

# **NOTICE OF ORDER**

## **HIGHWAYS ACT 1980 SECTION 119**

Essex County Council

Public Path Diversion Orders 2018 in the District of Maldon,

- 1) Footpath 7 Little Totham
- 2) Footpath 2 Tolleshunt Darcy
- 3) Footpaths 4 and 5 Tolleshunt Darcy

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 23 April 2019

Consideration of the Orders will take the form of a public local inquiry.

The Inquiry will be held at Tolleshunt Village Hall, Tollesbury Road, (B1023), Tollesbury CM9 8UB on Wednesday 18 September 2019 at 10.00am.

1) The effect of the Order, if confirmed without modifications, will be to divert public Footpaths in the Parishes of Little Totham and Heybridge the District of Maldon.

A part length of Footpath 7 Little Totham at grid reference 58827, 21034 and running in an east south easterly direction and then, where the Little Totham Hall tracks intersect, in a generally south south easterly direction along the access track for a total distance of 213 metres to grid reference 58838, 21019 where it connects to the highway known as Church Lane will be diverted to a new route commencing at the same above point and running in a generally southerly direction parallel with and alongside the stream, and crossing the parish boundary into the parish of Great Totham for a distance of 360 metres to grid reference 58825, 20998 then crossing the stream and running in a generally east north easterly direction parallel with the highway known as Church Lane to the parish boundary with Little Totham where it continues in a generally north north easterly direction parallel with Church Lane for a further distance of approximately 140 metres to grid reference 58835, 21005 where it connects to Church Lane, directly opposite where Footpath 10 Little Totham commences.

2) The effect of the Order, if confirmed without modifications, will be to divert public Footpaths in the Parishes of Tolleshunt Darcy in the District of Maldon.

A part length of Footpath 2 Tolleshunt Darcy commencing from grid reference 59127, 21244 and running in an east south easterly direction across the field and crossing the Limes Brook for a distance of 625

metres to where it connects to Footpath 4 Tolleshunt Darcy will be diverted to a new route commencing at the same above point and running in a south easterly direction along the southern boundary of the field and then in a generally southerly direction parallel with and along the west side of the stream known as Limes Brook for a distance of 791 metres to grid reference 59158,21183 where it connects to Footpath 3 Tolleshunt Darcy. A further length of Footpath 2 Tolleshunt Darcy commencing from grid reference 59084, 21267 and running in a westerly direction across the field for a distance of 200 metres to grid reference 59065, 21269 will be diverted to a new route commencing at the same point and running in a west north westerly direction along the boundary of the field for a distance of 13 metres to grid reference 59071, 21273 and then in a south westerly direction for a distance of 80 metres to the same above the point where it continues unaffected.

3) The effect of the Order, if confirmed without modifications, will be to divert public Footpaths in the Parish of Tolleshunt Darcy, in the District of Maldon.

A part length of Footpath 4 Tolleshunt Darcy commencing from grid reference 59161, 21182 where it connects to Footpath 3 and running in a north easterly direction through the buildings of Frame Farm then a north north easterly direction and then a northerly direction for a distance of 530 metres to grid reference 59186, 21262 where it connects to Footpath 2 Tolleshunt Darcy. It then continues in a northerly direction then a generally east north easterly direction around Limesbrook Farm before becoming Footpath 5 Tolleshunt Darcy for a distance of 535 metres to grid reference 59228, 21250 where it connects to the highway known as the Kelvedon Road will be diverted to a new route commencing at grid reference 59233, 21178 where it connects to Footpath 3 and running in a north north easterly direction and then a westerly direction for a distance of 390 metres to grid reference 59227, 21208 and then in a north north easterly direction for a distance of 380 metres to grid reference 59324, 21245 where it connects to the Kelvedon Road.

