

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: WETHERSFIELD FP39 DIVERSION - objection
Sent: 06/07/2026 13:04:17

Good afternoon [REDACTED]

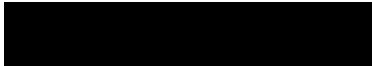
Thank you for your email the contents of which are noted.

We will not comment further on the working arrangements and responsibilities of the Essex Ramblers as these are internal matters for that organisation.
It remains the case that the OMA do not consider the objection points valid and would therefore like to express our continued regret that they are being maintained.

A decision will be made in due course by the OMA and applicant as to the next steps and consultees informed as appropriate.

Kind regards

[REDACTED] | Public Path Order and Development Officer



www.essex.gov.uk/highways



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED]
Sent: 24 June 2026 12:40

Subject: Re: WETHERSFIELD FP39 DIVERSION - objection

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

re: Braintree District - Wethersfield FP39 Made Diversion Order - objection on behalf of the Ramblers

1) In February 2020, I did not seek re-election as Essex Area Footpath Secretary at the Ramblers Essex Area AGM.

Nobody volunteered for the post at the AGM.

Subsequently [REDACTED] became the acting Area Footpath Secretary. [REDACTED] has been the duly elected Area Footpath Secretary at subsequent Essex Area AGMs.

2) Historically there was an Area Footpath Secretaries Committee, a sub-Committee of Essex Area Council. The Committee met in person. Members were the Group/District Footpath Secretaries and the Essex Area Footpath Secretary. The Committee business included Path Orders. The Ramblers members in the volunteer Group/District Footpath Secretary posts are confirmed at the annual Ramblers Essex Area AGM.

The last scheduled meeting of the Area FP Committee was 11 March 2020 called by [REDACTED] in his role as Acting Area Footpath Secretary. Alan's pre-meeting email included - **my bold..**

> *Situation Update on Group Footpath Secretaries Operation.*

>

> *Until the post of Area Footpath Secretary is filled, I have volunteered to act in a temporary capacity and will Chair the Footpath Committee scheduled for March 11th. This meeting will discuss the future operation of*

Footpath Secretaries. With this in mind it is hoped all appointed Footpath Secretaries would be able to attend to be involved in this important discussion.

>

> *As a first step the Executive Committee feel an understanding of the position and operational responsibility of all Footpath Secretaries be made clear.*

>

> ***All Footpath Secretaries are appointed by Area Council, the highest body in Essex Ramblers, to work on their own initiative and authority.***

> ***Decisions on diversions or path orders are solely that of the local Footpath Secretary. Area Officers will only rubber stamp this.***

> *Issues with blocked or non maintained PROW found and reported to ECC by local Footpath Secretaries, will be fully backed by Area Officers, and if requested they will provide support and direct involvement.*

>....

I have no further records about the Area Footpath Committee. I suspect that it was a casualty of COVID and that the March 2020 meeting did not happen.

3) Post-COVID: Ramblers Essex Area Council becomes the Essex Area [ROW] Hub

The problem of a lack of volunteers is experienced in many areas including Ramblers Essex Area Council. The North-West Essex group of the Ramblers Essex Area, which covered Braintree District, folded in 2024 because of a lack of volunteers for Committee posts in 2022/2023.

At the February 2024 Ramblers Essex Area AGM, the formation of the Area Hub with a more limited role than Area Council was approved. The approved Minutes include the Chairman's Report by [REDACTED] which included - my bold:

.. [REDACTED] explained, Essex had taken the decision to continue, ***but only dealing with Path Maintenance Issues.*** With an improved relationship with Essex Highways, and this being a major element of Ramblers work, concentrating of this made sense. The Area will therefore become a single function operation under the title ROW Hub, using the limited resources to support local volunteers and still represent Essex members.

[REDACTED] detailed the changes in operations, ***with the regular 3 monthly Hub meetings dealing Area Finance and Path Maintenance only.***

The meeting was asked to approve this change, which was accepted.

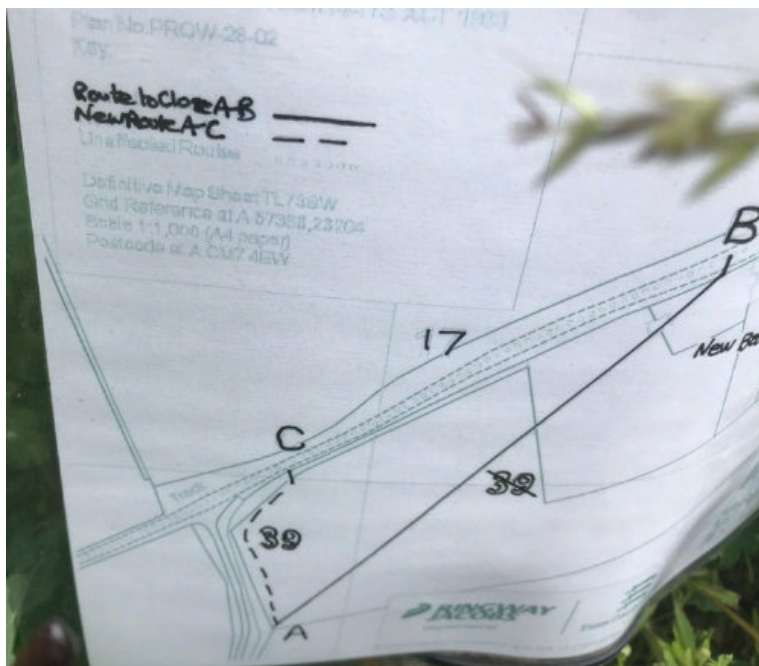
4) The Ramblers Essex Area Footpath Secretary therefore has no role in supporting or not supporting responses to Path Orders made by duly confirmed Ramblers Essex Area Footpath Secretaries.

