



29-8-2024

Dear Ms Potter

I write to object to the proposed rerouting of Footpath 65 designed to circumvent Mount Nebo, Brickwall Farm Sible Hedingham.

At present the footpath leaves a small private road a few yards past Brickwall Farm and meanders past Mount Nebo through pleasant countryside. The proposed redirection would see the footpath run along the road. Mount Nebo was, until recently, used as a nursery for pre school children and the road was used by vehicles making their way to the nursery. The road is not wide enough for two vehicles travelling in opposite directions to pass and one could regularly witness traffic issues occurring, with much reversing and shunting. It is now used by farm vehicles and vehicles accessing Mount Nebo for building projects and events being held in a field near the building. It is by no means a quiet track and is neither built for nor is it conducive to quiet enjoyment of foot passengers and vehicular traffic to use concurrently. Indeed such is the nature of road, which has fences on either side and few passing places, that I would contend that foot passengers must be in very real danger of injury when sharing it with vehicular traffic. It must also be considered that many using footpaths in this area, do so whilst walking dogs, which can only add to the dangers.

It is proposed, I believe, to hold weddings and other community events at Mount Nebo and the surrounding area. Such events must generate a good deal of traffic and such traffic may well be using the road/footpath at all times of day and no doubt at times night. This cannot be considered safe by anyone's standards.

The current route, runs for only a few yards in the region of Mount Nebo and cannot interfere with persons inside the building, or for that matter with many outside. The route is safe for foot passengers and takes in beautiful countryside rather than tarmac and vehicles.

If, as the application states, the number of events will be few, then it may be convincing argued that the proposed redirection of the footpath is not proportionate to the magnitude of inconvenience and danger caused to footpath users when measured against the perceived need for privacy pleaded by the owners of the property.

Yours sincerely

FTAO Sarah Potter

Definitive Map Service  
Essex County Council  
Seax House  
2<sup>nd</sup> Floor  
Victoria Road South  
Chelmsford  
CM1 1QH

20<sup>th</sup> August 2024

Re: Objection to Public Path Diversion Order 2024/ **Footpath 65 Sible Hedingham**

Dear Ms Potter

I write regarding the proposed path diversion to footpath 65 Sible Hedingham and wish to submit my strong objection to this proposed change.

I am not sure if you are aware of to what extent the owners of Brickwall Farm have gone to already in order to make it difficult for anyone to use the current footpath that I have used for many years. Some if it dangerous to health and safety, I have photos of all of the following concerns I have with this proposed change and would welcome you should you wish to meet and walk the route.

The change you propose would mean the public would be directed away from the beautiful lake and tree lined path to a dusty track that would not allow one to view the lake or enjoy the walk as it currently stands. There is a bench on this path by the lake that allowed me to rest and take in a beautiful view that has since had a metal rail fence put up in front of it. I have met many a rambler who like to walk the ordinance survey routes etc so I know I am not alone, however your sign is not clear and I walked passed it many a time before reading it and realising it was for my information. Surely this is your main role, to protect current footpaths and not allow private owners to dictate and change that for themselves and remove the access from the general public. We rely on people like you to look after our interests and I hope you can fight this for us and see the benefit of agreeing this will benefit three to four people who will be the family that own the farm, the benefit of not allowing it will benefit many now and in the future, allowing our families and children to continue to enjoy these areas as they are.

In addition, the reason for the change is not one of protection or conservation but rather to accommodate the weddings and receptions they have recently started to hold where that path runs. Weddings and receptions that mean a whole marquee is set up and sets of toilets along with electric being run across this public footpath right by the lake, they obviously do not want the public interfering with these plans.

Furthermore the music this now creates can be heard across Sible Hedingham , I can hear it in my own garden on starlings hill and have seen posts on the local Sible page where people are asking where the music is coming from and can even name the song!!

I am also very upset and request your assistance where the owners have set up a feeding station for their Bull and cows 2 metres away from the gate into the field at point **D** on your map and I have many photos of a huge bull right at the gate, extremely intimidating and very fretful , yet they have numerous fields to place them in, resulting in dangerous livestock meeting me or my dog and the place littered with cow dung.

More recently having had the Bull and cows in place right by the gate to the footpath over Autumn, Winter and beginning of spring they are now located in the field to the left of your point **A**, right in the middle of the public footpath again despite having many other locations, this is not a coincidence. Strangely they are moved when there is a wedding on.

