

ESSEX COUNTY COUNCIL

PUBLIC PATH DIVERSION ORDER 2022

FOOTPATH 11 BLACK NOTLEY

IN THE DISTRICT OF BRAINTREE

AND

IN THE PARISH OF GREAT AND LITTLE LEIGHS

IN THE ADMINISTRATIVE AREA OF THE CITY OF CHELMSFORD

HIGHWAYS ACT 1980 – SECTION 119

PUBLIC PATH DIVERSION ORDER

ESSEX COUNTY COUNCIL
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FOOTPATH 11 BLACK NOTLEY

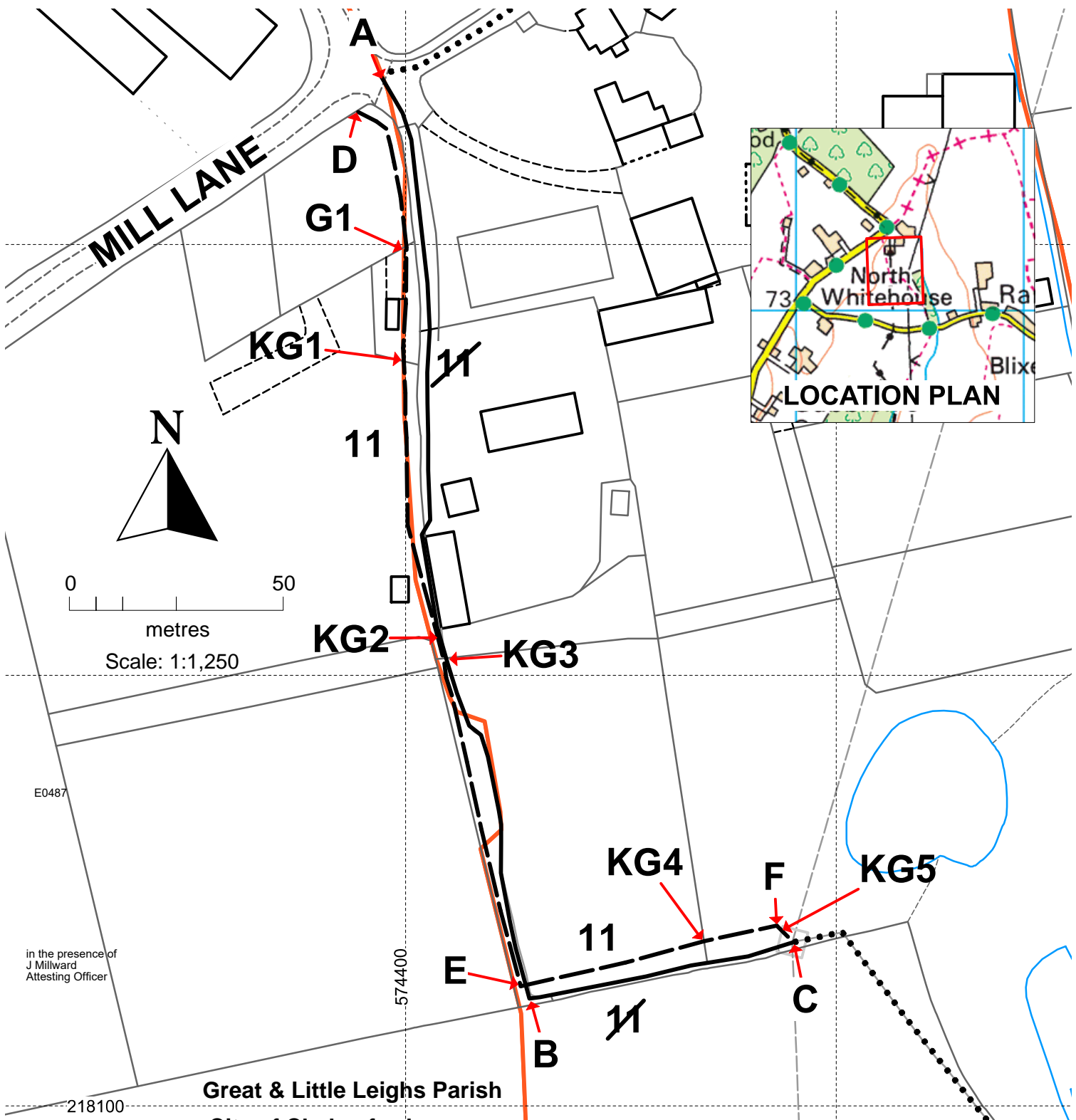
This Order is made by Essex County Council (“the authority”) under section 119 of the Highways Act 1980 (“the 1980 Act”) because it appears to the authority that in the interest of the owner of the land crossed by the footpath described in paragraph 1 of this order it is expedient that the line of the path should be diverted.

The applicant 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 and Chelmsford City Council have been consulted.