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/A Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5437. Email:

[jean.mcentee@planninginspectorate.gov.uk](mailto:jean.mcentee@planninginspectorate.gov.uk) Please quote reference number ROW/3216621, ROW/3216622 & ROW/3216623 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 proofs of evidence**

### **Within 8 weeks of the start date by [by 18 June 2019]**

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 and the applicant and any other person who has written to us in respect of the Order.

### **Within 14 weeks of the start date [by 30 July 2019]**

Everyone who has made an objection or representation and anyone who wishes to give evidence at the Inquiry must ensure their statement of case<sup>1</sup> 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 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 (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

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, the 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).

### **4 weeks before the date of the inquiry [by 21 August 2019]**

The Authority, everyone who has made an objection or representation, 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 by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of:

- i) the Authority's proof of evidence to everyone who has made an objection or representation, the applicant and anyone who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence);
- ii) the applicant's proof of evidence to the Authority, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence); and

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<sup>1</sup> 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.

iii) all other proofs of evidence to the Authority, the applicant, everyone who has made an objection or representation and anyone else who has submitted a statement of case (excluding copies of any supporting documents – although none should be submitted with a proof of evidence).

**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

**ESSEX COUNTY COUNCIL**

**PUBLIC PATH DIVERSION ORDER 2018**

**FOOTPATH 7 LITTLE TOTHAM**

**IN THE DISTRICT OF MALDON**

**HIGHWAYS ACT 1980 - SECTION 119**

**PUBLIC PATH DIVERSION ORDER**

**ESSEX COUNTY COUNCIL  
HIGHWAYS ACT 1980 – SECTION 119**

**PUBLIC PATH DIVERSION ORDER**

**FOOTPATH 7 LITTLE TOTHAM**

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 owner 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 landowner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses incurred in the order making and 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 situated at Little Totham Hall known as Footpath 7 in the District of Maldon and shown by a bold continuous black line on the order map numbered **LTOT 7E** contained in this order and described in Part 1 of the Schedule to this order shall be stopped up after 28 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 land situated at Little Totham Hall District of Maldon as described in Part 2 of the Schedule and shown by a bold broken black line on the order map numbered **LTOT 7E** contained in this order.



