



Order Decision

Inquiry held on 19 January 2016

by Peter Millman BA

an Inspector appointed by the Secretary of State for Environment, Food and Rural Affairs

Decision date: 14 April 2016

Order Ref: FPS/Z1585/4/21M

- This Order is made under Section 119 of the Highways Act 1980 ("the 1980 Act") and is known as the Essex County Council Highways Act 1980 – Section 119 – Public Path Diversion Order Footpath 8 and Footpath 15 Bradwell-on-Sea.
- The Order is dated 1 December 2014 and proposes to divert footpaths as shown on the Order Plan and described in the Order Schedule.
- There were seven objections outstanding when Essex County Council submitted the Order to the Secretary of State for confirmation.
- In accordance with Paragraph 2(3) of Schedule 6 to the 1980 Act I have given notice of my proposal to confirm the Order with modifications.

Summary of Decision: I have confirmed the Order with the modifications previously proposed.

Procedural Matters

1. The effect of the Order, if confirmed with the modifications which I proposed, would be to divert parts of footpaths 8 and 15 where they pass Bradwell Marina. The modifications would increase the width of the part of footpath 15 to be diverted to 4 metres, and move the diverted line of footpath 8 slightly further away from the water's edge.
2. No objections were made to the proposal following advertisement of the notice and deposit of the associated documents relating to the proposed modification.

Conclusion

3. Bearing in mind the above, I conclude that the Order should be confirmed subject to the modifications set out in paragraph 25 of my interim decision dated 26 January 2016.

Formal Decision

4. I confirm the Order subject to the modifications previously proposed:
 - On the Order plan, delete line A-D, move point D 10 metres to the south-west of where it is shown and show the diverted line of A-D running from A to the new location of point D. Immediately to the north-east of the new point D, straighten the kink in the line of footpath 15.
 - In part 2 of the Schedule to the Order, in the description of the diverted part of footpath 8, delete the last two digits '50' of the grid reference for point D, and replace them with '48'. Delete '164' and insert '154' in its place.
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- In part 2 of the Schedule to the Order, in the description of footpath 15, delete '2' and insert '4' in its place. Delete '325' and insert '335' in its place.

Peter Millman

Inspector