

**EXPLANATORY NOTE WITH REFERENCE TO (1) NOTICE OF MAKING OF
(PUBLIC FOOTPATH (ID:2086) (PART ADJOINING WISHAW LANE)) PUBLIC PATH STOPPING UP
ORDER 2020 AND (2) NOTICE OF PROPOSED DEDICATION OF NEW PUBLIC BRIDLEWAY
CONNECTING WISHAW LANE IN THE NORTH AND WIGGINS HILL ROAD IN THE SOUTH- EAST,
SUTTON COLDFIELD, BIRMINGHAM, B76**

1. Birmingham City Council has been actively working with partners to improve accessibility in and around the Sutton Coldfield area for the benefit of residents and visitors.
2. IM Properties PLC and Birmingham City Council Property Services ('the Applicants') have approached Birmingham City Council with a combined request ('Request') to:
 - a. Make an order under section 257 of the Town and Country Planning Act 1990 to stop up that western part of public right of way adjoining Wishaw Lane (ID:2086) shown by a bold black line on map reference PED-BWB- HGN- XX- DR-TR-159 S2 P4 ('Section 257 Order');
 - b. Create and dedicate under common law a new bridleway between the retained section of Wishaw Lane in the north and Wiggins Hill Road in the south-east as shown with bold black dashes on the plans referenced PED-BWB-HGN-XX-DR-TR-160 S2 P4 and PED-BWB-HGN-XX-DR-TR 161 S2 P4 (' New Bridleway Dedication');
3. The Request is part of the scheme of development for the Peddimore employment park development ('Peddimore') granted planning permission on 2 September 2019 (Ref: 2019/00108/PA) ('Planning Permission').
4. The Section 257 Order was made by Birmingham City Council on 6 August 2020 and notice of the making of the Section 257 Order was given by Birmingham City Council on 13 August 2020 ('Section 257 Notice'). Representations on the Section 257 Order may be made to Birmingham City Council by no later than 18 September 2020. Please refer to the Section 257 Order and Section 257 Notice itself for further details of the Section 257 consultation.
5. In response to the Request, Birmingham City Council Property Services are also proposing to create and dedicate under common law the New Bridleway Dedication. Notice of the proposed New Bridleway Dedication was given by Birmingham City Council on 13 August 2020 ('Dedication Notice'). Comments on the proposed New Bridleway Dedication may be made to Birmingham City Council by no later than 18 September 2020.
6. The Section 257 Order and the proposed New Bridleway Dedication are interrelated being part of a package of measures being brought forward by the Applicants to deliver net benefits for local accessibility.
7. In combination, these measures will:
 - a. Provide a greater length of publicly accessible right of way for pedestrians, cyclists and horse-riders to use and enjoy (an increase of 993.8metres compared to the current footpath of 618 metres);
 - b. Connect to 'permissive paths' to be created pursuant to the Planning Permission providing enhanced accessibility within the site for staff and visitors and to the surrounding areas, for pedestrian, cyclists, and horse-riders moving between Sutton Coldfield, Walmley, Minworth, Over Green and Curdworth.

Dated 13 August 2020

Birmingham City Council
Legal & Governance Department

