

**ESSEX COUNTY COUNCIL
HIGHWAYS ACT 1980 – SECTION 119
PUBLIC PATH DIVERSION ORDER**

**IN THE MATTER OF AN
APPLICATION
BY S GILBERT
UNDER SECTION 119 OF THE
HIGHWAYS ACT ORDER 1980
TO DIVERT FOOTPATH 11,
LAMBOURNE**

**ALAN ROSCOE, AREA PROW OFFICER
STATEMENT**

I, Alan Roscoe, c/o of Essex County Council, County Hall, Market Road, Chelmsford, Essex WILL SAY as follows:

1. I have been employed by Ringway Jacobs/Essex County Council since December 2018 as a Public Rights of Way (PROW) Inspector/Officer and as a PROW and Records Analyst. At the time of the making of the order I was in the Analyst role, responsible for all matters relating to the diversion application itself. A colleague was the officer responsible for the parish concerned and agreed that the application could proceed. That colleague is no longer employed in that role and I have taken over the role of officer for the parish concerned. The following comments represent therefore, my experiences both as the person responsible for the application at the time of the making of the order and as the person now with general responsibility for the parish. My area of responsibility encompasses 38 parishes in the districts of Epping Forest, Harlow, Basildon and Castle Point. In this role, as part of the PROW Maintenance Team, I have responsibility for undertaking inspections as well as responding to all customer enquiries in

respect of the PROW network in my area. I also raise job packs and initiate STATs (statutory undertaker) searches in respect of any work requirements, identify, evidence and apply for Local Highways Panel schemes for PROW improvements and organise PROW volunteer activities within my area. I also respond to correspondence regarding PROW issues in my area and initiate enforcement action where appropriate in coordination with ECC's Enforcement and Liaison officer.

Background

Prior to receipt of the diversion application, the OMA had recorded no problems with access, obstructions or maintenance at the site. Following receipt of the application, myself and the officer for the area at that time met the applicant on site on 2 March 2022 to establish the reasons for the application met the criteria identified in the Highways Act and to identify any and all practical issues relating to the diversion. These issues included signage, conditions relating to fencing and maintenance of upgrowth. It was apparent that the applicant was very concerned about the welfare of his livestock, most of which seem to be grazed in the more westerly field, adjacent to New Farm Drive. He advised that the situation regarding the safety of his animals had now reached a point where he felt he had to act. He was fully aware there were likely to be objections. After subsequently confirming various issues with the applicant by email, an informal consultation with stakeholders and statutory undertakers was initiated on 14 March 2022. No objections were flagged at that point.

The Made Order was sealed on 25 May 2022 and notices were published in the press and placed on site on 16 June 2022.

Assessment of the proposed diversion

The current route and the proposed diverted route were both walked by the officers and the applicant. Although longer than the current route, the proposed diversion took, perhaps, three minutes longer to walk and the views were very similar. The diversion provides an opportunity to remove some rails and gates on either side of the mid-point bridge and the applicant also agreed to move the kissing gate at the main carriageway to a new location some 5m to the north. Although objections have been received concerning the gradient of the diverted route, on reflection I did not notice any difference between the two routes and neither my colleague nor I commented on it at the time. Overall, the diversion was felt to be substantially similar to the current route and was assessed as a suitable candidate for diversion. Images were taken showing various aspects and a small selection is provided at Appendix 1 to give a better 'feel' for the site.

I confirm my support for this application.

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STATEMENT OF TRUTH

I believe that the facts stated in this witness statement are true.

Signed



Dated

November 2022

Appendix 1

Images of the site, 2 March 2022 ('Points' are per the Made Order plan)



Current route, Point B to Point A



Current route, Point D to Point C

Continued...



Proposed diversion, Point A to Point E



Proposed diversion, Point E to Point B



Proposed diversion, Point F to Point C



Proposed diversion, Point D to Point F