**Plan No. LTOT 7 E**

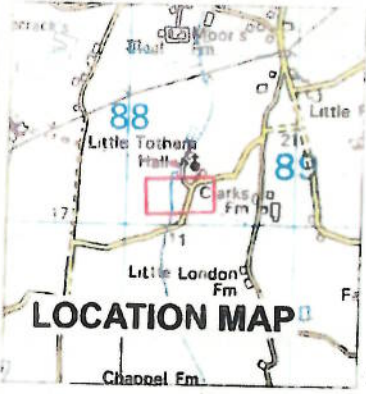
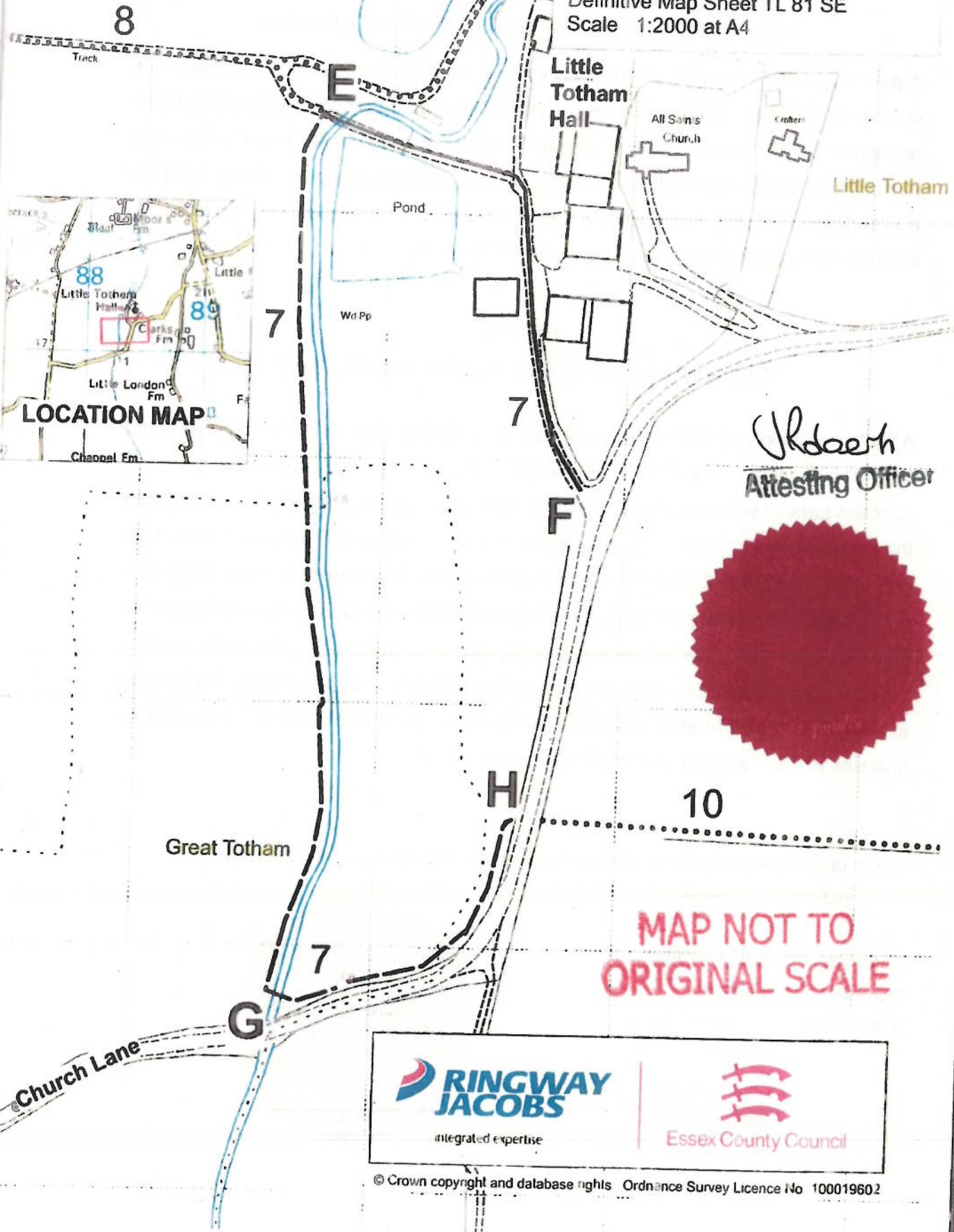
Diversion of Footpath 7 Little Totham  
Route to Close E-F

New Route E-G-H

Unaffected Routes

Definitive Map Sheet TL 81 SE

Scale 1:2000 at A4



*J. R. Doerh*  
**Attesting Officer**



**MAP NOT TO ORIGINAL SCALE**

integrated expertise	Essex County Council



## SCHEDULE

### (PART 1)

#### DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS

A part length of Footpath 7 of unknown width shown by a bold continuous black line on the Order Map commencing from point E at grid reference 58827,21034 and running in an east south easterly direction and then , where the Little Totham Hall tracks intersect, in a generally south south easterly direction along the access track for a total distance of approximately 213 metres to point F at grid reference 58838,21019 where it connects to the highway known as Church Lane.

### (PART 2)

#### DESCRIPTION OF SITE OF NEW PATHS OR WAYS

A footpath being 2 metres in width shown by a bold broken black line on the Order Map commencing at the aforementioned point E and running in a generally southerly direction parallel with and alongside the stream, and crossing the parish boundary into the parish of Great Totham for a distance of approximately 360 metres to point G at grid reference 58825,20998 then crossing the stream and running in a generally east north easterly direction parallel with the highway known as Church Lane to the parish boundary with Little Totham where it continues in a generally north north easterly direction parallel with Church Lane for a further distance of approximately 140 metres to point H at grid reference 58835,21005 where it connects to Church Lane, directly opposite where Footpath 10 Little Totham commences.