5) The objection to the Wethersfield footpath 27 Made Diversion Order was made by myself and Paul as confirmed Ramblers Braintree District Footpath Secretaries and must be considered as the formal representation on behalf of the Ramblers. The response was discussed and agreed beforehand with Ramblers Central Office.

I repeat the final paragraph 4ii of the Objection:

4ii: Order Map displayed at point A: point C is higher up and east of the low point on the byway

Without prejudice: This diversion route would be at a distance from the dwelling / New Barns Farm buildings, would cross a small section of land that is not legally garden and would avoid the flood risk low point on byway 17. As such it would appear to meet the legislative test of not being less convenient to the public.



6) I do not recall any Braintree District objections that have been referred to PINS since 2020 where we have been the sole objectors on behalf of the Ramblers as Braintree District Footpath Secretaries.

██████████
 Ramblers-Braintree District Joint Footpath Secretary
 email: ██████████@██████████.com
 tel: ██████████

On 22/06/2026 09:49, ██████████ wrote:

RESTRICTED

Good morning ██████████

We were surprised and disappointed to receive your objection to this diversion proposal, which while benefiting the landowner in addressing their privacy and security issues, also provided a solution to a longstanding routing problem, which we know the Ramblers Association also wanted to see dealt with.

We cannot see the validity or applicability in the points that you have raised, which demonstrate an over reliance on and removal from context of EA flood data, an irrelevant reference to planning matters, and a miscalculation of the distance of the existing footpath route from the applicant's property based on a planning application plan (never something to rely on) instead of the footpath's actual location viz their dwelling.

In frustration at this, other recent objections (often as here, made as the sole objector), and what appears to be a worrying trend of looking to find issues and objecting without good cause, we referred your objection to ██████████ the Essex Ramblers Footpath Secretary. He agreed that the points raised were not valid in this circumstance and confirmed that on behalf of Essex Area Ramblers, he cannot support them.

In light of the above we do not now accept this objection as the formal representation of the Essex Ramblers and will now look to get the order confirmed.

██████████

██████████ | Public Path Order and Development Officer

Essex
Highways

██████████

www.essex.gov.uk/highways



Essex Highways is a partnership between
 Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED]
Sent: 15 June 2026 09:11
To: [REDACTED] [prg>](#)
Subject: Re: FW: WETHERSFIELD FP39 DIVERSION - objection

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Rob,

Thank you for your extra time offer. We did visit the site on 7 June.

I emailed the Ramblers objection on 10 June. However, your email made me realise that I had sent it to Ramblers central office, who I had been in touch with, rather than to yourselves.

The objection on behalf of the Ramblers is now attached.

As said in the objection, it is the view of the Ramblers that there has been a procedural irregularity with the posting on site of two different Order maps. If the opportunity was taken to modify the diversion route so that point C was further east "up" Bridleway 17, then without prejudice, such a diversion would appear to meet the legislative test of not being less convenient as well as moving the path away from the dwelling.

[REDACTED]
Ramblers-Braintree District Footpath Secretary
[REDACTED]

On 15/06/2026 08:31, [REDACTED] wrote:

RESTRICTED

Good morning [REDACTED]

Re my email of the 27th of last month.

I am enquiring if you have had the opportunity to reconsider your objection to this order?

As you know the PROW team are fully aware of and accept their maintenance responsibility in respect of their network and would not willingly create problems for themselves.

This application and order represent an opportunity to address an historic issue on a current alignment which is undeniably intrusive for the property owners.

I believe it is in everyone's interests to avoid unnecessary referrals for determination, especially as everyone's time and resources can be much better employed elsewhere.

If you wish to revisit the site before deciding I can wait to hear from you before I make my decision on a referral, though to be fair to applicant and to avoid the process

stalling, I would be grateful if you can get back to me with your thoughts by 29th June.

Kind regards

[REDACTED]

[REDACTED] | Public Path Order and Development Officer

Essex
Highways 

[REDACTED]

www.essex.gov.uk/highways



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED]
Sent: 27 May 2026 11:25
To: [REDACTED] <[REDACTED]@[REDACTED].com>
Cc: [REDACTED] <[REDACTED]@[REDACTED]>
Subject: RE: WETHERSFIELD FP39 DIVERSION - objection until flooding at C on Byway 17 dealt with

Hi [REDACTED]

As previously advised, there is no requirement for the HA or applicant to undertake works prior to the confirmation of an order.
However, in Essex it is our practice not to confirm orders until we are satisfied that a new route is acceptable.

To that end I would not confirm the order until Jason advises that he is happy with the diversion route.

Kind regards

[REDACTED]

[REDACTED] Public Path Order and Development Officer



www.essex.gov.uk/highways



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED] >
Sent: 26 May 2026 21:37
To: [REDACTED] >
Subject: Fwd: WETHERSFIELD FP39 DIVERSION - objection until flooding at C on Byway 17 dealt with

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.



The Made Order for this diversion came in whilst we were on holiday. With the recent dry weather, I assume that there is no flooding / waterlogging on Byway 17 at present. However has any action been taken / been scheduled to improve the drainage / alleviate the flooding / puddling in future wet weather at the low point on Byway 17?

