

# **NOTICE OF ORDER**

## **Town and Country Planning Act 1990 Section 257**

North West Leicestershire District Council  
Footpath O60 Main Street, Normanton Le Heath  
Public Path Diversion Order 2019

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 7 September 2020.

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 footpath, reference O60, within the Parish of Normanton le Heath and the District of North West Leicestershire as shown by bold black dashes on the plan which will extend from the point marked 'A' on the plan, previously described, in a generally south easterly direction for a distance of approximately 60 metres to the point marked 'C' on the plan, situated at Grid Reference 43768 31284; then continuing in a generally south south-easterly direction for a distance of approximately 8 metres to the point marked 'D' on the plan situated at Grid Reference 43768 31283 then continuing in a generally east south-easterly direction for a further distance of approximately 35 metres to the point marked 'E' on the plan, situated at a junction with Main Street (Grid Reference 43771 31281).

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/3243046 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by contacting North Leicestershire District Council via this email address [jenny.davies@nwleicestershire.gov.uk](mailto:jenny.davies@nwleicestershire.gov.uk) or [development.control@nwleicestershire.gov.uk](mailto:development.control@nwleicestershire.gov.uk)

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

#### **Within 2 weeks of the start date [by 21 September 2020]**

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 2 November 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 14 December 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

**PUBLIC PATH DIVERSION ORDER**  
**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257**  
**THE DISTRICT OF NORTH WEST LEICESTERSHIRE**  
**FOOTPATH O60 MAIN STREET, NORMANTON LE HEATH**  
**PUBLIC PATH DIVERSION ORDER 2019**

This Order is made by North West Leicestershire District 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 planning permission granted under Part III of the Town and Country Planning Act 1990, namely for use of land for residential development. (Planning permission number 18/00085/FULM)

**BY THIS ORDER**

1. The footpath over the land shown by a bold black line on the attached Plan 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 North West Leicestershire District Council an alternative highway for use as a replacement for the said footpath referred to in Article 1 above, as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath referred to in Article 1 above shall have effect on the date on which the North West Leicestershire District Council certify that the terms of Article 2 above have been complied with.
4. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule.
  - a. The alternative route for the Public Footpath should have a specified width of 2 metres, unless it is to be enclosed and then a width of 3 metres will be required. A stone surface may also be required, if the route is to be enclosed, to ensure that the route does not become muddy and impassable.
  - b. A gap should be created in the existing fencing where the alternative route of the Public Footpath enters the field from Main Street (Point E) and at point C on the plan where fencing is proposed. If the field is to be used for livestock then a Kissing gate of a design agreed by the County Council may be installed.
  - c. A fingerpost to the agreed LCC specification should be installed where the alternative footpath leaves Main Street. The existing fingerpost located where the diverted route meets Main Street should be adapted and

relocated to sign the unaffected section of Public Footpath O60 which runs east of Main Street. The District Council should make the applicant aware that the fingerposts will be provided and installed / relocated by the Highway Authority, but reimbursement of the costs of carrying out this work will be sought from the applicant.

- d. LCC Standard waymark pots should be installed at points E and C and on the plan.
5. The Developer is hereby required to pay the cost of carrying out the said works.
6. This Order may be cited as the District of North West Leicestershire (Footpath O60 Main Street, Normanton le Heath) Public Path Diversion Order 2019.

## **SCHEDULE**

### **PART 1**

#### **DESCRIPTION OF SITE OF EXISTING FOOTPATH**

The section of footpath O60 within the Parish of Normanton le Heath and the District of North West Leicestershire, as shown by a bold black line on the plan, which extends from the point marked 'A' on the plan, situated at Grid Reference 43763 31287 in generally south easterly and east south-easterly directions for a total distance of approximately 100 metres to the point marked 'B' on the plan, situated at a junction with Main Street (Grid Reference 43771 31281)

*The footpath to be diverted has no recorded width.*

### **PART 2**

#### **DESCRIPTION OF SITE OF ALTERNATIVE FOOTPATH**

A footpath, reference O60, within the Parish of Normanton le Heath with and the District of North West Leicestershire, as shown by bold black dashes on the plan which will extend from the point marked 'A' on the plan, previously described, in a generally south easterly direction for a distance of approximately 60 metres to the point marked 'C' on the plan, situated at Grid Reference 43768 31284; then continuing in a generally south south-easterly direction for a distance of approximately 8 metres to the point marked 'D' on the plan situated at Grid Reference 43768 31283 then continuing in a generally east south-easterly direction for a further distance of approximately 35 metres to the point marked 'E' on the plan, situated at a junction with Main Street (Grid Reference 43771 31281)

The common seal of the North West Leicestershire District Council  
is hereunto affixed 18 JULY 2019  
In the presence of





13536

I hereby certify that this is a true copy of  
the original.

Signed: .....

Name: .....

Solicitor

Dated: .....

13<sup>TH</sup> MARCH 2020

437800 437780



**Footpath Proposed to be Diverted (A-B)**

**Proposed Alternative  
Footpath (A-C-D-E)**

### Unaffected Public Footpaths

Scale 1:1250

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