

ESSEX COUNTY COUNCIL

PUBLIC PATH DIVERSION ORDER 2023

FOOTPATH 39 RAYNE

IN THE DISTRICT OF BRAINTREE

HIGHWAYS ACT 1980 - SECTION 119

PUBLIC PATH DIVERSION ORDER

ESSEX COUNTY COUNCIL
HIGHWAYS ACT 1980 – SECTION 119
PUBLIC PATH DIVERSION ORDER
FOOTPATH 39 RAYNE

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.

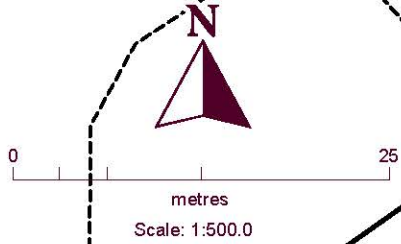
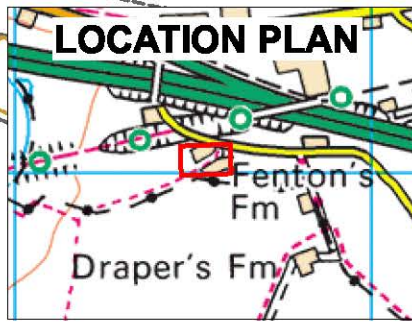
The landowner has agreed to defray any compensation which becomes payable in consequence of the coming into force of this order and any expenses incurred in the order making and bringing the new site of the path into a fit condition for use by the public.

Braintree District Council have been consulted as required by section 120(2) of the 1980 Act.

BY THIS ORDER:

- 1) The public right of way over the land situated south of Fentons Road known as Footpath 39 Rayne in the District of Braintree and shown by a bold continuous line on the order map numbered PROW-23-20_Rev.25.8.23 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 south of Fentons Road known as Footpath 39 Rayne in the District of Braintree as described in Part 2 of the Schedule and shown by a bold broken line on the order map numbered PROW-23-20_Rev.25.8.23 contained in this order.
- 3) The rights conferred on the public under this order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Fenton's Farm



FENTONS ROAD

Little Fentons

Pond

E0723



Digitally signed by Essex County Council
Date: 2023.11.06 16:50:25 Z

J Millward, Attesting Officer

gap to the side of an existing gate

DIVERSION OF FOOTPATH 39 RAYNE BRAINTREE DISTRICT SECTION 119 HIGHWAYS ACT 1980

Plan No. PROW-23-20_Rev.25.8.23

Key:

Route to Close A-B



New Route A-C-B



Unaffected Route



Definitive Map Sheet TL72SW

Scale 1:500 (A4 paper)

Grid Reference at A 57154,22207

Post Code at A CM77 6SL

F 1.52m RH

1.52m RH



SCHEDULE

(PART 1)

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 39 Rayne of unknown width shown by a bold continuous line on the order map commencing from point **A** at grid reference 57154,22207 from Fentons Road running along a surfaced driveway to Fentons Farm in a south easterly direction then south westerly direction where it continues as a natural surfaced path through boundary features for a total distance of approximately 109 metres to point **B** at grid reference 57148,22201 where it continues unaffected.

(PART 2)

DESCRIPTION OF SITE OF NEW PATH OR WAY

A footpath being 2 metres in width shown by a bold broken line on the order map commencing at the aforementioned point **A** running in a south westerly direction along a surfaced track for a distance of approximately 85 metres to point **C** at grid reference 57148,22201 where it passes through a 1.5 metre gap to one side of an existing gate then continuing at a width of 2 metres in a south westerly direction for a final distance of approximately 6 metres to the aforementioned point **B** where it continues unaffected.

[PART 3]

LIMITATIONS AND CONDITIONS

<p>1. At the point marked C on the Order Map (PROW-23-20_Rev.25.8.23) directly adjacent to the north western side of the field gate, (grid reference 57148,22201)</p>	<p>The right of the landowner to maintain a gap of 1.5 metres subject to its removal should the limitation become unnecessary whereby an available width shall remain of 2 metres, this being the dedicated width of the path as specified in Part 2 of the Schedule</p>
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The COMMON SEAL of ESSEX COUNTY COUNCIL was hereunto affixed on the Sixth day of November 2023

E0723

In the presence of
Jacqueline Millward
Attesting Officer



Digitally signed
by Essex County
Council
Date: 2023.11.06
16:51:35 Z

Dated: 6th day of November 2023

PUBLIC PATH DIVERSION ORDER

**HIGHWAYS ACT 1980
SECTION 119**

Footpath 39 Rayne in the District of Braintree

Paul Turner
Director, Legal and Assurance

Seax House
Victoria Road South
Chelmsford
Essex
CM1 1QH

**HIGHWAYS ACT 1980
SECTION 119**

PUBLIC PATH DIVERSION ORDER 2023

FOOTPATH 39 RAYNE

IN THE DISTRICT OF BRAINTREE

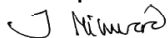
ESSEX COUNTY COUNCIL in exercise of the powers conferred upon them in that behalf, hereby confirm the foregoing Order:

THIS ORDER IS HEREBY CONFIRMED AS UNOPPOSED ORDER

The COMMON SEAL of the ESSEX COUNTY COUNCIL was hereunto affixed on the nineteenth day of February 2024

E0766

in the presence of



Jacqueline Millward
Attesting Officer

Dated: 19th February 2024

CONFIRMATION ORDER

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980 SECTION 119

Footpath 39 in the Parish of Rayne
in the District of Braintree

PAUL TURNER
Director, Legal and Assurance

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