[REDACTED]
Ramblers-Braintree District Footpath Secretary
email: [REDACTED]
[REDACTED]

----- Forwarded Message -----

Subject: RE: WETHERSFIELD FP39 DIVERSION - objection until flooding at C dealt with
Date: Tue, 3 Mar 2026 12:58:25 +0000
From: [REDACTED]
To: [REDACTED]

CC:

CONFIDENTIAL

Hi

I have to say that I strongly object to this tactic. It is incredibly unreasonable to object to a diversion order on the basis that there is a puddle on an existing byway that walkers taking the diversion may or may not encounter depending on whether they head east or west. I understand that you feel that the byway surface may need some attention at this spot, but to place an objection until the matter along the byway has been resolved is incredibly poor practice considering that we are partners in protecting the network and that this diversion seeks to resolve a long-standing obstruction issue.

My Officers have 56 days to make an assessment of an enquiry, which means we would have to fast track this enquiry, prioritising it ahead of other works in order that the diversion is not held up. It is highly likely that the standing water will not be a defect as standing water only becomes a defect when it has been there for more than 10 days after the cessation of rainfall and prevents use. I also note that there is a wide verge to the byway track that is not covered in standing water that walkers and cyclists could use to avoid the puddle. Reporting this matter when we have half the county's rivers overflowing their banks means that we won't inspect it until things dry out a little. If we decide that this is not a short term, seasonal issue, then the works are likely to take years as it is clearly not a high priority relating to safety and is unlikely to get funded for some time to come. Is your intention to hold us to ransom on this issue?

In incredible amount of effort goes into these cases where we are trying to address long term issues. It's frustrating that we get this far and then receive objections, more so in this case where we are legalising the current walked route and it is such a minor change in the network.

Your objection and demands are unreasonable and are affecting our relationship with The Ramblers. We will investigate the enquiry, but I implore you to withdraw your objection to this diversion.



Regards

[REDACTED] | PROW Lead Officer

Public Rights of Way



SAFER GREENER HEALTHIER



[Chat with me on Teams](#)

www.essex.gov.uk/highways



From: [REDACTED]

Sent: 03 March 2026 10:17

To: [REDACTED]

[REDACTED]
Subject: RE: WETHERSFIELD FP39 DIVERSION - objection until flooding at C dealt with

CONFIDENTIAL

Good morning [REDACTED]

Thank you for your email.

As you know there is no expectation in law on either an applicant or the Highway Authority to instate a prospective diversion route until/unless an order is confirmed, which is what the coming into force (CIF) date on an order is intended for. In Essex we go one step further, to the frustration of some agents/applicants, in that in most cases we actually withhold confirmation of an unopposed order until the respective PROW Officer is happy that any works required (including any needed to address issues noted) have been completed or are scheduled for within the CIF period. You know [REDACTED] and I am sure you know that he would not voluntarily accept a new PROW route that he knew would create genuine problems for the public and himself (through enquiries and works) and in my role I defer judgement on confirmation based on works to [REDACTED] team.

So, I would respectfully ask you please to trust our judgement and professionalism on this to ensure that the diverted footpath, when/if it becomes a PROW, will be fit for purpose.

You will have seen from the plan and from what's visible from the byway when you attended site that the current legal route is very intrusive to the property and so the Presumptions Guidance is very much applicable here.

In terms of the report you have made, that's not really my area, but I don't think that my colleagues could accept or action a report on an area which is not yet highway, which really is the point [REDACTED] was making and I reiterated above.

It would be appreciated if the diversion, which we intend to make an order for imminently would be unopposed as we will deal with any issues on what is fundamentally and very sound diversion proposal.

Kind regards

[REDACTED] | **Public Path Order and Development Officer**



[REDACTED]
www.essex.gov.uk/highways



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED]
Sent: 03 March 2026 09:53
To: [REDACTED]

Subject: RE: WETHERSFIELD FP39 DIVERSION - objection until flooding at C dealt with

RESTRICTED

Good morning both

I do not understand this. We as the Highway Authority would not confirm the new route until it has been brought up to the required standard so what purpose does an objection serve and there is no legal requirement that the proposed route should be fit for purpose at the application stage? Surely you can just email or call and ask if we have noted the flooding issue and check we are intending that this is actioned before any Order is confirmed?

Re 4025012 – you say “flooded from side to side making it impossible to walk down there safely. Estimated depth of water 6 inches....”

I was wearing boots when I walked it. Appropriate footwear for this time of year and I found it perfectly easy to walk along/through the standing water without issues. I think the requirement for a recordable defect is that the standing water must still exist 10 days after significant rain and that standing water prevents usage. I don't think either of these requirements have been met.

Regards

From: [REDACTED]
Sent: 03 March 2026 09:00
To: [REDACTED]
Subject: re: WETHERSFIELD FP39 DIVERSION - objection until flooding at C dealt with

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

re: WETHERSFIELD FP39 DIVERSION - objection until flooding at C dealt with

Apologies for the late reply to this informal consultation. We were on holiday when this was forwarded by Ramblers Central Office.

There is a blocked ditch and flooding / route underwater at C, where the proposed diversion of footpath 39 would connect with Byway 17. The legal line of FP39, which is obstructed, does not currently pass point C so is unaffected by the flooding. The flooding at C has been reported as fault report number 4025012.

The proposed diversion is therefore currently objected to until the flooding at point C is dealt with.

[REDACTED]
Ramblers-Braintree District Footpath Secretary
email: [REDACTED]@com

----- Forwarded Message -----

Subject: Fw: INFORMAL CONSULTATION - WETHERSFIELD FOOTPATH 39 DIVERSION, BRAINTREE DISTRICT
Date: Tue, 3 Feb 2026 11:57:06 +0000
From: Pathorders <Pathorders@ramblers.org.uk>
To: [REDACTED]

Hello

Please see a communication received by The Ramblers below and attached, for your information and/or attention.

