

NOTICE OF ORDER HIGHWAYS ACT 1980 SECTION 119

Public Path Diversion Order 2017 Footpath 22 Southminster
and Footpath 8 Dengie in the District of Maldon

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 11 May 2018.

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 a part length of public Footpath 22 Southminster and 8 Dengie in the District of Maldon, starting from a point north of the unclassified road and running in a generally north easterly direction to where the path crosses the parish boundary and becomes Footpath 8 Dengie. It continues in a north westerly direction to the south side of the Asheldham Brook and to the existing footbridge. This is to be diverted to an alternative route commencing at the same above point and running in a northerly direction for a distance of 70 metres, then in a generally northerly direction along an existing track along the field edge for a distance of 1445 metres to the above point where it reconnects to the unaffected length of Footpath 8 Dengie at the Footbridge.

A further section of Footpath 8 Dengie commencing from north of the footbridge over the Asheldham Brook and running in a north westerly direction across field and over two drainage channels will be diverted to an alternative route commencing at the same above point and running in a westerly direction alongside the Asheldham Brook for a distance of 150 metres and then in a generally north westerly direction along the existing track for a distance of 840 metres, then in a westerly direction for a distance of 150 metres and finally in a northerly direction along the existing track for approximately 300 metres to the same above point where it continues unaffected to its termination at Landwick Cottages in Dengie.

Any queries relating to this Order should be referred to Jean McEntee 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 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number ROW/3196245 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 Definitive Map Service Department, A2 Seax House, County Hall, Market Road, Chelmsford, Essex CM1 1QH. Telephone: 01245 342886.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 25 May 2018]

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 6 July 2018]

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 [by 17 August 2018]

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 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.

Notice of order for w/r

ESSEX COUNTY COUNCIL

**PUBLIC PATH DIVERSION ORDER 2017
FOOTPATH 22 SOUTHMINSTER AND FOOTPATH 8 DENGIE**

**IN
THE DISTRICT OF MALDON**

**HIGHWAYS ACT 1980 - SECTION 119
PUBLIC PATH DIVERSION ORDER**

PUBLIC PATH DIVERSION ORDER
HIGHWAYS ACT 1980 – SECTION 119
ESSEX COUNTY COUNCIL

FOOTPATH 22 SOUTHMINSTER AND FOOTPATH 8 DENGIE

This Order is made by Essex County Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interest of the public and the landowners of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

The applicants have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and Essex County Council has agreed to defray the costs which are incurred in bringing the new site of the path into a fit condition for use by the public.

Maldon District Council have been consulted and have consented to the making of the Order as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public right of way over the land known as Footpath 22 in the Parish of Southminster in the District of Maldon running north over the parish boundary and becoming Footpath 8 Dengie and shown by a bold continuous line on the maps numbered SOUTHM 22A north and SOUTHM 22A south contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up after 35 days from the date of confirmation of this Order.

2. There shall at the end of 28 days from the date of confirmation of this Order be a public footpath over the land known as Footpath 22 in the Parish of Southminster in the District of Maldon running north over the parish boundary and becoming Footpath 8 Dengie described in Part 2 of the Schedule and shown by a bold broken line on the maps numbered SOUTHM 22A north and SOUTHM 22A south contained in this Order.

DENGIE

See Plan
DEN 8D North

PLAN SOUTHM 22 A north

Diversion of Footpath 22 Southminster / 8 Dengie

Route to Close A-B-C

New Route A-C

Unaffected Routes

Definitive Map Sheet TR 09 NW & TM 00 SW

Scale 1:2500 at A3

Footbridge

Asheldham Brook

C

8



MAP NOT TO ORIGINAL SCALE

DENGIE



Dengie Mar

H. Dawn of
Amesing Officer



RINGWAY JACOBS
integrated expertise

Essex County Council

DENGIE

PLAN SOUTHM 22 A south

Diversion of Footpath 22 Southminster / 8 Dengie

Route to Close A-B-C

New Route A-C

Unaffected Route

Definitive Map Sheet TR 09 NW

Scale 1:2500 at A3



MAP NOT TO ORIGINAL SCALE

B

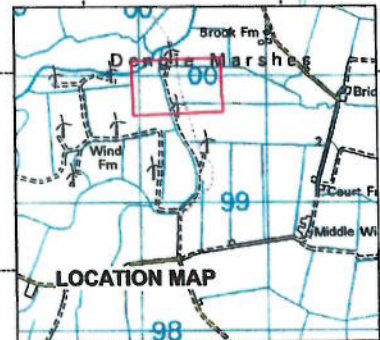
SOUTHMINSTER

22

22

H. DAVIES
Attesting Officer

A



SCHEDULE

[PART 1]

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 22 Southminster of undefined width shown by a bold continuous line on the order maps commencing from point **A** at grid reference 60051,19932 running in a generally north easterly direction for approximately 500 metres to point **B** at grid reference 60029,19885 where the path crosses the parish boundary and becomes Footpath 8 Dengie. The path continues in a north westerly direction for a final distance of approximately 1010 metres to point **C** at grid reference 60023,20021 on the south side of Asheldham Brook at the existing footbridge.

[PART 2]

DESCRIPTION OF SITE OF NEW PATH OR WAY

A Footpath being 2 metres in width shown by a bold broken line on the order maps commencing at the aforementioned point **A** running in a northerly direction for a distance of approximately 70 metres then in a generally northerly direction following the existing track along the field edge crossing the parish boundary and becoming Footpath 8 Dengie for a final distance of approximately 1540 metres to the aforementioned point **C** where it connects to Footpath 8 Dengie at the existing footbridge.

Given under the Common Seal of the Essex County Council this *Fifteenth*
day of *December* 2017

The common seal of the)
ESSEX COUNTY COUNCIL)
was hereunto affixed in the)
presence of:-)

H. Davies
Attesting Officer:



This order being Public Path Order 2017 Footpath 22 Southminster and Footpath 8 Dengie (2 of 2) in part supersedes the previous order made on 26th July 2011 titled Public Path Diversion Order 2011 Footpath 22 (part) Southminster and Footpath 8 (part) Dengie, which remains unconfirmed.

Dated: 15th day of December 2017

PUBLIC PATH DIVERSION ORDER

**HIGHWAYS ACT 1980
SECTION 119**

Footpath 22 Southminster and
Footpath 8 Dengie in the
District of Maldon

Paul Turner
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