On Thu, 1 Feb 2024, 11:32 Claire Waters, <castlehedinghamparishclerk@gmail.com> wrote:

Dear Councillors - District & County Councillors copied in

I received an email on Tuesday 30th January in the evening from Mr David Collins. I emailed Alan Roscoe at Essex PROW for guidance yesterday and copied in Garry as Chairman and Cllr Peter Schwier. I have attached the email correspondence from 8th September 2022, together with the documents which Mr Collins is referring to. The Parish Council response to the public consultation was agreed at our August 2022 meeting, and so had already been submitted in time for the 1st September consultation deadline.

I hope the attached and the email trail below are self-explanatory, I felt it was important to keep all Councillors informed of this. I have also spoken to Sam Stent this morning and have agreed to forward David Collins email to her, as he has requested.

Kind regards

Claire

Claire Waters
Parish Clerk
07845 056597
castlehedinghamparishclerk@gmail.com

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

---------- Forwarded message ---------
From: **Alan Roscoe** <Alan.Roscoe@essexhighways.org>
Date: Wed, 31 Jan 2024 at 16:55
Subject: RE: Footpath 25 realignment - Application information and Public Inquiry
To: Claire Waters <castlehedinghamparishclerk@gmail.com>
Cc: Cllr Peter Schwier - Member CC <Cllr.Peter.Schwier@essex.gov.uk>, Garry Southgate <garryschpc@gmail.com>

Hello Claire

Further to our conversations today, I show below the text of the email just sent to David Collins, so that Cllr Schwier and Mr Southgate can see the latest.

'Hello David

Further to your email below, the legal responsibility for publishing any relevant documents rests with us as the order making authority. Whilst the Parish Council may choose to publish or circulate information, I am not aware of any legal burden on them to do so.

As regards making the public aware of the arguments, the rationale for your application was summarised and is shown on page 3 of the documents now online at the webpage below. The relevant plan is shown on page 16. I am quite sure the inspector will permit you sufficient time at the inquiry to expand on the rationale for the application and obviously we shall be there to provide more detail on how your application was progressed and the reasons for the decision to publish the order.

https://www.essexhighways.org/getting-around/opposed-orders

I understand the Parish Council have noted your other comments.

You also emailed me separately with similar concerns but I do not want to send you, in effect, a duplicate message under separate cover and hope that's OK.

Regards

Alan'

Alan Roscoe | Public Rights of Way Officer

Epping District and Harlow

(Please note my normal working days are Monday, Tuesday and Wednesday)

Essex Highways

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T: 07704 278213

E: alan.roscoe@essexhighways.org

W: www.essex.gov.uk/highways

From: Claire Waters <castlehedinghamparishclerk@gmail.com>
Sent: Wednesday, January 31, 2024 9:20 AM
To: Alan Roscoe <Alan.Roscoe@essexhighways.org>
Cc: Cllr Peter Schwier - Member CC <Cllr.Peter.Schwier@essex.gov.uk>; Garry Southgate <garryschpc@gmail.com>
Subject: Re: Footpath 25 realignment - Application information and Public Inquiry

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.

Dear Alan - I have copied in Peter Schwier as our County Councillor and Garry Southgate as our Parish Council chairman

I am concerned about this email and not sure of the correct way for the Parish Council to proceed. Mr Collins did send these documents in September 2022, after we had already agreed our Parish Council response at our August 2022 meeting, in time for the public consultation response deadline of 1 September 2022. I forwarded the email to Councillors with the attachments, and did not receive any requests for the decision to be revisited. Obviously it is not usual to revisit a council decision within a 6 month timeframe and I would have needed to take guidance on the correct procedure to do this.

I was not aware that as a Parish Council we were under any obligation to publicly publish the documents that Mr Collins has attached here. We have throughout the process published the Essex Public Rights of Way consultation documents and links to the public inquiry information, which I believed was sufficient. I also note that this email from Mr Collins has arrived after normal working hours on 30th January, which was the last date for submission of a Statement of Case to the public inquiry. The Parish Council statement of case was submitted on Monday 29th January.

I would be grateful if you could give some guidance about how we respond to Mr Collins' email so I can ensure the Parish Council is acting appropriately. He has requested I forward it to all objectors as well as the Parish Council.

Thank you

Claire

Claire Waters

Parish Clerk

07845 056597

castlehedinghamparishclerk@gmail.com

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

On Tue, 30 Jan 2024 at 20:45, David Collins [redacted] > wrote:

> Good Evening Ms Waters / Parish Council
>
> I trust you are well.
>
> Having reviewed the footpath information available at the two web addresses in the parish magazine, it would appear that the application, maps, forms and photos are still not publicly available.
>
> We have previously supplied them to the Parish Council months ago as well as Ms Stent and the County Councillor.
>
> However, in the interests of ensuring all objectors are aware of all the information please see attached.
>
> It is important to clarify one or two points that may, or may not, be apparent to the objectors::-
>
> 1. The application will be supported robustly at the Public Inquiry
> 2. In the event the order is NOT confirmed, the footpath will be fenced along both sides of the existing route from Rosemary lane to the junction with the Castle property.
>
> The only reason this has not been done is waiting for the outcome of the Inquiry

3. If the footpath is fenced along the EXISTING line it is required to be 1.6m width by law
4. If the footpath is fenced along the EXISTING route there will be three kissing gates, one at the top, one centre and one at the bottom - which will restrict access.

5. In the event the order IS confirmed, the footpath will be fenced along both sides of the new route – it is required to be 2.5m width.
6. In the event the order IS confirmed the top part of the new route will be re profiled to reduce any gradient to a maximum of 1 in 16 slope
7. If the order is confirmed and the new route is fenced, there will be NO gates at any point obstructing the footpath – thus a considerably better access
8. If the order IS confirmed the new footpath will be separated from any livestock in the fields thus providing more security both for walkers, runners and livestock.

Please circulate this information and the attachments to the objectors and council.

I am happy to discuss the path and answer questions if required.

We look forward to seeing you all at the Inquiry.

Sincerely

DJ Collins

David Collins

Rushley Green Farm

[redacted] [redacted] Farmers and Quality Hay Growers

[redacted] [redacted]

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