

NOTICE OF ORDER

HIGHWAYS ACT 1980 SECTION 119

Essex County Council
Public Path Diversion Order 2017
Footpaths 16 Stanway
in the Borough of Colchester

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 1 November 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 a part length of public Footpath 16 in the Parish of Stanway in the Borough of Colchester. The diversion is required because the mineral company who are working the quarry wishes to divert the path from its current definitive route where mineral extraction is still taking place onto a restored section of land where digging has been completed.

A part length of Footpath 16 Stanway, being two metres in width starting from Warren Lane at grid reference 9476,2229 and running in a north-westerly then northerly direction on the west side of Warren Lane and across the Quarry site for a distance of approximately 790 metres to grid reference 9456,2305 where it connects with Footpath 15 Stanway, will be diverted to a route commencing from grid reference 9492,2275 on Warren Lane and running in a west north-westerly direction along an existing track for a distance of 254 metres to grid reference 9468,2228 and then in a generally northerly direction to the east side of the leachate lagoon and running along and within the track for a distance of approximately 235 metres to grid reference 9465,2306 where it connects to Footpath 15 Stanway. The new path is two metres in width.

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/3181006 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 during normal office working hours. Telephone: 01245 342886.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 15 November 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 27 December 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 [by 7 February 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.

ESSEX COUNTY COUNCIL

**PUBLIC PATH DIVERSION ORDER 2017
FOOTPATH 16 STANWAY**

**IN
THE BOROUGH OF COLCHESTER**

HIGHWAYS ACT 1980 - SECTION 119

HIGHWAYS ACT 1980 - SECTION 119

FOOTPATH 16 STANWAY

This Order is made by Essex County Council ("the authority") under section 119 of the Highways Act, 1980 ("the 1990 Act") because it appears to the authority that in the interests of the landowner of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the right of way should be diverted.

The landowner will defray any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Colchester Borough Council has been consulted and has 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 situated at Bellhouse Quarry in the Parish of Stanway in the Borough of Colchester known as Footpath 16 and shown by a bold continuous line on the Order Plan numbered STAN 16 Q contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up 28 days from the date of confirmation of this Order.
2. At the end of 28 days from the date of confirmation of this Order there shall be a public footpath over the land situated at Bellhouse Quarry in the Parish of Stanway described in Part 2 of the Schedule and shown by a bold broken line on the Order Plan numbered STAN 16 Q contained in this Order.

MAP NOT TO ORIGINAL SCALE



Bell House Pit
(sand and gravel)

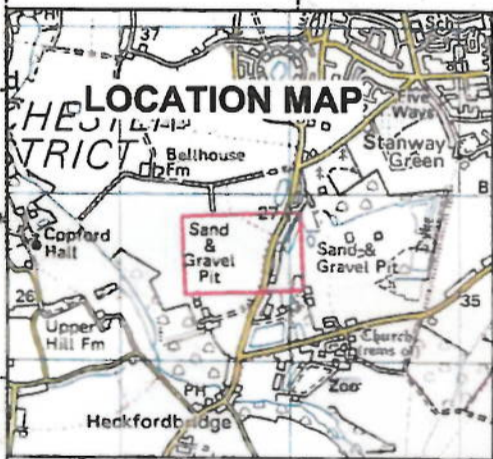
GATE

C

Warren Lane

Sand and Gravel Pit

Warren Plant



Plan No. STAN 16 Q

Diversion of Footpath 16 Stanway

Route to Close A-B

New Route C-D-E

Unaffected routes

Definitive Map Sheet TL 82 SW

Scale 1:2500 at A3

A



Essex County Council

integrated expertise

[Signature]
Attesting Officer

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ROMAN ROAD

SCHEDULE

[PART 1]

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 16 Stanway being two metres width and shown by a bold continuous line on the Order Plan (STAN 16Q) starting from point **A** at Warren Lane at grid reference 59476,22229 and running in a north-north-westerly then northerly direction on the west side of Warren Lane and across the Quarry site for a distance of approximately 790 metres to point **B** at grid reference 59456,22305 where it connects with Footpath 15 Stanway.

[PART 2]

DESCRIPTION OF SITE OF NEW PATH OR WAY

A length of footpath being 2 metres in width shown by a bold broken line on the Order Plan (STAN 16Q) commencing from point **C** at grid reference 59492,22275 on Warren Lane and running in a west north-westerly direction along an existing permissive path for a distance of 254 metres to point **D** at grid reference 59468,22228, and then in a generally northerly direction to the east side of a leachate treatment lagoon and running along the route of an existing permissive path for a distance of approximately 235 metres to point **E** at grid reference 59465,22306 where it connects to Footpath 15 Stanway.

[PART 3

STRUCTURES & LIMITATIONS]

A pedestrian kissing gate west of point C at grid reference 59490,22276

A pedestrian kissing gate south of point E at grid reference 59465,22306.

Given under the common seal of Essex County Council this *Nineteenth* day of
May 2017

The common seal of **ESSEX**)
COUNTY COUNCIL was here-)
unto affixed in the presence of :-)



Attesting Officer:



Note: This order supersedes the previous order made on 21 October 2014 titled Public Path Diversion Order 2014 Footpath 16, Stanway which remains unconfirmed.

Dated: 19th day of May 2017

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980 - SECTION 119

Footpath 16 at Bellhouse Quarry in the
Parish of Stanway in the Borough of
Colchester

Paul Turner
Director of Legal & Assurance

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