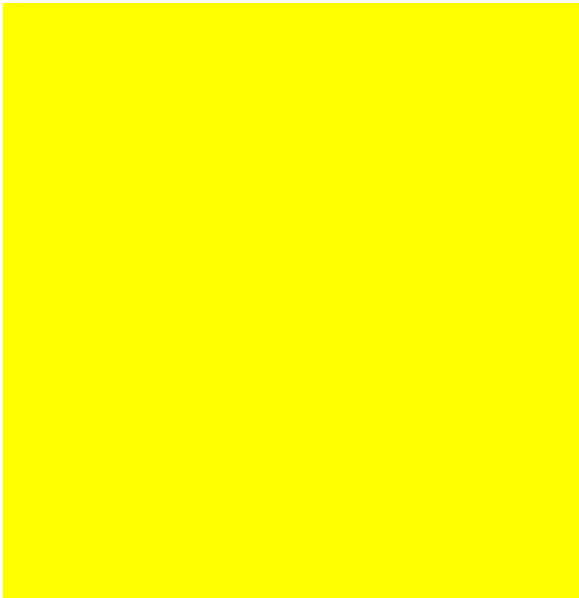
I would also like to point out, they have also fenced off another public footpath off of Starlings Hill. As you turn into Starlings hill there is a public footpath opposite the first house (a bungalow), the house is on your left, the entrance to the field and public footpath sign is opposite. I also used to walk there but they have now run electric wire across both knee and throat height and blocked this off many months ago. I would like to use this again and would ask that they are made to open this up again. They are also ensuring the crops are so close to the edge of the field to walk a child or dog without them touching electric fencing is next to impossible.

It is clear that they are doing all they can to keep the general public off their land where we have a right of way, a bit at a time, hoping no one, including the council, notices. They have their weddings and are now pushing the public away, playing loud music and now changing a Public Footpath that has been in place for many many years, removing the ability of others to access this area.

My offer to meet you and run through these issues, show you the areas I am concerned about and if required share the photos remains should you wish to meet me.

Please help keep the countryside and the areas of beauty accessible to the public, whilst this may not seem a great deal to some, it is by doing this a little at a time we will turn round one day and see we have lost a great deal, in this case, just so they can make money from renting the area of beauty and pushing the public away.

Thank you for taking the time to read this and I look forward to receiving your response.



**From:** [Andrew Ritchings](#)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Objection to Public Path Diversion Order 2024 - Footpath 65 Sible Hedingham  
**Sent:** 13/12/2024 16:00:00

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Dear [REDACTED]

**RE: HIGHWAYS ACT 1980 SECTION 119 – DIVERSION OF FOOTPATH 65 SIBLE HEDINGHAM, BRAINTREE**

Thank you for your letter dated 20/08/2024 and taking the time to respond to the public consultation associated with the above-mentioned public path diversion proposal. The Officer to whom your letter was addressed has since departed County Council employment, and I am now the Officer taking over the progress of the application.

Whilst one of the functions of the Highway Authority is to assert and protect rights of way across the County there does also exist a legal vehicle by which applicants (usually respective landowners) are able to apply to have public paths diverted and even extinguished. In most cases the relevant authority utilising powers to make public path orders is the County Council though other authorities possess such powers. And whilst it is the County Council's preference to make these orders, landowners are also able to apply directly to the Secretary of State, in such cases the Council would solely become a consultee and therefore lose an element of control over application outcomes, it is my opinion local authorities have a more vested interest and knowledge of their own districts.

When assessing to make Public Path Orders the Highway Authority (HA) will apply various criteria as laid out in the respective Section 119 Highways Act 1980 legislation, the first test applied which is weighted alongside the use of the public is whether the Order being made is in the interests of the landowner. It is the HA's opinion in this particular case the landowner has demonstrated the footpath should be diverted in order for them to be able to manage their livestock and farmland in a more beneficial manner to them and provide an increased privacy and security for the commercial property by which part of the path passes in close proximity. However, Although the interest of the landowner is a major factor in any public path order proposal the public's use of any proposed alternative is also taken into consideration in terms of convenience and enjoyment of the path which is obviously an area of much subjectivity.

I have read your well-considered objection to the proposed change of alignment; it is always the HA's preference to address concerns raised to public path order consultations as it is preferable to progress such Order's unopposed rather than to seek determination from the Secretary of State who has the ultimate decision whether a path is diverted, refused or modified to an alignment at their discretion. To that extent I would be happy to meet you on site to discuss your respective concerns, though I will be mainly focused on the sections of path subject to the order rather than the wider network, but I can also advise how best to approach those matters. Sometimes it can be beneficial for conflicting parties also to meet and discuss the merits of proposed public path changes but I'm sure you can appreciate emotions can also cause further disagreements, therefore please advise if you also wish the applicant/landowners to accompany us and propose any potential dates. My working days are Wednesday to Fridays only with a preference to meet on Thursdays though I can be available on Wednesday and Fridays if needed.

