Gmail

Claire Waters <castlehedinghamparishclerk@gmail.com>

Fwd: Footpath 25

2 messages

Claire Waters <castlehedinghamparishclerk@gmail.com> 8 September 2022 at 14:36

Dear Parish, County and District Councillors
(Cllrs Toocaram and Westrop for information only as they have declared an interest.)

I took a phone call from Mr Collins this morning asking if we had seen the detailed preparation work and plans for diverting Footpath 25, and if we were aware of the formal procedure that this will now go to a public enquiry rather than being decided by an inspector, since the Parish Council is regarded as a government body in these applications. I told him we were not given the detailed plans and that we weren't made aware of these consequences of our objection to the public consultation.

I also told him that we are not able to consider his request to withdraw our objection comment at Monday's meeting due to it not being on the agenda with sufficient notice, and anyway under normal circumstances we cannot revisit a decision within 6 months, although I would have to investigate further to find out if exceptions to this rule are ever permitted.

I asked him to confirm the content of our telephone conversation in writing. Please read his email below for full details.

Thanks everyone

Claire

Claire Waters
Parish Clerk
07845 056597
castlehedinghamparishclerk@gmail.com

See our website at **www.castlehedingham.org**

---------- Forwarded message ---------
From: **David Collins**
Date: Thu, 8 Sept 2022 at 12:06
Subject: RE: Footpath 25
To: Claire Waters <castlehedinghamparishclerk@gmail.com>
Cc: Alan Roscoe <Alan.Roscoe@essexhighways.org>

Good Morning Claire

Thank you for the conversation this morning regarding the re alignment of the footpath.

It would appear that the process is not as transparent as the planning process and the information submitted during the application and informal consultation has not been made public.

Please see the application, justification and proposed earthworks attached.

The justification for moving the footpath is:-

1. Damage to the crop
2. Dog mess
3. Danger to livestock
4. Personal security
5. Damage to wildlife habitat

The intention is to move the path 20 – 30meters to the edge of the existing field so that it would run outside the livestock fencing, but still in the field.

This would:-

1. Remove the requirement for any gates or stiles (improving access).
2. Stop the damage to the crop
3. Stop the dog mess left in the hay crop
4. Stop the danger to the livestock
5. Stop the threatening behaviour from walkers straying far from the foot path
6. Stop the damage to wildlife habitat

The footpath realignment process is not the same as the planning process.

In the footpath process the Parish Council and the County Councillors are classed as Government bodies. If a formal objection is in place from either, then the process of decision making changes.

Instead of the application and objections being referred to the inspector to make a decision it has to go to a full Public Enquiry.

At the two day Public Enquiry all parties are represented by council, solicitors or agents.

The two day Public Enquiry is paid for by Essex County Highways at a cost of tens, if not hundreds of thousands of pounds of public money.

Is this really a good use of these funds?

Did you know all the facts at the time of making the objection?

If the Parish Council withdraw the formal objection and the County Councillor withdraws the formal objection, the process reverts to the inspector and the Public Enquiry is avoided.

The inspector is then free to consider all objections, and justifications in making their decision.

If you have any questions please email or call.

Please feel free to circulate this to whomever would be interested.

Many thanks

David

David Collins

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3 attachments

HF 0225 - Footpath - Rushley PROW - Planning Statement 170921.pdf
1024K

HF 0225 - Footpath -3520.LOC1.C Existing Location Plan and Proposed Footpath Plan.pdf
3042K

HF 0225 - Footpath -PROW Form A Cmplete.pdf
1293K