Regards

[REDACTED]
Ramblers Stand-In Volunteer Footpath Admin Assistant

From: [REDACTED]

Sent: 23 January 2026 12:11 PM

Subject: INFORMAL CONSULTATION - WETHERSFIELD FOOTPATH 39
DIVERSION, BRAINTREE DISTRICT

Caution: This email is from an external sender. Please take care when clicking links or opening attachments. When in doubt, click on the 'Report Phishing' icon found in the navigation ribbon.

RESTRICTED

Dear Sir/Madam,

Essex County Council would welcome your thoughts on the above referenced public path order proposal. This is an informal consultation only and no Order has yet been made.

Please note this informal consultation is not a statutory requirement on the Highway Authority. Its aim is to enable the principal stakeholders to comment on the proposed changes; feedback which is then considered by the Highway Authority and provided to the applicant.

It is not intended as a public consultation. The public are informed and invited to respond if they so wish at the formal, Made Order consultation stage via on-site notices and plans, and the newspaper advertisement for the order.

To enable us to continue this discretionary service we would appreciate it if informal consultations are not shared with the public beyond any council meetings as no orders have yet been made and public comments on the proposals are not being sought at this stage.

Highways Act 1980 Section 119

Essex County Council intend to make the following order:

It is proposed to divert this footpath from within the curtilage of a private property to an alternative route as indicated on the attached plan.

The DEFRA Presumptions guidance (attached) is considered by the Order Making Authority to be applicable to this proposed diversion.

If you have any comment to make on the above proposal, please do so by 20 February 2026.

Please be advised that if orders are made for this proposal, then any representation to those orders will need to be made (in writing) at the time of the orders' public consultation.

Prior responses to the informal process will not be considered as carried forward to the made order consultation process.

Regards

[REDACTED] Public Path Order and Development Officer



www.essex.gov.uk/highways



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



CONFIDENTIALITY

The information contained in this communication may contain confidential, privileged and copyright information and is solely for the use of the intended recipient.

Access to this email by anyone else is unauthorised.

If you are not the intended recipient any disclosure, copying, distribution or any action taken, or omitted to be taken, or in response to it is prohibited and may be unlawful.

If you have received this email in error, please notify us and then delete this message at once.

VIRUSES

We cannot guarantee that any attachment is completely free from computer viruses and we do not therefore accept any liability for loss or damage which may be caused.

Please therefore check any attachments for viruses before using them on your own equipment.

If you do find a computer virus please inform us immediately so that we may take appropriate action.

SECURITY

Unencrypted internet communications are not secure.

As a result the Company does not accept responsibility for the confidentiality of this message nor guarantee that the sender shown is the actual sender.

NOTIFICATION WITH REGARD TO PRIVACY

You are hereby advised that the Company monitors the use of and intercepts emails on its equipment and system.

Emails sent and received may be read for valid business reasons.

Click [here](#) to report this email as spam.

Follow us: [X](#) | [Facebook](#) | [Instagram](#)

Get involved: [Find a group walk](#) | [Become a member](#) | [Donate](#)

Find out more: <https://www.ramblers.org.uk>

The Ramblers' Association is a registered charity in England and Wales (no 1093577) and in Scotland (no SC039799), and a company limited by guarantee registered in England and Wales (no 4458492). Registered office: Stone King LLP, Boundary House, 91 Charterhouse Street, London EC1M 6HR.

This email has been scanned by Websense. This e-mail message is confidential and for use by the addressee only. If the message is received by anyone other than the addressee, please return the message to the sender by replying to it and then delete the message from your computer.

Virus-free www.avg.com

CONFIDENTIALITY

The information contained in this communication may contain confidential, privileged and copyright information and is solely for the use of the intended recipient.

Access to this email by anyone else is unauthorised.

If you are not the intended recipient any disclosure, copying, distribution or any action taken, or omitted to be taken, or in response to it is prohibited and may be unlawful.

If you have received this email in error, please notify us and then delete this message at once.

VIRUSES

We cannot guarantee that any attachment is completely free from computer viruses and we do not therefore accept any liability for loss or damage which may be caused.

Please therefore check any attachments for viruses before using them on your own equipment.

If you do find a computer virus please inform us immediately so that we may take appropriate action.

SECURITY

Unencrypted internet communications are not secure.

As a result the Company does not accept responsibility for the confidentiality of this message nor guarantee that the sender shown is the actual sender.

NOTIFICATION WITH REGARD TO PRIVACY

You are hereby advised that the Company monitors the use of and intercepts emails on its equipment and system.

Emails sent and received may be read for valid business reasons.

CONFIDENTIALITY

The information contained in this communication may contain confidential, privileged and copyright information and is solely for the use of the intended recipient.

Access to this email by anyone else is unauthorised.

If you are not the intended recipient any disclosure, copying, distribution or any action taken, or omitted to be taken, or in response to it is prohibited and may be unlawful.

If you have received this email in error, please notify us and then delete this message at once.

VIRUSES

We cannot guarantee that any attachment is completely free from computer viruses and we do not therefore accept any liability for loss or damage which may be caused.

Please therefore check any attachments for viruses before using them on your own equipment.

If you do find a computer virus please inform us immediately so that we may take appropriate action.

SECURITY

Unencrypted internet communications are not secure.

As a result the Company does not accept responsibility for the confidentiality of this message nor guarantee that the sender shown is the actual sender.

NOTIFICATION WITH REGARD TO PRIVACY

You are hereby advised that the Company monitors the use of and intercepts emails on its equipment and system.

Emails sent and received may be read for valid business reasons.

