

NOTICE OF ORDER

HIGHWAYS ACT 1980

Wokingham Borough Council
The Wokingham Borough Council, Parish of Earley, Footpath Earley 15
(Part) Public Path Diversion Order 2014

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is **04 July 2017**

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will be to divert part of Public Footpath 15 Earley as described in Part 1 of the Schedule below to the route described in Part 2 of the Schedule below.

Part 1 – Section A-D

The whole of the width from Point A grid reference, 476525 171534 at Wokingham Road, 13 metres north west of the western parapet of the bridge over the River Loddon, then running in a south-south westerly direction for a distance of 87 metres to Point D grid reference 476487 171457.

Part 2

A-B – From Point A grid reference 476525 171534 at Wokingham Road, 13 metres north west of the western parapet of the bridge over the River Loddon running in a southerly direction for a distance of 12m to point B grid reference 476524 171522.

B-C – From Point B grid reference 476524 171522 in a south west and south-south westerly direction for 59m to Point C grid reference 476507 171468. The eastern side of the path at Point B runs at the top of the bank of the river which is 8 metres from the edge of the river.

Any queries relating to this Order should be referred to Charlotte Callaway at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5779. Email: charlotte.callaway@pins.gsi.gov.uk. Please quote reference number ROW/3172046 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at The Council Offices, Shute End, Wokingham, Berkshire, RG40 1BN during normal office opening hours. Tel: 0118 908 8177.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date by 18 July 2017

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date by 29 August 2017

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within 14 weeks of the start date 10 October 2017

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order(s) must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980 SECTION 119

THE WOKINGHAM BOROUGH COUNCIL, PARISH OF EARLEY. FOOTPATH EARLEY 15 (PART) PUBLIC PATH DIVERSION ORDER 2014

This Order is made by Wokingham Borough Council ("the Authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that in the interests of the owner of land crossed by the footpath described in Paragraph 1 of this Order, it is expedient that the line of the path should be diverted.

Graham Martin Dacre of Drayton Hall, Hall Lane, Drayton, Norwich NR8 6DP has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Earley Town Council has been consulted as to the making of the Order as required by Section 120(2) of the 1980 Act.

The Council has had due regard to the needs of agriculture and forestry.

BY THIS ORDER:

1. The public right of way over the land situate at the property known as 658 and 660 Wokingham Road Earley shown by a bold continuous line on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be stopped up 30 days from the date of confirmation of this Order or on such date as the Authority certifies that the work required to bring the new site of the path into a fit condition for use by the public has been carried out (whichever is the later).
2. Notwithstanding anything contained in Paragraph 1 of this Order, where, immediately before the date on which the highway is stopped up in pursuance of this Order, there is apparatus in, under or across that highway belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers continue to have the same rights in respect of the apparatus which they then had.
3. There shall at the end of 30 days from the date of confirmation of this Order be a public footpath over the land situated at 658 and 660 Wokingham Road, land adjacent to the property and land to the south of the above property as described in Part 2 of the Schedule to this Order and shown by a bold broken line on the map attached to this Order.

SCHEDULE
PART 1

DESCRIPTION OF SITE OF EXISTING PATH
(Lettered points are as indicated on the map and all distances are approximate)

Section of Path as indicated on map	Position and Length	Width
A-D	The whole of the width from point A grid reference 476525 171534 at Wokingham Road, 13 metres north west of the western parapet of the bridge over the River Loddon, then running in a south-south westerly direction for a distance of 87 metres to point D grid reference 476487 171457	Not defined

Part 2
DESCRIPTION OF SITE OF NEW PATH

Section of Path as indicated on the Map	Position and Length	Width
A- B	From point A grid reference 476525 171534 at Wokingham Road, 13 metres north west of the western parapet of the bridge over the River Loddon running in a southerly direction for a distance of 12m to point B grid reference 476524 171522.	5.5m at point A narrowing to 3.5m at point B
B-C	From point B grid reference 476524 171522 in a south west and south-south- westerly direction for 59m to point C grid reference 476507 171468. The eastern side of the path at point B runs at the top of the bank of the river which is 8 metres from the edge of the river.	3.5m

**THE COMMON SEAL of the
WOKINGHAM BOROUGH COUNCIL**

Was hereunto affixed this
27th day May 2014
In the presence of:



Solicitor



MAP NOT TO ORIGINAL SCALE

The Wokingham Borough Council
Parish of Earley
Footpath Earley 15 (part) Diversion Order

Key

- A-D path to be stopped up / diverted
- A-B- C path to be created
- C-D and D- E unaffected paths

March 2014

1:1000



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WOKINGHAM
BOROUGH COUNCIL

