

Agenda Item No. 4(f)

DERBYSHIRE COUNTY COUNCIL

MEETING OF CABINET MEMBER – HIGHWAYS, TRANSPORT AND
INFRASTRUCTURE

3 March 2015

Report of the Strategic Director – Economy, Transport and Environment

AWARD OF GRANTS TO EXTERNAL RECIPIENTS

(1) **Purpose of Report** To seek the Cabinet Member's approval to award grants to external recipients.

(2) **Information and Analysis** The Council has received three requests for financial contributions towards the costs of replacing or repairing structures on footpaths recorded on the Definitive Map and Statement.

Such structures are not part of the public right of way and are the responsibility of the landowner. Where an owner has carried out a satisfactory repair and requests a financial contribution to the costs of carrying out that repair the Council is responsible, as highway authority, for making a contribution of no less than a quarter of the landowner's costs and may make such additional contribution as it considers reasonable.

The specific requests made to the Council are as follows:

Applicant	Works	Suggested contribution
J & J B Dalton	Replacement of stile with new gate to improve access to footpath	£366.08
C A Bonsall	Replacement of existing gate with self-closing gate to footpath	£425.50
E W Reeves	Repair of two stiles to footpath	£116.57

Further details, in respect of each request, are included at Appendix 1. The contributions, if approved, will be made from the Rights of Way budget for 2014/15 after confirmation that any works have been carried out to a satisfactory standard.

(3) **Financial Considerations** As contained within the report.

(4) **Legal Considerations** The landowner's duty to maintain is set out at section 146(1) of the Highways Act 1980. The Council's duty to contribute to the landowner's expenses is set out in section 146(4), which provides that the "appropriate authority shall contribute not less than a quarter of any expenses shown to their satisfaction to have been reasonably incurred in compliance with subsection (1) above, and may make further contributions of such amount in each case as, having regard to all the circumstances, they consider reasonable".

The provisions of section 146 do not refer to the improvement of structures. However the Council has, under the provisions of the Local Government Act 2000, general powers to improve the economic, social and environmental well-being of its area and a general power of competence under the Localism Act 2000, and it is considered that in so far as the intended works fall outside the provisions of section 146 the Council may make a financial contribution under those general powers.

Other Considerations

In preparing this report the relevance of the following factors has been considered: legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

(4) **Key Decision** No.

(5) **Call-In** Is it required that call-in be waived in respect of the decisions proposed in the report? No.

(6) **Background Papers** Held on file within the Economy, Transport and Environment Department. Officer contact details – Peter J White, extension 39673.

(7) **OFFICER'S RECOMMENDATION** That the Cabinet Member approves the award of grants as follows:

- £366.08 to J & J B Dalton on the replacement, to improve access to a public right of way, of a stile with a gate on Footpath 21, Parish of Hope
- £425.50 to C A Bonsall on the replacement of a gate with a self-closing gate on Bridleway 13, Parish of South Wingfield
- £116.57 to E W Reeves on the repair of two stiles on Footpaths 6 and 7, Parish of Shirley.

Mike Ashworth
Strategic Director – Economy, Transport and Environment

Appendix - Award of Grants

Name of Recipient: J & J. B. Dalton

Grant Name: GRA ETE PJW 2014-15 0010

Officer Responsible: Peter J White

<p>Summary of Purpose: 50 per cent grant aid towards the replacement of a stile with a new gate to improve access.</p>
<p>Amount of grant requested: £366.08</p>
<p>Capital/Revenue: Revenue</p>
<p>Which Budget: Rights of Way</p>
<p>Time Period: 2014-15</p>

Name of Recipient: Carole A Bonsall

Grant Name: GRA ETE PJW 2014-15 0011

Officer Responsible: Peter J White

Summary of Purpose: 50 per cent grant aid towards the replacement of an existing gate with self-closing gate made up of 25 per cent statutory grant (Section 146 of the Highways Act 1980) and 25 per cent discretionary as an incentive to improve access.

Amount of grant requested: £425.50

Capital/Revenue: Revenue

Which Budget: Rights of Way

Time Period: 2014-15

Name of Recipient: E W Reeves

Grant Name: GRA ETE PJW 0012

Officer Responsible: Peter J White

Summary of Purpose: 50 per cent grant aid towards the repair of two stiles made up of 25 per cent statutory grant (Section 146 Highways Act 1980) and 25 per cent discretionary as an incentive to improve access.

Amount of grant requested: £116.57

Capital/Revenue: Revenue

Which Budget: Rights of Way

Time Period: 2014-15