Given under the Common Seal of Essex County Council this *fourth* day of  
*July* 2018

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

*Robert*  
Attesting Officer:





Dated: 4<sup>th</sup> day of July 2018

**PUBLIC PATH DIVERSION ORDER**

**HIGHWAYS ACT 1980  
SECTION 119**

Footpath 7 in the Parish of Little Totham  
in the District of Maldon

Paul Turner  
Director of Legal and Assurance

Essex County Council  
Seax House  
Victoria Road South  
Chelmsford  
Essex CM1 1QH

**ESSEX COUNTY COUNCIL**

**PUBLIC PATH DIVERSION ORDER 2018**

**FOOTPATH 2 TOLLESHUNT DARCY**

**IN THE DISTRICT OF MALDON**

**HIGHWAYS ACT 1980 - SECTION 119**

**PUBLIC PATH DIVERSION ORDER**

**ESSEX COUNTY COUNCIL  
HIGHWAYS ACT 1980 – SECTION 119**

**PUBLIC PATH DIVERSION ORDER**

**FOOTPATH 2 TOLLESHUNT DARCY**

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 owner 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 landowner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses incurred in the order making and 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 situated west of Limesbrook Farm known as Footpath 2 in the parish of Tolleshunt Darcy in the District of Maldon and shown by a bold continuous black line on the order map numbered **TDAR 2L** contained in this order and described in Part 1 of the Schedule to this order shall be stopped up after 30 days from the date of confirmation of this order
- 2) There shall at the end of 30 days from the date of confirmation of this order be a public footpath over land situated west of Limesbrook Farm in the parish of Tolleshunt Darcy in the District of Maldon as described in Part 2 of the Schedule and shown by a bold broken black line on the order map numbered **TDAR 2L** contained in this order.

