

PROPOSED DIVERSION OF FOOTPATH 14, EASTWOOD

1 SUMMARY

- 1.1 This report is to consider an application received from Mr and Mrs Martin of 'Lichfield' Edwards Hall Park to divert the Public Footpath 14 in Eastwood.

2 INTRODUCTION

- 2.1 This application is made under section 119 of the Highways Act 1980 which enables this Council to divert a public footpath in the interests of the owner of the land crossed by the path or in the interests of the public, provided the diversion does not alter its termination point and the new route is no less convenient.

3 PROPOSED DIVERSION

- 3.1 An application was submitted by the owners of Lichfield to resolve a long-standing issue regarding the legal route of Footpath 14 being blocked. Essex County Council has been aware of this problem for many years. The legal route actually runs through the applicants' land shown by the bold black line on the appended plan. The applicant moved into Lichfield just under two years ago and had inherited this problem from the previous owner.
- 3.2 The residents in Wren Close have purchased the land to the rear of their properties as an extension to their gardens and this area is shown hatched on the plan. The current route in use, shown by the broken black line, has been in use for over 10 years and acts as a boundary between Lichfield and houses in Wren Close.
- 3.3 The Footpath crosses Bosworth Road onto land adjacent to Lichfield. It has been recommended by the Highways Authority that the small section, approximately 28m between points B and C, will be extinguished.
- 3.4 The applicants have undertaken informal consultation with their neighbours and they have shown support for this application.
- 3.5 The Highways Authority supports this application and has commended the applicants' maintenance work carried out on the current route in use.

4 ENVIRONMENTAL IMPLICATIONS

- 4.1 The new path will be equally convenient for the public and a more pleasant route to walk.

5 RESOURCE IMPLICATIONS

5.1 The applicant will be responsible for the expenses of the Diversion Order.

6 LEGAL IMPLICATIONS

6.1 In the event that the Committee supports the proposed Diversion Order, statutory consultation will be undertaken and any representations will need to be considered prior to confirmation of the Order.

7 RECOMMENDATION

7.1 It is proposed that the Committee **RESOLVES**

- (1) That the proposal to divert footpath 14, as shown on the attached plan, be approved.
- (2) That the Head of Legal Services be authorised to take all necessary steps to secure the making and confirmation of a Public Path Diversion Order under the terms of section 119 of the Highways Act 1980 to give effect to the proposed diversion.

Albert Bugeja

Head of Legal Services

Background Papers:-

None

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