

ESSEX COUNTY COUNCIL

PUBLIC PATH DIVERSION ORDER 2020

FOOTPATH 39 STANWAY

**IN
THE BOROUGH OF COLCHESTER**

**TOWN & COUNTRY PLANNING ACT 1990 - SECTIONS 257 & 261
PUBLIC PATH DIVERSION ORDER**

ESSEX COUNTY COUNCIL
TOWN & COUNTRY PLANNING ACT 1990 – SECTIONS 257 & 261
PUBLIC FOOTPATH DIVERSION ORDER
FOOTPATH 39 STANWAY

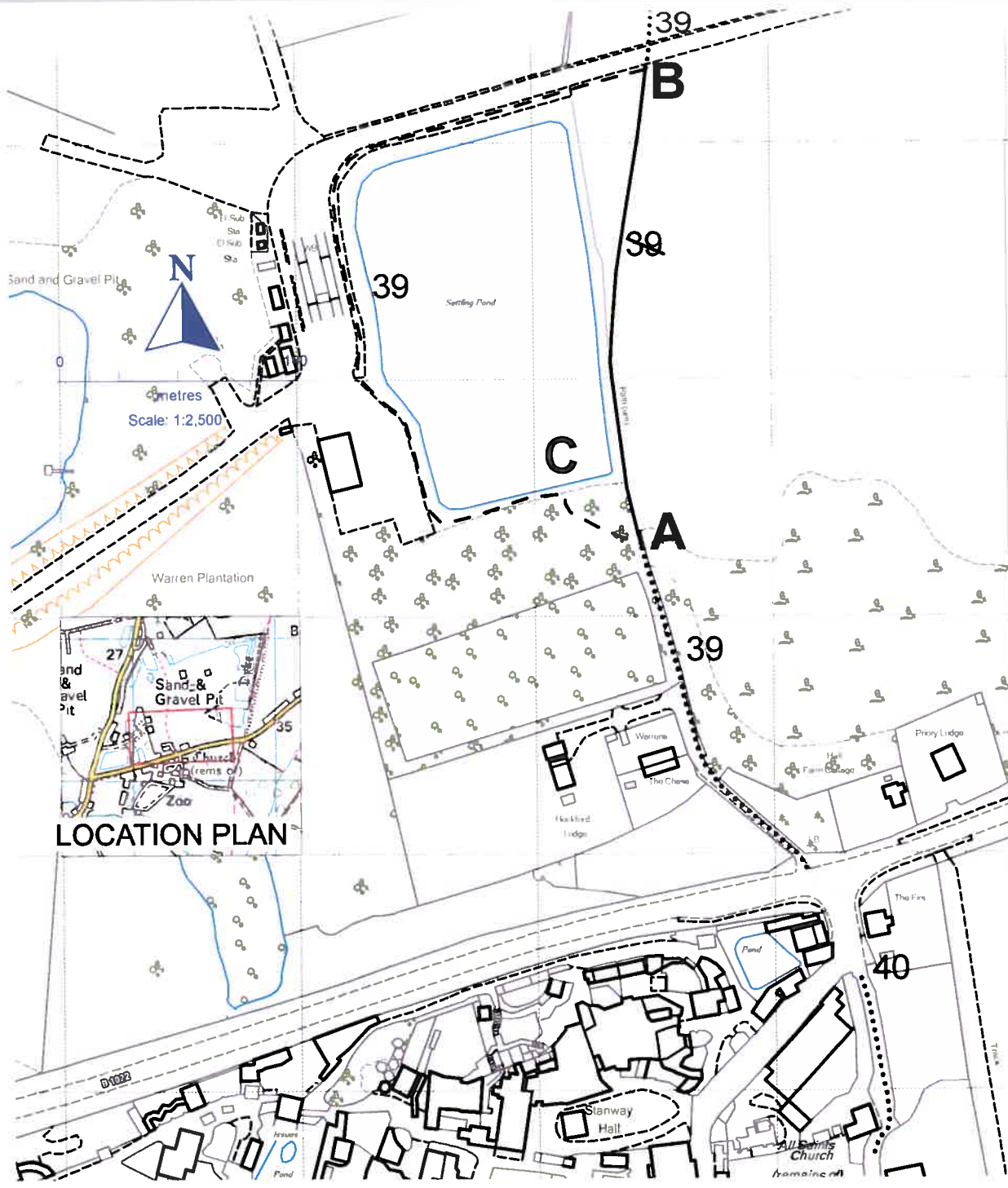
This Order is made by Essex County Council (“the authority”) under Sections 257 & 261 of the Town and Country Planning Act 1990 (“the 1989 Act”) because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 for Stanway Quarry namely: access to enable the infilling of extraction sites pursuant to the restoration of the site by 31 December 2024 as per planning approval no. ESS/23/14/COL dated 23 March 2015.