I can also be contacted on the below number should you wish to discuss over a telephone conversation.

Kind regards

Andrew

Andrew Ritchings | Public Path Order & Development Officer  
Public Rights of Way



**SAFER GREENER HEALTHIER**

T: 07597 799573

E: [andrew.ritchings@essexhighways.org](mailto:andrew.ritchings@essexhighways.org)

W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



Please note my working days are Wednesday to Fridays only. It's unlikely your email will be addressed by myself outside these days. If your enquiry is urgent please contact [publicpathorders@essexhighways.org](mailto:publicpathorders@essexhighways.org) or telephone Customer Services on 0345 603 7631

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**From:** [Andrew Ritchings](#)  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: RE: Objection to Public Path Diversion Order 2024 - Footpath 65 Sible Hedingham  
**Sent:** 17/01/2025 10:41:00

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Dear [REDACTED]

Thank you for your time discussing matters subject to the above-mentioned order. As discussed the other issues separate from the legislative tests of the diversion proposal can be reported at this link [Tell us - Essex County Council](#)

Kind regards  
Andrew

Andrew Ritchings | Public Path Order & Development Officer  
Public Rights of Way



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From: [Andrew Ritchings](#)  
To: [REDACTED]  
Cc: [REDACTED]  
Subject: RE: Objection to Public Path Diversion Order 2024 - Footpath 65 Sible Hedingham  
Sent: 12/03/2025 15:10:00

Dear [REDACTED]

**PROPOSED DIVERSION OF FOOTPATH 65 SIBLE HEDINGHAM**  
Section 119 Highways Act 1980

Further to our previous communications regarding the above-mentioned public path order I have now had further discussions with the applicants and in a final attempt at addressing your concerns a suggestion has been made to propose the installation of a pedestrian passing place at a point along the lane where it is at its narrowest.

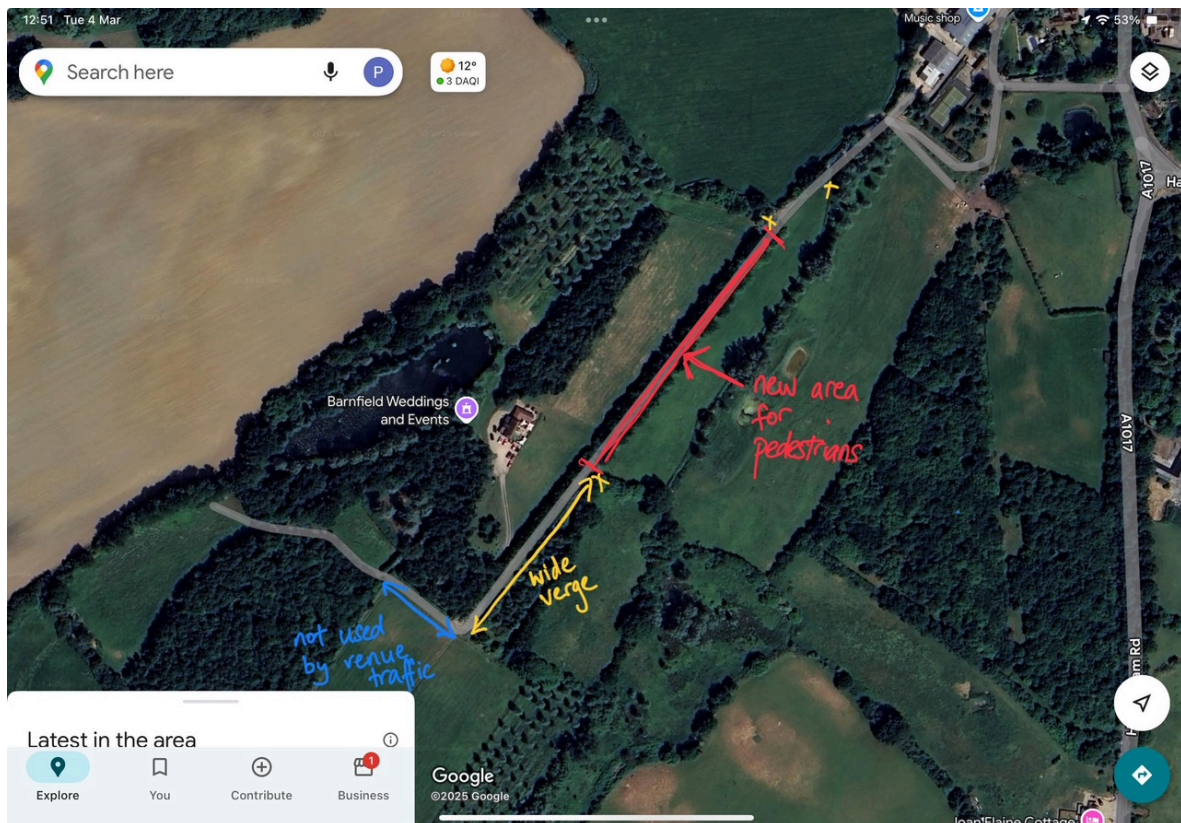
The attached plan shows this section of track marked in red and is less than 200m long. The passing place would be situated approximately halfway along this section and will be an area for pedestrian use only, it will be made available at 1.5 meters deep and approximately 2 metres in length. This would require moving a 2-metre section of the fencing back from the track, creating a rectangle which would be fenced on three sides and open to the track.