CONFIDENTIALITY

The information contained in this communication may contain confidential, privileged and copyright information and is solely for the use of the intended recipient.

Access to this email by anyone else is unauthorised.

If you are not the intended recipient any disclosure, copying, distribution or any action taken, or omitted to be taken, or in response to it is prohibited and may be unlawful.

If you have received this email in error, please notify us and then delete this message at once.

VIRUSES

We cannot guarantee that any attachment is completely free from computer viruses and we do not therefore accept any liability for loss or damage which may be caused.

Please therefore check any attachments for viruses before using them on your own equipment.

If you do find a computer virus please inform us immediately so that we may take appropriate action.

SECURITY

Unencrypted internet communications are not secure.

As a result the Company does not accept responsibility for the confidentiality of this message nor guarantee that the sender shown is the actual sender.

NOTIFICATION WITH REGARD TO PRIVACY

You are hereby advised that the Company monitors the use of and intercepts emails on its equipment and system.

Emails sent and received may be read for valid business reasons.

From:

To:

Cc:

Subject:

Sent:

Wethersfield FP 39

19/06/2026 11:45:11

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Hi [REDACTED]

I am replying to each of the issues separately so you can at least get something to move forward.

Wethersfield FP 39 has been an issue for a long time, and the reason it found its way to me was from a local resident who could not walk it. [REDACTED] confirmed the basis of the problem.

The proposal to divert is not new and I cannot imagine it being unknown to [REDACTED] who as the local Footpath Secretary could have been involved it trying to solve the problem over the 20 plus years she has been in post.

I am surprised that when a solution is found objections are raised. Not major objections but minor ones with little substance.

The first objection is about the documents, and was resolved and [REDACTED] advised. I question the need to raise this.

The second objection concerns flooding which you have explained is in a low flood area and only two reports over the last 5 years have been received and one of these was from the Farm Owner. So it's difficult to make a case for regular flooding of the path and a reason for a long-term problem not to be moved forward.

The third objection as you again explained was an incorrect reading of a point in a PINS report which was not about problems with the new route but about the distance of the House to the existing path. If you wanted to solve a long term issue, it is strange this should be raised.

My objective as Area Footpath Secretary is to get all path blockages cleared by the easiest legal way possible for the benefit of our members. The objectives raised by [REDACTED] in this case work against that.

I cannot on behalf of Essex Area Ramblers support them.

Regards,

[REDACTED] Area Footpath Secretary.

From: [REDACTED]
To: [REDACTED]
Subject: RE: WETHERSFIELD FP39, DISTRICT OF BRAINTREE MADE ORDER RECONSULTATION - OBJECTION
Sent: 13/08/2026 11:40:35

Good morning,

Your objection is acknowledged.

Regards

[REDACTED] | Public Path Order and Development Officer



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED]
Sent: 13 August 2026 11:32
To: [REDACTED]
Subject: Fwd: WETHERSFIELD FP39, DISTRICT OF BRAINTREE MADE ORDER RECONSULTATION - OBJECTION

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Attached is the objection.

[REDACTED]
Ramblers-Braintree District Footpath Secretary
email: [REDACTED]
te [REDACTED]

----- Forwarded Message -----

Subject: Fw: PUBLIC PATH DIVERSION ORDER FOOTPATH 39 WETHERSFIELD, DISTRICT OF BRAINTREE MADE ORDER RECONSULTATION
Date: Thu, 16 Jul 2026 10:23:44 +0000
From: Pathorders <Pathorders@ramblers.org.uk>
To: [REDACTED]

Hello

Please see a communication received by The Ramblers below and attached, for your information and/or consideration.

Regards



Ramblers
Volunteer Footpath Admin Assistant

From: [REDACTED]
Sent: 16 July 2026 7:52 AM
Subject: PUBLIC PATH DIVERSION ORDER FOOTPATH 39 WETHERSFIELD, DISTRICT OF BRAINTREE MADE ORDER RECONSULTATION

Caution: This email is from an external sender. Please take care when clicking links or opening attachments. When in doubt, click on the 'Report Phishing' icon found in the navigation ribbon.

RESTRICTED

Dear Sir/Madam,

Highways Act 1980 Section 119

Essex County Council has Made an Order to divert Footpath 39 in the parish of Wethersfield in the District of Braintree.

Attached is a copy of the Made order, and the Notice which will be posted on site and appear in the Braintree & Witham Times on Thursday 16 July 2026.

Please note you were previously formally consulted on this order on 14 May 2026. This is a reconsultation due to a discrepancy with one of the plans placed on site.

If you have any comments to make, please do so by 12:00pm (midday) on 13 August 2026.

