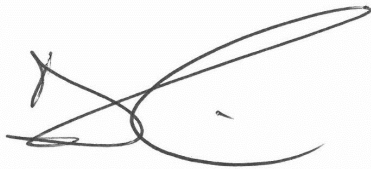



**OFFICER DELEGATION SCHEME  
RECORD OF OPERATIONAL DECISION**



**TO BE UPLOADED TO THE E-MEETINGS MANAGER**

<b>Date:</b> 07/04/20	<b>Ref No:</b> 110
<b>Type of Operational Decision:</b>	
<b>Executive Decision</b> <input checked="" type="checkbox"/>	<b>Council Decision</b> <input type="checkbox"/>
<b>Status:</b> For Publication	
<b>Title/Subject matter:</b> Application under Section 119 Highways Act 1980 to divert part of Public Footpath Number 39, Bury	
<b>Budget/Strategy/Policy/Compliance – Is the decision:</b>	
(i) within an Approved Budget	Cost of application met by applicant up to Public Inquiry stage (if required). Public Inquiry costs have to be funded by the Authority.
(ii) not in conflict with Council Policy	
(iii) not raising new issues of Policy	
<b>Equality Impact Assessment</b> [Does this decision change policy, procedure or working practice or negatively impact on a group of people? <b>If yes</b> – complete EIA and summarise issues identified and recommendations – forward EIA to Corporate HR]	No
<b>Details of Operational Decision Taken [with reasons]:</b> To accept the application and to instruct Legal Services to make the appropriate orders to secure the diversion of Public Footpath Number 39, Bury. The path (shown on attached plan PRW/39/BURY/DC/01) is located at Bradshaw Hill, Bury, to the north of Chesham Road, close to the M66. The land is owned by the applicants and they wish to move the path away from their living accommodation for reasons of security and management of the site. The proposed diversion takes walkers away from the M66 and provides open views to the west. The existing path is 465m in length (running A-B on the plan). The proposed diversion is 440m (B-C). Both routes are unsurfaced, the existing running on grass and through a woodland. The diversion runs across grass, adjacent to woodland. Preliminary Consultations have been carried out with the prescribed bodies (utility companies and path user groups) and there have been no objections to the proposal. The diversion meets the criteria of being for the benefit of the landowner and no less commodious for the users of the public right of way. To facilitate the proper opportunity for consultation, advertisement of the proposals / posting of notices will be postponed until such times that business has returned to normal following the current emergency measures in place to control COVID-19/coronavirus.	

Decision taken by:	Signature:	Date:
David Giblin - Head of Engineering		07/04/2020
<b>Members Consulted [see note 1 below]</b>		
Cabinet Member, Environment – Alan Quinn	Via Email  Re Operational Decision - Footpath	07/04/2020
Lead Member		
Opposition Spokesperson		

**Notes**

1. It is not generally a requirement to consult with any Members on Operational Decisions but where a Chief Officer considers it necessary to consult with the appropriate Executive Member and/or Lead Member, they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained to confirm that he/she has been consulted.
2. **This form must not be used for urgent decisions.**