

# NOTICE OF ORDER

## HIGHWAYS ACT 1980 SECTION 119

Essex County Council  
Public Path Diversion Order 2015 Footpath 12 Ulting in the District of  
Maldon

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 April 2016.

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 12 Ulting in the District of Maldon as shown on the Order map contained in this Order. The diversion is required by the landowner to divert a 125 metre length of Footpath 12 at Church Cottages (CM9 9QY). A part length of Footpath 12 Ulting starting from Church Road north of the Old Post Office and running in a south westerly direction across the field and then a west south westerly direction through the garden of Church Cottage south of the residence for a distance of 125 metres to the access drive which is the approach to All Saints Church Ulting, will be diverted to a new route being 2 metres in width commencing from Church Road north of the cemetery, 90 metres further to the west than the current definitive path and running in a southerly direction along the access drive which is the approach to All Saints Church Ulting for a distance of 96 metres to the aforementioned above point where it continues unaffected. This land is owned by the Church of England Diocese of Chelmsford and they have given consent to divert the footpath onto their land. It is already currently used by the public.

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 FPS/Z1585/4/28 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 and Service Department, A2 County Hall, Market Road, Chelmsford, Essex CM1 1QH. Telephone: 01245 342886.

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

### **Within 2 weeks of the start date [by 10 May 2016]**

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, although 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 June 2016]**

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 copies (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, 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 copy (excluding copies of any supporting documents, although these will be available to view at the Authority's offices) to the Authority, everyone who has made an objection or representation and any other person who has written to us in respect of the Order.

### **Within 14 weeks of the start date [by 2 August 2016]**

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 2015  
FOOTPATH 12 ULTING**

**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 12 ULTING**

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 interests of the owner 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 all costs which are incurred in bringing the new site of the path into a fit condition for use by the public

Maldon District 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 known as Footpath 12 (part) over the land situated at Church Cottages in the Parish of Ulting in the District of Maldon and shown by a bold black continuous line on the plan numbered ULT 12A 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. 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 Church Cottages in the Parish of Ulting in the District of Maldon described in Part 2 of the Schedule and shown by a bold black broken line on the plan numbered ULT 12A contained in this Order.