BY THIS ORDER:

- 1) The public right of way over the land situated south of Mill Lane known as Footpath 11 Black Notley in the Parish of Black Notley in the District of Braintree and crossing into the Parish of Great and Little Leighs in the Administrative Area of the City of Chelmsford and shown by a bold continuous black line on the order map numbered PROW-20-02 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 Mill Lane known as Footpath 11 Black Notley in the Parish of Black Notley in the District of Braintree and crossing into the Parish of Great and Little Leighs in the Administrative Area of the City of Chelmsford as described in Part 2 of the Schedule and shown by a bold broken black line on the order map numbered PROW-20-02 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.



in the presence of
J Millward
Attesting Officer

Great & Little Leighs Parish
City of Chelmsford

Black Notley Parish
Braintree District

← Parish & District Boundary

**DIVERSION OF FOOTPATH 11
BLACK NOTLEY
DISTRICT OF BRAINTREE
SECTION 119 HIGHWAYS ACT 1980
Plan No. PROW-20-02
Key**

Route to Close A-B-C	—————
New Route D-E-F-C	- - - - -
Unaffected Routes

Definitive Map Sheet TL71NW Scale 1:1250 at A4
Grid Ref at A 574394 218340
Post Code at A - CM3 1PU

Essex County Council

SCHEDULE

(PART 1)

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 11 Black Notley 6 feet in width shown by a bold continuous black line on the order map commencing from point A at grid reference 574394 218339 at the junction of Mill Lane and Lynderswood Lane running generally in a southerly direction along a private driveway then through horse paddocks (where the footpath crosses the boundary into the Parish of Great and Little Leighs for approximately 27 metres) before crossing back into the Parish of Black Notley for a total distance of approximately 220 metres to point B at grid reference 574428 218125 then continuing in a generally easterly direction for a final distance of approximately 63 metres to point C at grid reference 574491 218138 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 black line on the order map commencing at point D at grid reference 574387 218331 running in a generally southerly direction within the Parish of Great and Little Leighs for approximately 27 metres then crossing the boundary into the Parish of Black Notley close to point G1 then continues in a generally southerly direction through horse paddocks (where the footpath again crosses the boundary into the Parish of Great and Little Leighs for approximately 33 metres) before crossing back into the Parish of Black Notley for a further distance of approximately 150 metres being a total distance of approximately 210 metres to point E at grid reference 574427 218128. The path then runs in a generally easterly direction for a further distance of approximately 62 metres to point F then continuing in a south easterly direction for a final distance of approximately 4 metres to the aforementioned point C.

[PART 3]
LIMITATIONS AND CONDITIONS

1. At the point marked **D** on the order map (PROW-20-02) located in the boundary hedge at grid ref 574389 218332

The right of the landowner to maintain a gap of 1.2 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

2. At the point marked **G1** on the order Map (PROW-20-02) located adjacent to a field gate at grid reference 574401 218300

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

3. At the point marked **KG1** on the order Map (PROW-20-02) located in the fence at grid reference 574399 218273

The right of the landowner to erect and maintain a kissing gate of a specification agreed with the Highway Authority, subject to its removal should the management of livestock cease in the meadow to which the gate is preventing the egress of animals, whereby a gap shall remain of 2 metres, this being the dedicated width of the path as specified in Part 2 of the Schedule

4. At the point marked **KG2** on the order Map (PROW-20-02) located in the hedge boundary at grid reference 574408 218210

The right of the landowner to erect and maintain a kissing gate of a specification agreed with the Highway Authority, subject to its removal should the management of livestock cease in the meadow to which the gate is preventing the egress of animals, whereby a gap shall remain of 2 metres, this being the dedicated width of the path as specified in Part 2 of the Schedule

5. At the point marked **KG3** on the order Map (PROW-20-02) located in the hedge boundary at grid reference 574409 218206

The right of the landowner to erect and maintain a kissing gate of a specification agreed with the Highway Authority, subject to its removal should the management of livestock cease in the meadow to which the gate is preventing the egress of animals, whereby a gap shall remain of 2 metres, this being the dedicated width of the path as specified in Part 2 of the Schedule

6. At the point marked **KG4** on the order Map (PROW-20-02) located in the hedge boundary at grid reference 574469 218137

The right of the landowner to erect and maintain a kissing gate of a specification agreed with the Highway Authority, subject to its removal should the management of livestock cease in the meadow to which the gate is preventing the egress of animals, whereby a gap shall remain of 2 metres, this being the dedicated width of the path as specified in Part 2 of the Schedule

7. At the point marked **KG5** on the order Map (PROW-20-02) located in the hedge boundary at grid reference 574485 218140

The right of the landowner to erect and maintain a kissing gate of a specification agreed with the Highway Authority, subject to its removal should the management of livestock cease in the meadow to which the gate is preventing the egress of animals, whereby a gap shall remain of 2 metres, this being the dedicated width of the path as specified in Part 2 of the Schedule

The COMMON SEAL of the ESSEX COUNTY COUNCIL was hereunto affixed on the Twentieth day of October 2022

E0487

in the presence of
Jacqueline Millward
Attesting Officer

Dated: 20th day of October 2022

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980 - SECTION 119

Footpath 11 in the Parish of Black Notley in
the District of Braintree and crossing into the
Parish of Great and Little Leighs in the
Administrative Area of the City of Chelmsford

Paul Turner
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Essex Legal Services

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