nature of the route. Evidence relating to the 1997 recording of Clayton Fields land as a town/village green is also included. The green was de-registered in 2014 further to a Supreme Court decision, and questions of public use in the years up to 1996 potentially giving rise to public rights of way are covered.

**3. Ward Councillor comments**

No comments on the existence of public rights to date.

**4. Officer recommendations and reasons**

That sub-committee decides (i) that the evidence supports the making of an order to add footpath routes as shown in Appendix Z, and (ii) to refuse the application to vary the recorded width of definitive public footpath 345 (part). Reasons: The evidence is sufficient to show that either public rights of way subsist or are reasonably alleged to subsist, but on the balance of probability the evidence is insufficient to require the variation of the width in the definitive statement.