Kind regards

[REDACTED] Public Path Order and Development Officer



www.essex.gov.uk/highways



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



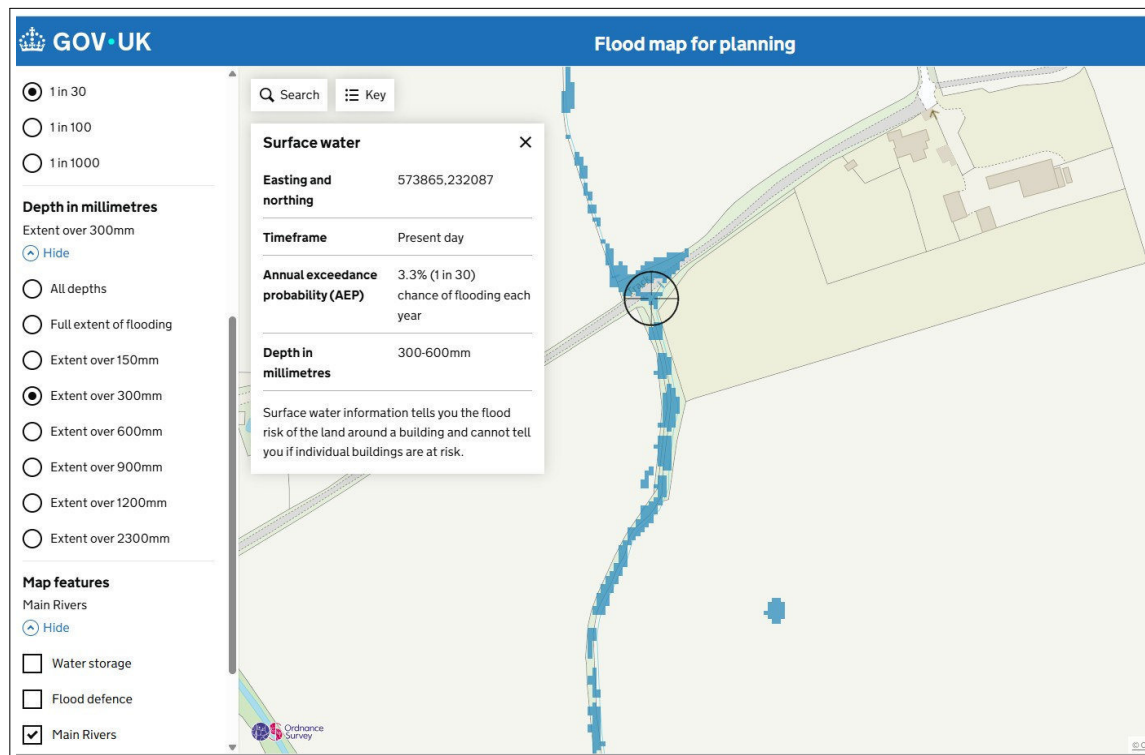
CONFIDENTIALITY

1) Highways Act Legal Tests: Less convenient due to susceptibility to flooding

The diversion of Footpath 39 to join Byway 17 at the low point C is substantially less convenient to the public and would have a negative effect on the public's enjoyment of the footpath, by reason of causing them to negotiate a low-point which is prone to flooding. In February this year (2026), after a period of rain, the area around point C was flooded to a depth of about 100mm (about 4 inches).

The surface water flood maps on the government website show that this low-point area, where a watercourse flows north to south, has a 1-in-30 chance of flooding to a depth of over 300mm (about 12 inches) each year. The watercourses are shown on the Made Order Plan and on OS maps.

A: Surface Water Flood Map



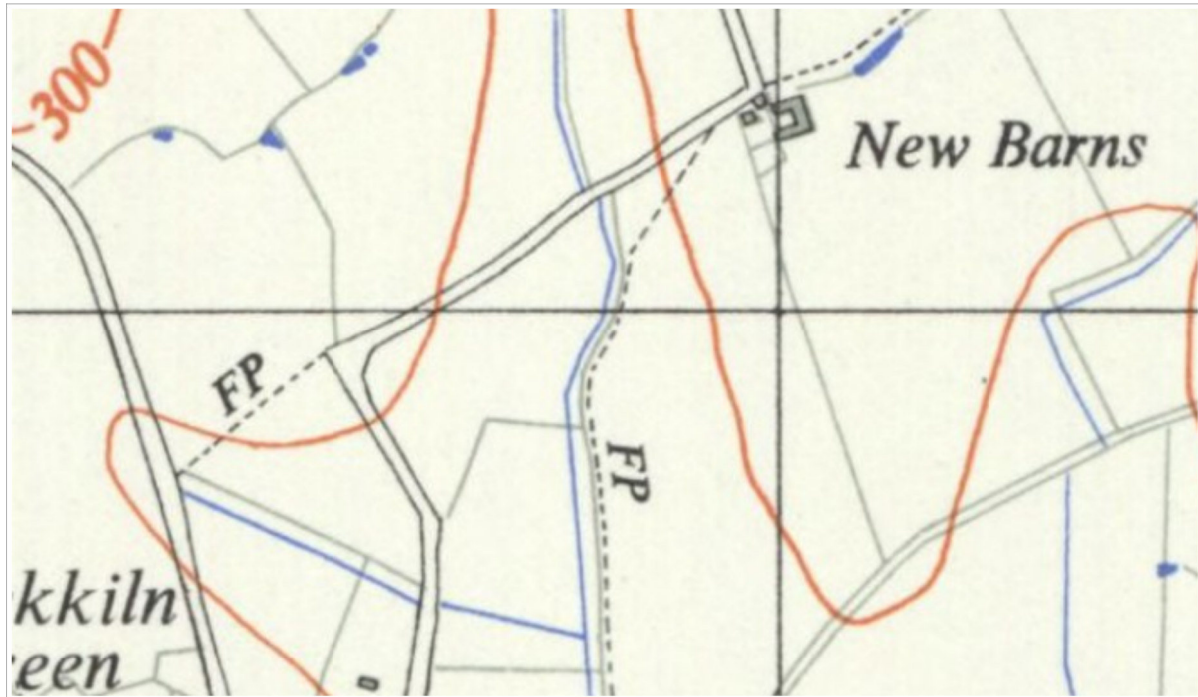
The surface of byway 17 is soft and the ditches on either side of the byway west of point B on the Made Order Plan discharge water onto the byway. This further exacerbates the likelihood of flooding at point C.

B. Site photos from June 2026

Culvert blocked on south side of byway 17	Soft damp byway surface with wheel ruts even in dry weather
	

The historic and legal definitive line of Wethersfield footpath 39 remains on higher ground avoiding the low point of C – see the Made Order plan and the extract below from the 1958 OS 1:25,000 map from the National Library of Scotland website.