**SCHEDULE**

Plan No. TDAR 2L

Diversion of Footpath 2 Tolleshunt Darcy

Route to Close K-L

New Route K-M

Unaffected Routes

Definitive Map Sheet TL 91 SW

Scale 1:2500 at A3

Postcode CM9 8EU



20m

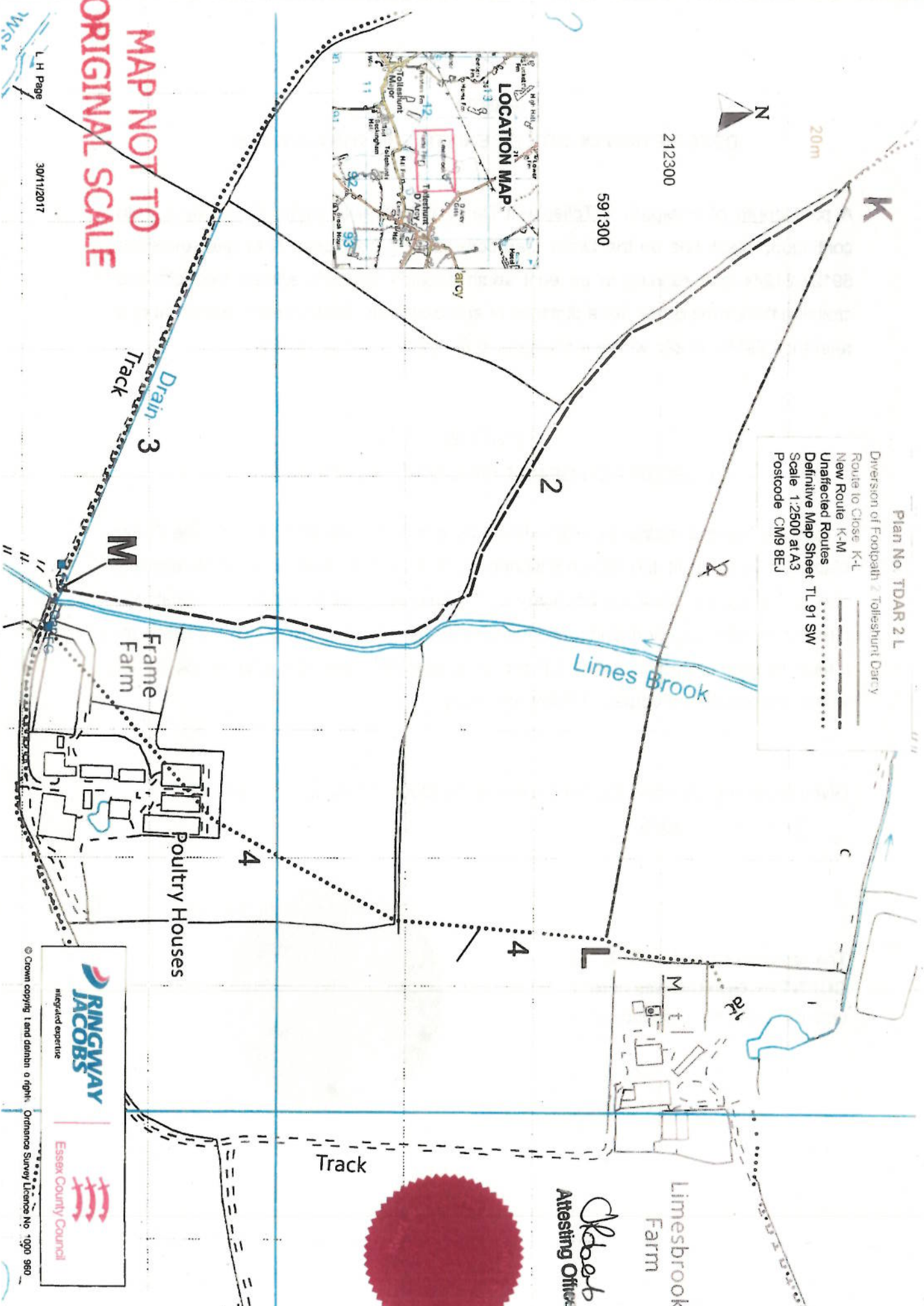
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591300

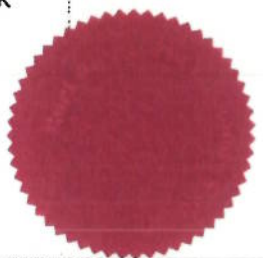


MAP NOT TO ORIGINAL SCALE

LH Page 30/11/2017



*Robert*  
Attesting Officer



**RINGWAY**  
JACOBS  
integrated expertise

**Essex County Council**

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(PART 1)  
DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS

A part length of Footpath 2 Tolleshunt Darcy of unknown width shown by a bold continuous black line on the Order Map commencing from point K at grid reference 59127,21244 and running in an east south easterly direction across the field and crossing the Limes Brook for a distance of approximately 625 metres to point L at grid reference 59186,21225 where it connects to Footpath 4 Tolleshunt Darcy.

(PART 2)  
DESCRIPTION OF SITE OF NEW PATHS OR WAYS

A footpath being 2 metres in width shown by a bold broken black line on the Order Map commencing at the aforementioned point K and running in a south easterly direction along the southern boundary of the field and then in a generally southerly direction parallel with and along the west side of the stream known as Limes Brook for a total distance of approximately 791 metres to point M at grid reference 59158,21183 where it connects to Footpath 3 Tollehunt Darcy.

