

NOTICE OF ORDER TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

London Borough of Havering
(Public Footpath 198) Stopping Up and Diversion Order 2015

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. Following an earlier exchange of written representations, the Inspector appointed to determine the Order issued a letter in which he proposed to make modifications to the Order as drafted. Following advertisement of those proposals objections/representations have been received.

The **start date** for the above Order is **07 March 2017**.

Consideration of the Order will take the form of a public local inquiry. It is being held so that an Inspector appointed by the Secretary of State can hear evidence in respect of the modified part of the Order **and** new evidence in respect of the unmodified part of the Order.

The Inquiry will be held at the **London Borough of Havering, Town Hall, Main Road, Romford RM1 3BD** on **04 July 2017** at **10.00am**.

1)

The effect of the Order, if confirmed without modifications, will be to **divert** the entire width of that part of Public Footpath No 198 commencing at Ordnance Survey grid reference 555824E, 186446N (shown at point A on the order map) and proceeding in a north westerly direction for approximately 92 metres to Ordnance Survey grid reference 555812E 186562N (shown at point C on the order map) **to a new line** commencing at Ordnance Survey grid reference 555824E, 186446N (shown at point A on the order map) and proceeding in a north easterly direction for approximately 87 metres to Ordnance Survey grid reference 555841E, 186555N (shown at point B on the order map)

2)

The effect of the proposed modification(s) would be to provide for the following modifications:

- In part 2 of the Schedule to the Order, add, after 'Commencing at' 'the existing footpath 198 at', and add, after 'approximately 87 meters to' 'a junction with St Mary's Lane at'
- Also in part 2 of the Schedule, delete '1.8 meters' and add '2 metres or the width of the tarmac surface, whichever is greater, to a maximum of 2.95 metres.'

Any queries relating to this Order should be referred to Clive Richards 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 5502. Email: clive.richards@pins.gsi.gov.uk. Please quote reference number FPS/B5480/5/2 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 Public Advice and Service Centre (PASC), Liberty Shopping Centre, Romford, RM1 3RL between the hours of 8:30am to 5:30pm (tel:01708 434343).

Timetable for sending in statements of case and proofs of evidence

Within 8 weeks of the start date [by 02 May 2017]

The Order Making Authority, the applicant and everyone who has made an objection or representation following the proposed modifications and anyone who wishes to give evidence at the Inquiry must ensure their statement of case¹ is received by the Secretary of State. As soon as possible after receiving it the Secretary of State will send a full copy 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 everyone who has made an objection or representation following the modifications, the applicant and anyone else who has previously written to us in respect of the Order.

4 weeks before the date of the inquiry [by 06 June 2017]

The Authority, everyone who has made an objection or representation following the proposed modifications, the applicant (if applicable) and anyone who wishes to give evidence at the Inquiry must ensure their proof of evidence (together with any summary) is received the Secretary of State. As soon as possible after receiving them, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation following the proposed modifications, the applicant, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order;
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation following the proposed modifications, anyone who has submitted a statement of case and anyone else who has previously written to us in respect of the Order; and
- iii) all other proofs of evidence to the Authority, the applicant and anyone else who has either submitted a statement of case or who has previously written to us in respect of the Order .

All parties must keep to the timetable set out above and ensure that statements of case and proofs of evidence are received by the Secretary of State 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 inquiry mods

¹ If you wish to make a legal submission, this should be submitted at the same time as your statement of case. Otherwise legal submissions will have to be submitted in writing on the day of the inquiry.

PROPOSED MODIFICATIONS

**THE LONDON BOROUGH OF HAVERING
TOWN AND COUNTRY PLANNING ACT 1990
THE LONDON BOROUGH OF HAVERING (PUBLIC FOOTPATH 198) STOPPING
UP AND DIVERSION ORDER 2015**

This order is made by the London Borough of Havering 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 planning permission granted under Part III of the Town and Country Planning Act 1990 namely: erection of three storey building comprising 22 retirement living apartments with communal facilities, landscaping and parking (planning reference P1220.14).

BY THIS ORDER

1. The footpath over the land shown by a bold black line on the attached map between points A - C 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 London Borough of Havering an alternative highway 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 between points A - B.
3. The diversion of the footpath shall have effect on the date on which the London Borough of Havering certifies that the terms of Article 2 have been complied with.
4. The following works may be carried out in relation to the highway described in Part 2 of the Schedule: widening of footpath.
5. McCarthy and Stone Retirement Lifestyles Ltd is hereby required to pay the cost of carrying out the said works.
6. 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 entire width, being approximately 1.8 meters, of that part of Footpath No 198 commencing at Ordnance Survey grid reference 555824E, 186446N at point A on the order map and proceeding in a north westerly direction for approximately 92 meters to Ordnance Survey grid reference 555812E, 186562N at point C on the order map.

PART 2

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

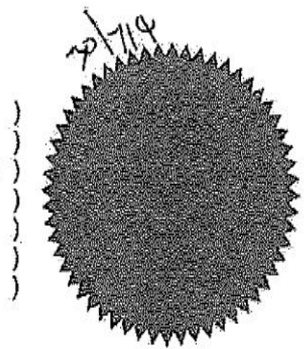
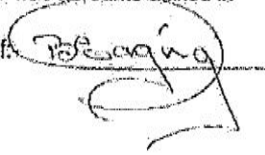
a junction with St Mary's Lane at
Commencing at Ordnance Survey grid reference 555824E, 186446N at point A on the order map and proceeding in a north easterly direction for approximately 87 meters to Ordnance Survey grid reference 555841E, 186555N at point B on the order map.

Footpath width - ~~1.8 meters~~. *2 metres, or the width of the tarmac track, whichever is greater, to a maximum of 2.95 metres*

Map references taken from the digitised map attached to this order.

DATED the 8th day of November 2015

THE COMMON SEAL of THE MAYOR AND
BURGESSES OF THE LONDON BOROUGH
OF HAVERING was hereunto affixed in
the presence of



Authorised Person

Anne Brown

Authorised Person

The Former Old Windmill Hall St Mary's Lane, Upminster, RM14 2QH
 1987 Footpath Realignment April 2015