**Plan NO. ULT-12 A**

Division of Footpath 12 Ulting

Route to Close A-B

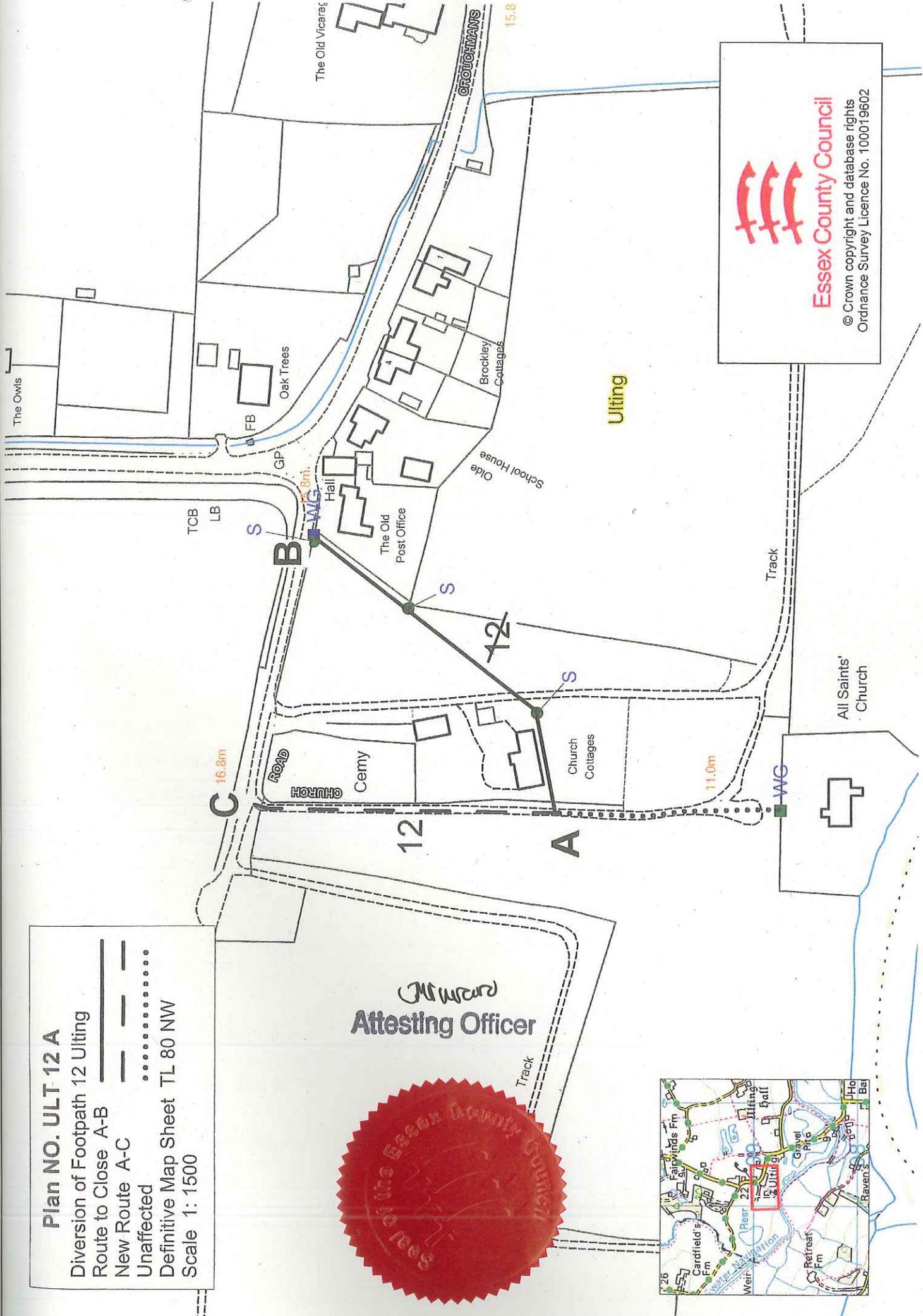
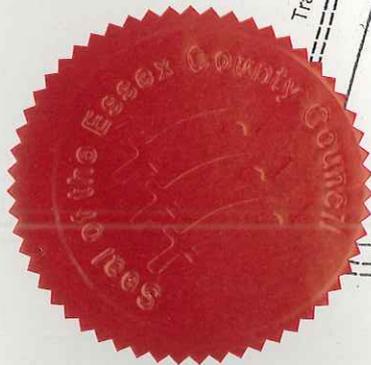
New Route A-C

Unaffected

Definitive Map Sheet TL 80 NW

Scale 1:1500

*(Signature)*  
**Attesting Officer**



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## SCHEDULE

### [PART 1]

#### DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 12 Ulting of undefined width and shown by a bold black continuous line on the Order Map starting from point **B** on Church Road north of the Old Post Office and running in a south westerly direction across the field and then a west south westerly direction through the garden of Church cottages south of the residence for a distance of 125 metres to point **A** to the access drive which is the approach to All Saints Church Ulting.

### [PART 2]

#### DESCRIPTION OF SITE OF NEW PATH OR WAY

A Footpath being 2 metres in width shown by a bold black broken line on the Order Map commencing at point **C** from Church Road north of the cemetery, 90 metres further to the west than the current definitive path and running in a southerly direction along the access drive which is the approach to All Saints Church Ulting for a distance of 96 metres to the aforementioned point **A** where it continues unaffected.

Given under the Common Seal of the Essex County Council this *Eight* day of *May* 2015

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

*G. McWard*

Attesting Officer:



*34130*

Dated: 8<sup>th</sup> day of May 2015

**PUBLIC PATH DIVERSION ORDER**

**HIGHWAYS ACT 1980  
SECTION 119**

**Footpath 12 (part) in the  
Parish of Ulting in the District of  
Maldon**

Philip Thomson  
Director of Essex Legal Services

Seax House  
Victoria Road South  
Chelmsford  
Essex CM1 1QH