BY THIS ORDER:

1. A part length of the public right of way over the land situate in Stanway Quarry north of Maldon Road known as Footpath 39 in the parish of Stanway in the Borough of Colchester and shown by a bold continuous line on the order map numbered PROW-20-15 rev.14.05.20 contained in this order and described in Part 1 of the Schedule to this order shall be temporarily stopped up not beyond 31st December 2024.
2. There shall be created to the reasonable satisfaction of Essex County Council an alternative highway to be fenced along its course kept free of vegetation and on a firm an even surface with appropriate warning signs for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the said order map.
3. The diversion of the footpath shall have effect upon Confirmation of this Order.

4. Tarmac Trading Ltd whose registered office is situate at Portland House Bickenhill Lane Solihul Birmingham B37 7BQ are hereby required to pay the full costs of seeking this Order; this to include costs of advertising and administration, accommodation costs for any resulting hearing or inquiry, and the removal or abandonment of any apparatus, including the cost of providing any telecommunications apparatus rendered useless under, in, on, over, along or across the path to be stopped up.

6. Where immediately before the date on which part of the footpath is diverted, there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.



**DIVERSION OF FOOTPATH 39 STANWAY
DISTRICT OF COLCHESTER
SECTIONS 257 & 261
TOWN & COUNTRY PLANNING ACT 1990**

Plan No. PROW-20-15 rev. 14.05.20
Key:

- Route to Close Temporarily A-B
- New Temporary Route A-C-B
- Unaffected Routes

Definitive Map Sheet TL92SE
Scale 1:2,500 (A4 paper)
Grid Reference at A 59524,22233
Post Code at A CO3 0SL



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[Signature]
Attesting Officer

SCHEDULE

[PART 1]

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 39 Stanway shown by a bold black continuous line on the order map starting from point **A** at grid reference 595924,22233 at the edge of a wooded area running in a generally northerly direction for a total distance of approximately 202 metres to point **B** at grid reference 59524,22253 where it connects to the quarry haul road and continues unaffected

[PART 1]

DESCRIPTION OF SITE OF NEW PATH OR WAY

A Footpath being 2 metres in width shown by a bold black dashed line on the Order Map commencing at the aforementioned point **A** running in a north westerly direction for a distance of approximately 41 metres through a wooded area to point **C** at grid reference 59521,22235 continuing around the settling pond in a west south-westerly then north north-westerly then east north easterly direction for a final distance of approximately 351 metres to the aforementioned point **B** adjacent to the quarry haul road where it continues unaffected

Given under the Common Seal of Essex County Council this *Sixteenth* day
of *September* 2020

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

Robert
Attesting Officer:



41148

Dated: 16th day of September 2020

PUBLIC PATH DIVERSION ORDER

**TOWN AND COUNTRY PLANNING ACT 1990
SECTIONS 257 & 261**

Footpath 39 in Stanway in the Borough of
Colchester in the County of Essex

Paul Turner
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