

NOTICE OF ORDER HIGHWAYS ACT 1980 Section 119

Essex County Council
Public Path Diversion Order 2019 Footpaths 28 and 36 Wethersfield in the
District of Braintree

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 26 November 2019

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 Footpaths 28 and 36 in the Parish of Wethersfield as shown on the Order Map contained in this Order.

The effect of the Order will be to divert a part length of Footpath 28 Wethersfield commencing from grid reference 57293,22974 on the south side of Valley Farm running in a west south westerly direction for a distance of 148 metres to grid reference 57279,22969 to a new route commencing at grid reference 57301,22963 and running in a west south westerly direction to grid reference 572,22958 then continuing in a west south westerly direction and finally in a north westerly direction all along the field boundary for a total distance of 276 metres to grid reference 57276,22958 where it connects to the current line of Footpath 28.

A part length of Footpath 36 commencing from grid reference 57284,22989 and running in a south easterly then south south easterly and finally in a west south westerly direction for a distance of 200 metres then continuing in a south easterly direction along the existing track for a final distance of 112 metres to grid reference 57300,22964 will be diverted to a new route commencing at the same above starting point and running in a west south westerly direction across the field for a distance of 121 metres to grid reference 57273,22984 then continuing in a south south easterly direction for a final distance of 294 metres to grid reference 57286,22958 where it connects to Footpath 28 Wethersfield.

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 Please quote reference number ROW/3234411 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 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 10 December 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, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 21 January 2020]

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 31 March 2020]

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 2019
FOOTPATHS 28 AND 36 WETHERSFIELD
IN THE DISTRICT OF BRAINTREE**

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

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

FOOTPATHS 28 AND 36 WETHERSFIELD

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 footpaths described in paragraph 1 of this order it is expedient that the line of the paths 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.

Braintree 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 rights of way over the land situated at Valley Farm known as Footpaths 28 and 36 Wethersfield in the District of Braintree and shown by a bold continuous black line on the order map numbered WETH 36F 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.

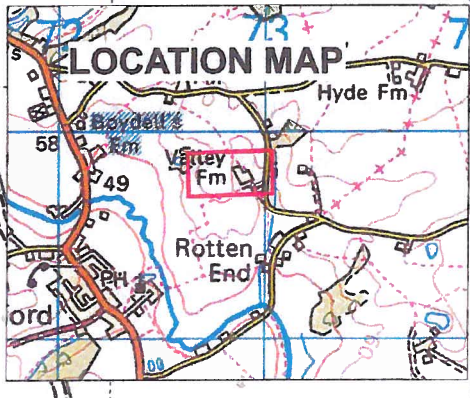
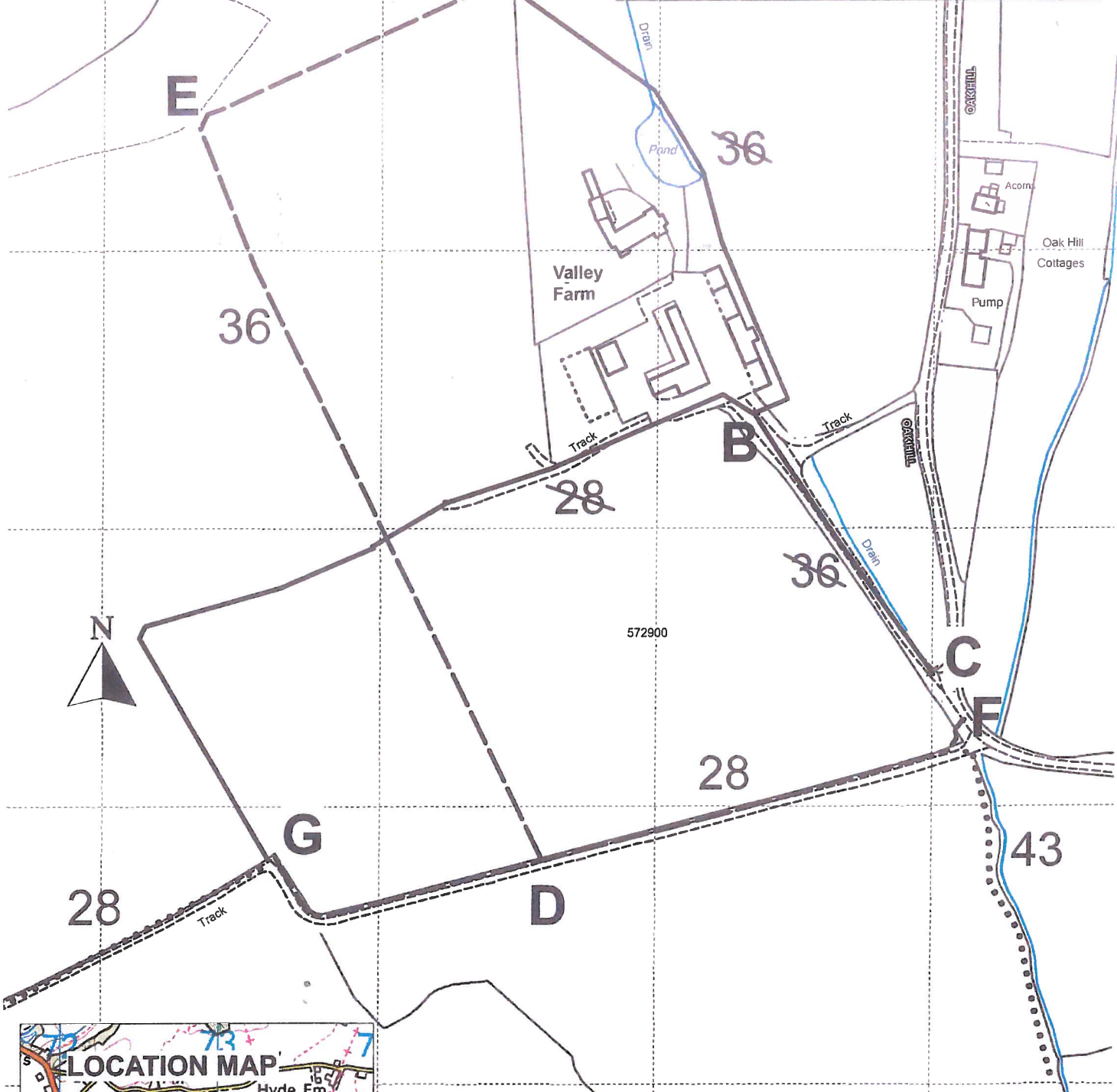
- 2) There shall at the end of 28 days from the date of confirmation of this order be a public footpath over land situated at Valley Farm known as Footpaths 28 and 36 Wethersfield in the District of Braintree as described in Part 2 of the Schedule and shown by a bold broken black line on the order map numbered WETH 36F contained in this order.