For your further information the approximate location of the other (already existing) passing places closest to the proposed diversion are marked with a yellow 'X'. Another section of the track shown as a yellow line has a very wide (at least 2m) verge along its length. The final section of the proposed diversion (marked in blue) is not used by venue traffic and is only very occasionally used (once a day at most, depending on the season, but often not for weeks at a time) by a farm vehicle.

It is hoped you could review the above proposal and if deemed a satisfactory solution re-consider your objection. This will be the final attempt at reaching a solution agreeable to all interested parties and if not satisfactory to you the matter will be forward to the Planning

Inspectorate for their determination. The final outcome will be at their discretion where they may not confirm the order leaving the situation as it currently exists, confirm the order with amendments or confirm the order as proposed deeming the passing place unnecessary.

I would be grateful to receive your response by 03/04/2025 and will assume if I do not hear from you by then you still wish to maintain your objection and the order will be sent to the Secretary of State along with all respective correspondence.



Yours sincerely  
Andrew

Andrew Ritchings | Public Path Order & Development Officer  
Public Rights of Way


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Highways

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**From:**   
**To:** [Andrew Ritchings](#)  
**Subject:** Re: Objection to Public Path Diversion Order 2024 - Footpath 65 Sible Hedingham  
**Attachments:** [image001.jpg](#); [image002.jpg](#); [image003.png](#); [image004.png](#); [image005.jpg](#);  
**Sent:** 13/03/2025 09:21:34

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Hi Andrew

I am very grateful you have tried to find a compromise however I fear any extended verge or passing place will just give the party goers more places to park. They park across all the verges now anyway on both sides.

As explained when I have walked that way due to a wedding party they were parked in the field and both sides of the wider verge currently in place forcing you into the middle of the road with staff hanging out there as well.


I still do not accept this is not a complete change from a. Safe area to walk to making the gen public walk in the roads where , certainly at times of wedding receptions and parties , it becomes a busy traffic area.

Thank you again but my objections still stand

Kind regards





**From:**   
**To:** [Sarah Potter](#)  
**Subject:** re: Sible Hedingham FP65 Made Order Brickwall Farm - Ramblers  
**Date:** 05 September 2024 23:41:22  
**Attachments:** [image001.png](#)  
[s119 MO Site Notice\\_FP56SibleHedingham.pdf](#)  
[SibleH 65 Made Order.pdf](#)

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It is noted that the third paragraph of the Made Order incorrectly states that Epping Forest District has been consulted. The stated consultee should have been Braintree District Council.

It is noted that no limitations are included in the proposed Order.

It is understood that it is the landowner's intention to use most of the area of the legal line of FP65 to the north-east of the Mount Nebo building, to graze cattle and sheep beneath the mature planted trees, which will provide shade.

The proposed footpath diversion route A-C is along the vehicular access track / road to the Mount Nebo building, which has planning permission as a wedding venue. There is therefore concern over vehicle / pedestrian conflict. It would be preferable if the 2 metre wide proposed A-C diversion route was alongside the vehicular access track rather than contiguous with it.

There is some concern about the arrangement of the gates at point D. It would be preferable if these were so organised that there was no requirement to interact with the cattle when back-tracking to point B or continuing on south-west along footpath 65.

The grid reference for point D appears to be incorrect - it is stated as 5781**6**,2325**0** in the Made Order. However checking against the EH PRoW Interactive Map indicates a grid reference of 5781**7**,2325**1**