Given under the Common Seal of Essex County Council this *fourth* day of  
*July* 2018

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

*J Robert*  
Attesting Officer:



Dated: 4<sup>th</sup> day of July 2018

**PUBLIC PATH DIVERSION ORDER**

**HIGHWAYS ACT 1980  
SECTION 119**

Footpath 2 in the Parish of Tolleshunt Darcy  
in the District of Maldon

Paul Turner  
Director of Legal and Assurance

Essex County Council  
Seax House  
Victoria Road South  
Chelmsford  
Essex CM1 1QH



**ESSEX COUNTY COUNCIL**

**PUBLIC PATH DIVERSION ORDER 2018  
FOOTPATHS 4 AND 5 TOLLESHUNT DARCY  
IN THE DISTRICT OF MALDON**

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

**ESSEX COUNTY COUNCIL  
HIGHWAYS ACT 1980 – SECTION 119**

**PUBLIC PATH DIVERSION ORDER**

**FOOTPATHS 4 AND 5 TOLLESHUNT DARCY**

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 owners of the land crossed by the footpaths described in paragraph 1 of this order it is expedient that the line of the paths should be diverted.

The landowners have agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses incurred in the order making and 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.

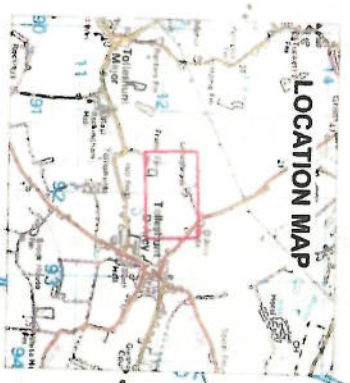
**BY THIS ORDER:**

- 1) The public right of way over the land situated at Frame Farm known as Footpath 4 and at Limesbrook Farm known as Footpath 5 in the parish of Tolleshunt Darcy in the District of Maldon and shown by a bold continuous black line on the order map numbered **TDAR 4S** contained in this order and described in Part 1 of the Schedule to this order shall be stopped up after 28 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 footpaths over land situated at Frame Farm and Limesbrook Farm in the parish of Tolleshunt Darcy in the District of Maldon as described in Part 2 of the Schedule and shown by a bold broken black line on the order map numbered **TDAR 4S** contained in this order.

