

# **NOTICE OF ORDER**

## **Town And Country Planning Act 1990**

East Staffordshire Borough Council  
(Footpath No. 26, Land at Oakfields, Hanbury, in the Parish of Hanbury) Public  
Footpath Diversion Order 2017

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 17 January 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 extinguish part of the existing footpath No.26 which enters the development site via an existing wooden stile at Point A on the Order Map and continues in a Southerly direction adjacent to the Western Boundary to point C on the Order map where it turns in an Easterly direction adjacent to the Southern Boundary to point B on the Order Map exiting via an existing wooden stile.

The route will be a minimum width of 1.8 metres.

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](mailto:jean.mcentee@pins.gsi.gov.uk) Please quote reference number ROW/3184898 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 East Staffordshire Borough Council Customers Services Centre, Market Place, Burton upon Trent from 9:00am to 5:00pm from Monday to Friday. Telephone: 01283 508618.

### **Timetable for sending in statements of case and comments**

#### **Within 2 weeks of the start date [by 31 January 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 14 March 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 25 April 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.

E A S T S T A F F O R D S H I R E B O R O U G H C O U N C I L

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990 - SECTION 257**  
**THE EAST STAFFORDSHIRE BOROUGH COUNCIL (FOOTPATH NO. 26,**  
**LAND AT OAKFIELDS, HANBURY, IN THE PARISH OF HANBURY)**  
**PUBLIC FOOTPATH DIVERSION ORDER 2017**

This Order is made by the East Staffordshire Borough Council under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out in accordance with outline planning permission granted under Part III of the Town and Country Planning Act 1990 namely: Proposed Residential Development for the erection of 4 detached dwellings.

**BY THIS ORDER:**

1. The footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of the East Staffordshire Borough Council an alternative route for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which the East Staffordshire Borough Council certify that the terms of Article 2 above have been complied with.
4. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertakings. The undertakers shall continue to have the same rights in respect of the apparatus as they then had.

**SCHEDULE**

**PART 1**

Description of site of existing path or way

The right of way enters the development site at point 'A' on the Order map via an existing wooden stile and continues in an unmarked South Easterly direction to point 'B' on the Order map where it exits via an existing wooden stile.

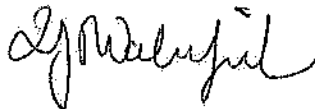
**PART 2**

Description of site of alternative highway

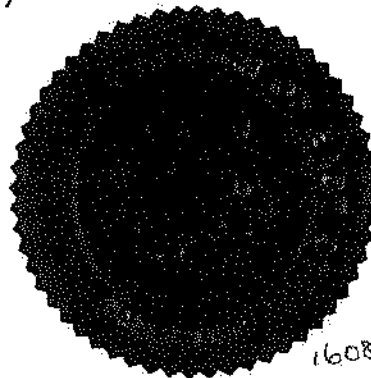
The right of way enters the development site via an existing wooden stile at Point A on the Order Map and continues in a Southerly direction adjacent to the Western Boundary to point C on the Order map, where it turns in a Easterly direction adjacent to the Southern Boundary to point B on the Order Map exiting via an existing wooden stile.

The new route will be a minimum width of 1.8 metres.

**THE COMMON SEAL of EAST STAFFORDSHIRE)**  
**BOROUGH COUNCIL** was hereunto affixed )  
in the presence of: )



Authorised Signatory



16080

Proposed Diversion of Public Footpath No 26  
Land at Oakfields Hanbury Staffordshire

135.8m

Existing Unmarked Right of Way

Proposed Footpath Diversion

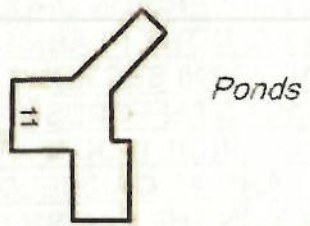
MAP NOT TO  
ORIGINAL SCALE



*agm/sup/jst*

160.80

# Hanbury



Path (um)

Fairview

Hill House

HANBURY HILL

Water Tower

The Bungalow

OAKFIELDS

PO

Rock House

Track

LB

The Chestnuts

El Sub Sta

TCB

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DATED 24<sup>th</sup> April 2017

OT 101 944  
31/03/2017

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING**  
**ACT 1990 SECTION 257**  
**THE EAST STAFFORDSHIRE**  
**BOROUGH COUNCIL (FOOTPATH**  
**NO. 26, LAND AT OAKFIELDS,**  
**HANBURY, IN THE PARISH OF**  
**HANBURY) PUBLIC FOOTPATH**  
**DIVERSION ORDER 2017**

Sal Khan CIPFA, MSc  
Head of Service  
Town Hall  
Burton upon Trent  
DE14 9JG