Attesting Officer

[Signature]



Plan No. WETH 36 F
 Diversion of Footpaths 28 & 36 Wethersfield
 Route to Close A-B-C, B-G
 New Routes A-E-D, F-D-G
 Unaffected Routes
 Scale 1:2000 at A4
 Definitive Map Sheet 72 NW
 Postcode CM7 4AJ





integrated expertise



Essex County Council

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Rotten End Farmhouse

SCHEDULE

(PART 1)

DESCRIPTION OF SITE OF EXISTING PATHS OR WAYS

Footpath 28 Wethersfield

A part length of Footpath 28 of unknown width shown by a bold continuous black line on the order map commencing from point **B** at grid reference 57293,22974 on the south side of Valley Farm running in a west south westerly direction then a south easterly direction for a total distance of approximately 335 metres to point **G** at grid reference 57276,22958.

Footpath 36 Wethersfield

A part length of Footpath 36 of unknown width shown by a bold continuous black line on the order map commencing from point **A** at grid reference 57284,22989 running in a south easterly then south south easterly and finally in a west south westerly direction for a distance of approximately 200 metres to the aforementioned point **B** then continuing in a south easterly direction along the existing track for a final distance of approximately 112 metres to point **C** at grid reference 57300,22964.

(PART 2)

DESCRIPTION OF SITE OF NEW PATHS OR WAYS

Footpath 28 Wethersfield

A footpath being 2 metres in width shown by a bold broken black line on the order map commencing at point **F** at grid reference 57301,22963 running in a west south westerly direction to point **D** at grid reference 57286,22958 then continuing in a west south westerly direction and finally in a north westerly direction all along the field boundary for a total distance of approximately 276 metres to point **G** at grid reference 57276,22958 where it connects to the current line of Footpath 28.

Footpath 36 Wethersfield


A footpath being 2 metres in width shown by a bold broken black line on the order map commencing at the aforementioned point **A** running in a west south westerly direction across the field for a distance of approximately 121 metres to point **E** at grid reference 57273,22984 then continuing in a south south easterly direction for a final distance of approximately 294 metres to the aforementioned point **D** where it connects to Footpath 28 Wethersfield.

Given under the Common Seal of Essex County Council this *Fourth* day
of *February* 2019

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



39129

Attesting Officer: 
(*JOANNA SCOTT*)

This order supersedes the previous order made on 3rd December 2018 titled Public Path Diversion Order 2018 Footpaths 28 and 36 Wethersfield, which remains unconfirmed.

Dated: 4th day of February 2019

PUBLIC PATH DIVERSION ORDER

**HIGHWAYS ACT 1980
SECTION 119**

Footpaths 28 and 36 in the parish of
Wethersfield in the District of Braintree

Paul Turner
Director, Legal and Assurance
Seax House
Victoria Road South
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Essex
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