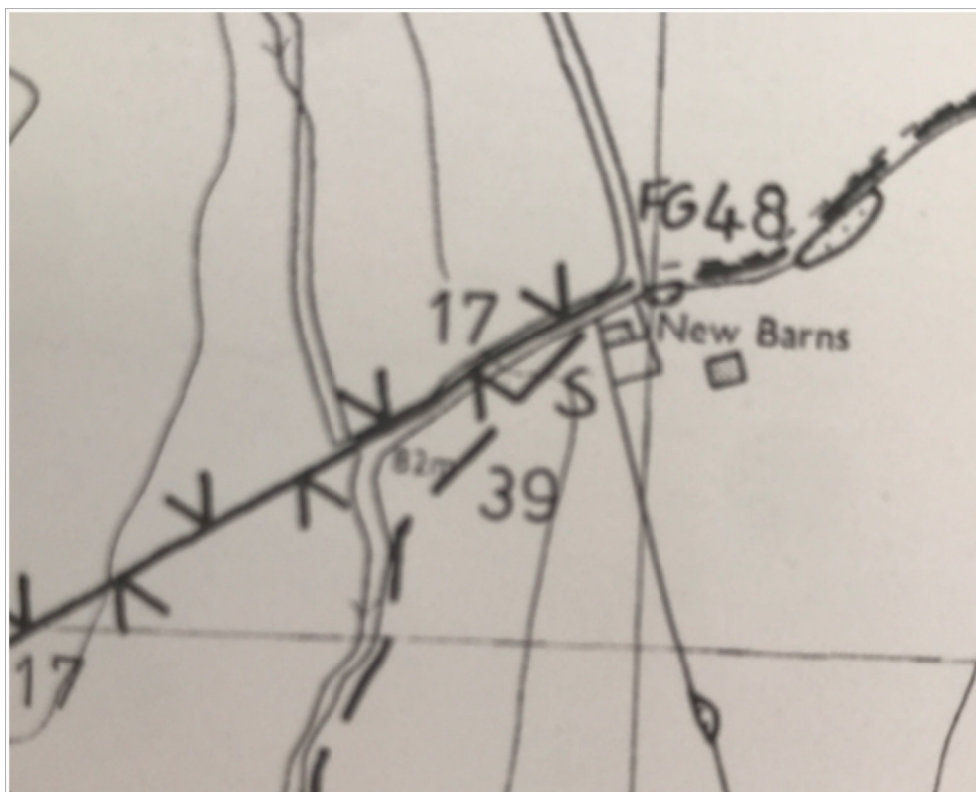
C. 1958 1:25,000 OS Map



(2) DEFRA guidance and the legislative tests

The Made Order states that the legal line footpath 39 is obstructed by an outbuilding and fencing. In the historic & current OS maps and in the current 2002 hard copy Definitive Map, the footpath is not obstructed by any outbuildings. The New Barns buildings are less extensive and lie to the east of the footpath, with the curtilage mainly to the south.

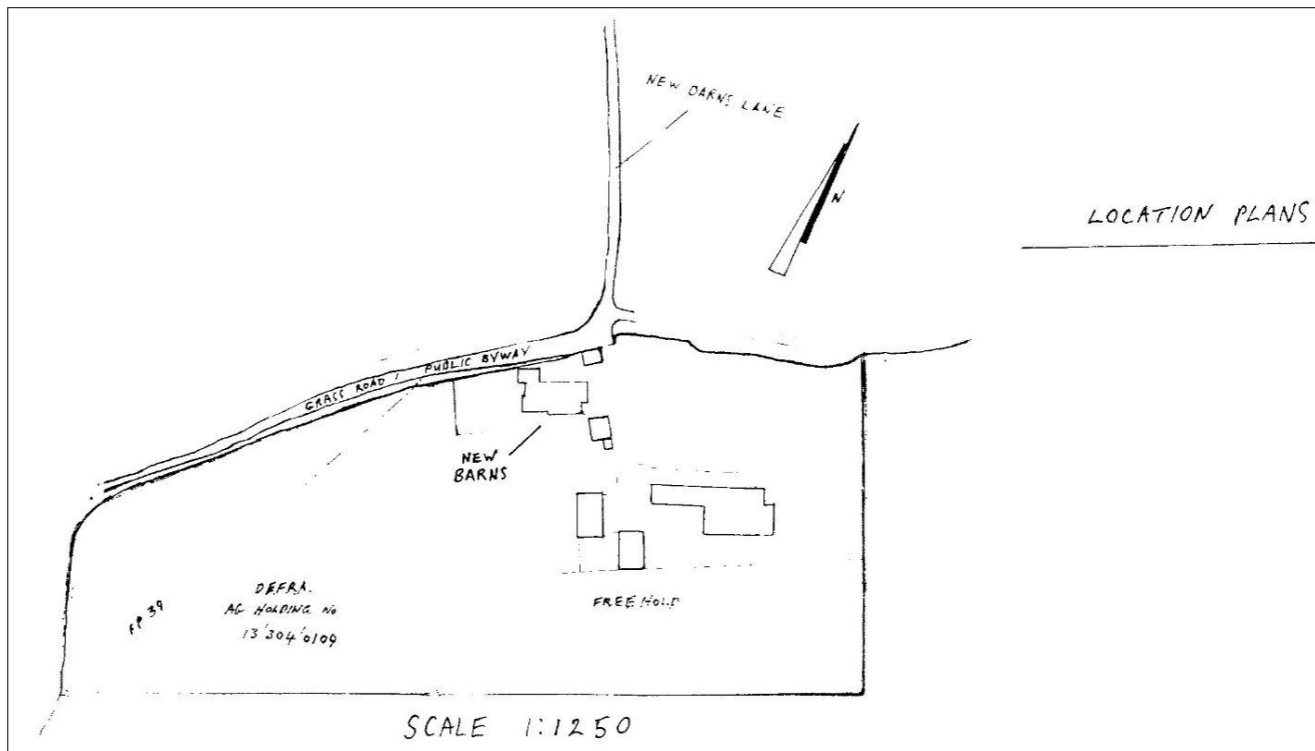
D. snip from the 2002 current legal hard copy Definitive Map