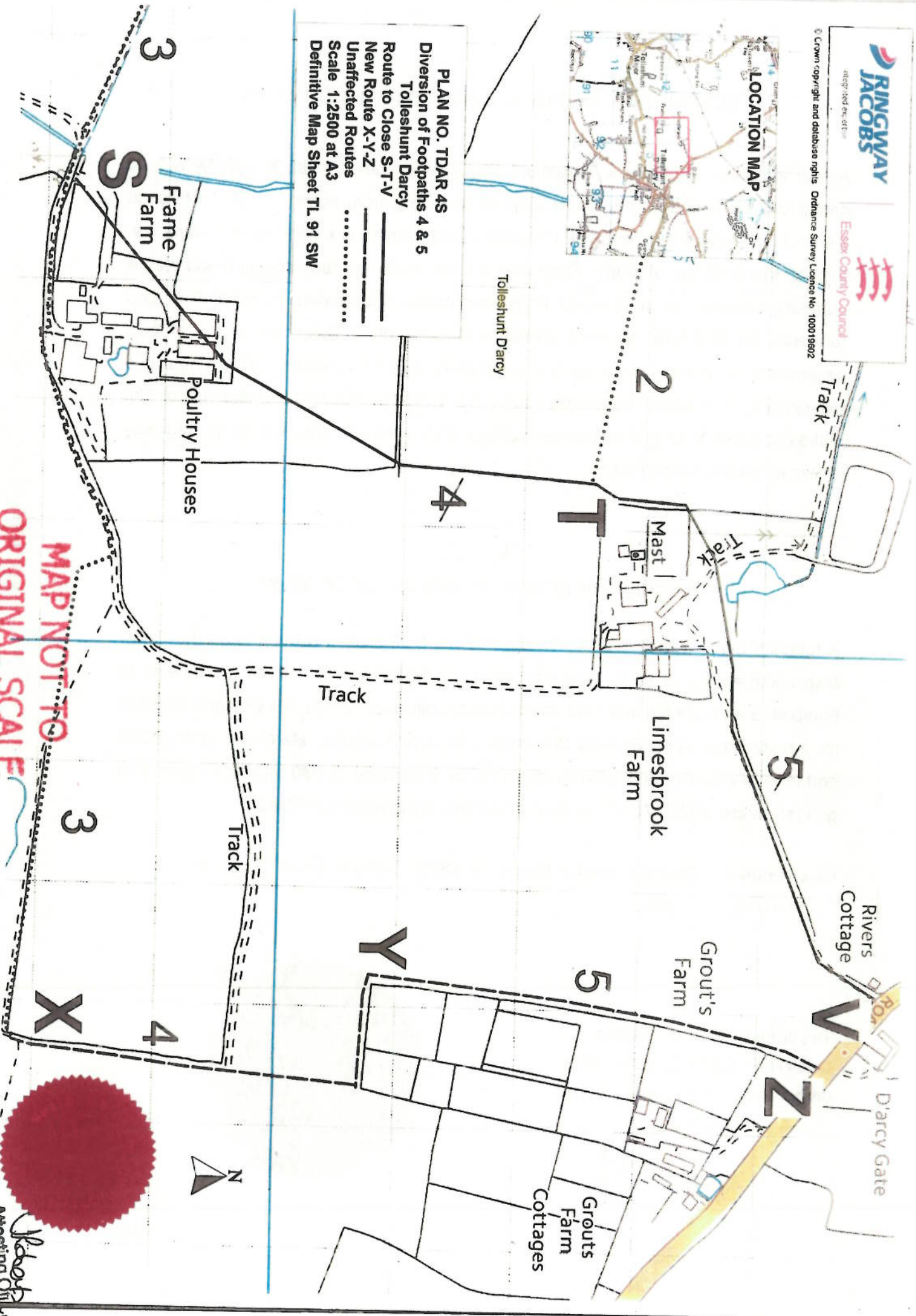
**SCHEDULE**

**(PART 1)**

LOCATION MAP



PLAN NO. TDAR 4S  
Diversion of Footpaths 4 & 5  
Tolleshunt Darcy  
Route to Close S-T-V  
New Route X-Y-Z  
Unaffected Routes  
Scale 1:2500 at A3  
Definitive Map Sheet TL 91 SW



MAP NOT TO ORIGINAL SCALE



Attesting Officer

DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS

A part length of Footpath 4 Tolleshunt Darcy of unknown width shown by a bold continuous black line on the Order Map commencing from point S at grid reference 59161,21182 where it connects to Footpath 3 and running in a north easterly direction through the buildings of Frame Farm then a north north easterly direction and then a northerly direction for a distance of approximately 530 metres to point T at grid reference 59186,21262 where it connects to Footpath 2 Tolleshunt Darcy. It then continues in a northerly direction then a generally east north easterly direction around Limesbrook Farm before becoming Footpath 5 Tolleshunt Darcy for a distance of 535 metres to point V at grid reference 59228,21250 where it connects to the highway known as the Kelvedon Road.

(PART 2)

DESCRIPTION OF SITE OF NEW PATHS OR WAYS

A footpath being 2 metres in width shown by a bold broken black line on the Order Map commencing at point X at grid reference 59233,21178 where it connects to Footpath 3 and running in a north north easterly direction and then a westerly direction for a distance of approximately 390 metres to point Y at grid reference 59227,21208 and then in a north north easterly direction for a distance of 380 metres to point Z at grid reference 59234,21245 where it connects to the Kelvedon Road.

Given under the Common Seal of Essex County Council this *fourth* day of *July* 2018

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

*J Roberts*  
Attesting Officer:



ORIGINAL COPY  
DATE 10/10/18

Dated: 17 day of July 2018

**PUBLIC PATH DIVERSION ORDER**

**HIGHWAYS ACT 1980  
SECTION 119**

Footpaths 4 and 5 in the Parish of  
Tolleshunt Darcy in the District of Maldon

Paul Turner  
Director of Legal and Assurance

Essex County Council  
Seax House  
Victoria Road South  
Chelmsford  
Essex CM1 1QH