Paragraph 8 of the DEFRA Guidance states...*"It [the guidance] does not apply to gardens, dwellings or commercial premises which do not have the necessary permission for the current use of the land."*

In the location plan from the 08/00658/FUL granted Braintree District planning application, the western parcel of land is shown as agricultural land with the footpath running diagonally across it, at some distance from the New Barns buildings. There has been no granted "change of use" application to garden.

E. 2008 location plan showing the footpath unobstructed and running across a DEFRA holding



Land Registry plans also show the western parcel with a separate Title. The area is semi-wild.

F. View north-east of the legal line of footpath 39 from the Made Order plan point A



3) Conclusion

The proposed diversion is objected to on the grounds that the diversion would be less convenient and less enjoyable due to the propensity for flooding / waterlogging at the low point C. The historic and current legal line of footpath 39 is on higher ground avoiding this low point. The proposed diversion is longer by about 128 metres. The proposed diversion from point A to point C to point B has a total distance of about 280metres compared to 152metres as stated in the Order for the legal line directly from A to B.

The current legal line of footpath 39 is clear of the habitable accommodation. Many footpaths pass through field boundaries, fences and hedges. There has been no change of use to “garden” of the land therefore the DEFRA guidance does not apply.

Without prejudice: A modification of the proposed diversion is and has been proposed, such that point C is further “up” / east along byway 17 at about grid reference (5)739 (2)321. This would avoid the low point, would only affect the western parcel of land and would move the footpath further away from the habitable buildings.

██████████
Ramblers – Braintree District Footpath Secretaries
██████████

From: [REDACTED]
To: [REDACTED]
Cc: [REDACTED]
Subject: RE PUBLIC PATH DIVERSION ORDER 2026 FOOTPATH 39 WETHERSFIELD IN THE DISTRICT OF BRAINTREE
Attachments: PROW-26-02 rev.22.01.26.pdf;16 Showing Depth of Water on Proposed route.jpg;2 Proposed FP looking West.jpg;12 Looking East.jpg;5 Looking North across flooded section Proposed route.jpg;
Sent: 20/07/2026 12:22:54

Good afternoon Mr [REDACTED]

Thank you for your order objection email, which I duly acknowledge receipt of.

The proposed diversion addresses a long-standing issue and as such has the support of the Essex Ramblers Area Footpath Secretary.

Please note it does not propose to divert the footpath onto the byway, which is an existing PROW, it merely changes the existing footpath's connection point to it. Anyone walking the footpath in that direction or from it is by necessity already connecting walking along the byway.

Please note therefore the Order Making Authority's responses below in blue:

1. The proposed route places pedestrians on the same track as horses and vehicles
This is not the case; the footpath already connects to the byway there is no change in status proposed
2. Byway 17 is such a poor state of repair - i.e. rutted and churned up - in the area proposed for the diversion as to make it difficult and dangerous for pedestrians to use at any time of year
The byway and its condition are maintenance issues for that PROW and are not the subject of this consultation. If you have concerns regarding the byway then you can of course report these online whereafter they will be assessed <https://www.essexhighways.org/tell-us/public-rights-of-way-issues/surface-issue>. Please also see recent photos below of the byway's condition.
3. Byway 17 is frequently flooded in the section proposed for the diversion and this makes it impossible to walk the route in normal footwear, including walking boots.
The footpath is not proposed to be diverted onto the byway – see answer to 1 above. Colleagues have confirmed that once we are in the wet season they are happy to revisit the byway with a view to cutting a grip into the north side of it to help any standing water drain into the adjoining ditch. I should reiterate that that is a byway maintenance issue and that the byway is not the diversion route and not the subject of this consultation

Current condition of byway:



In light of the above I would be grateful if you would give consideration to withdrawing your objection.

Kind regards

Public Path Order and Development Officer

Essex
Highways

[.essex.gov](https://www.essex.gov.uk)



Essex Highways is a partnership between
Ringway Jacobs and Essex County Council

Please consider the environment before printing this email



From: [REDACTED]
Sent: 18 July 2026 13:55
To: [REDACTED]
Subject: PUBLIC PATH DIVERSION ORDER 2026 FOOTPATH 39 WETHERSFIELD IN THE DISTRICT OF BRAINTREE

CAUTION: This email originated from outside of the organisation. Do not click links or open attachments unless you recognise the sender and know the content is safe.

I wish to object to the proposed diversion of Footpath 39 Wethersfield on the following grounds?

1. The proposed route places pedestrians on the same track as horses and vehicles
2. Byway 17 is such a poor state of repair - i.e. rutted and churned up - in the area proposed for the diversion as to make it difficult and dangerous for pedestrians to use at any time of year

3. Byway 17 is frequently flooded in the section proposed for the diversion and this makes it impossible to walk the route in normal footwear, including walking boots.

I attach some photographs taken earlier this year which illustrate the point.

Please confirm receipt of this objection.









