

**DOCUMENTS SUBMITTED BY ESSEX COUNTY COUNCIL
TO THE PLANNING INSPECTORATE
(Electronic Submission)**

**IN THE MATTER OF THE DETERMINATION TO CONFIRM
PUBLIC PATH DIVERSION ORDER 2022 FOOTPATHS 26 AND 29 LANGHAM
IN THE CITY OF COLCHESTER
SECTION 119 – HIGHWAYS ACT 1980**

DOCUMENTS REQUIRED BY THE PLANNING INSPECTORATE

1. Electronically sealed Order (there is no paper form of this order) and associated plan
2. Statement of the grounds on which it is considered the order should be confirmed
3. OMA's submission letter
4. Representations and objections to the order (including supporters) along with a covering list of their names
5. Statement containing the OMA's comments on the objections
6. Copy of the notice publicising the order together with a copy of the advertisement voucher copy
7. Certificate that notices have been published, served and posted on site and at the local offices
8. Certificate that the necessary consultations have been carried out
9. Copies of replies to the pre-order consultation and responses by the OMA
10. Name and address of every person notified
11. Undertaking that if confirmed, notice will be duly published and served; or if not confirmed notice will be duly served
12. Location map to enable the Inspector to identify the site
13. Written permission from the landowner allowing Inspector access to the land
14. Name and address of the applicant
15. Confirmation that the OMA is supporting the Order
16. Details of the time and place where documents relating to the order will be made available for public inspection
17. Health and Safety questionnaire document
18. Undertaking by OMA to provide new paths in readiness for public use
19. Extract from the Definitive Map and Statement
20. Confirmation of no relevant provision within the Essex County council Rights of Way Improvement Plan (ROWIP)
21. PROW Officer's statement

1. Electronically sealed Order and plan

See submitted PDF file:

1-Copy of Made Order inc. plan.pdf

2. Statement of the grounds on which it is considered the Order should be confirmed

This statement explains why in the opinion of Essex County Council (ECC) as the Order Making Authority (OMA) the Order meets the relevant criteria as set out in Section 119 of the Highways Act 1980 and why the diversion is expedient on the grounds stated. Please also see Document 21.PROW Officer's Statement.

Footpaths 26 and 29 Langham (PUBLIC PATH DIVERSION ORDER 2022).

The applicants, who are also the main landowners, applied for a diversion of sections of the above footpaths.

The relevant statutory tests that were examined in detail and categorical evidence for their applicability was sought by the County Council before agreeing to proceed with the making of the Diversion Order. Concerning the main criteria when considering a public path diversion:

(i) Whether it was expedient to make such an Order in the interests of the landowner.

The applicant and his wife are the owners of the field situated to the West of the garden of their home, Keeper's cottage. They advised us that for some time now they as a family have been seeking to be more self-sufficient, and that their two young sons had asked to keep some animals on the field so that they can look after them (probably sheep or goats). The field needs regular maintenance (the more so if used to keep animals on), which will rely upon having easy access from the applicant's home/garden to the field. They will frequently need to use this access to maintain the field and tend to animals from their property, and the easiest and safest access would be via the gate in their garden. This would currently involve the regular crossing of Footpath 29 with their small tractor – not ideal due to the lack of visibility, and risk of accidents with walkers and their dogs. The diversions would provide integrity for the field, to help ensure that the animals and their children tending them remain safe and secure, and avoid the effective loss of the top corner of the field. They have also had fencing, erected to stop dog walkers from trespassing too far into the field and allowing their dogs to foul it, cut and vandalised.

In addition, the reasons provided by the applicant referenced the annual flooding issue along Footpath 29 in wintertime, and commented on how the proposed new route is on higher ground where flooding would not be an issue, and which the OMA view as a public benefit.

In the consideration of the OMA, the reasons provided by the applicants above fully support the making of an order in their interests (see also Document 21.PROW Officer's Statement).

(ii) The termination points of the diversion are not substantially less convenient to the public.

The termination points of the diversion for Footpath 26 (D and B) remain unaltered.

The northerly termination point (B) of Footpath 29 is also unaltered. The southerly point (A) moves to a point (C) approximately 95 metres (or 1 minutes' walk at an average speed of 3mph: <https://www.walkingenglishman.com/walktime.aspx>) further along Footpath 57.

In respect of the above, both diversions maintain their connections to Footpath 57 and the change in respect of Footpath 29, which connects to the same footpath as currently, is not in the view of the OMA, significantly less convenient.

(iii) The diversion should not be substantially less convenient to the public (in terms of increased distance).

The diversion route of Footpath 26, which moves the footpath around the top of the field, is approximately 9 metres longer than the present cross-field route - a difference in distance so inconsequential as to pass unnoticed when walked.

The proposed diversion route of Footpath 29 (*effectively A-C-E-B to replicate the destinations reached when walking A-B - also uses proposed route of Footpath 26) is approximately 120 metres longer than the current route (A-B). While we acknowledge the additional distance, we do not consider it to be significant, nor necessarily a negative, especially in the context of a leisure walk. At an average walking speed of 3mph the time taken to walk the additional 120m is 2 minutes, and as the current route is itself clearly visible from the diversion route, any claim for the difference in locations to be a significant one cannot be substantiated.

In summary:

Footpath 26 – walkers using the diverted route would encounter an almost unchanged route with an unnoticeable increase in distance.

Footpath 29 – the above comparison* in the opinion of the OMA provides the fairest mechanism for assessing the differences in distances between the current and proposed routes, irrespective of Footpath numbers, as it seeks to replicate the route a walker would take in replacement of A-B. The resulting difference of 120 metres and the close proximity of the current and proposed routes are, in the OMA's assessment, indicative of a diversion route proposal that is not substantially inconvenient.

Footpath 57 – this path was not included in this order and therefore remains unaltered with walkers retaining connectivity to the above-referenced footpaths.

(iv) Regard to the effect the diversion would have on the public enjoyment of the path as a whole.

The diversion route of Footpath 26 and the current route share a very similar aspect with the main difference being not the public enjoyment of them, but the impact upon the practicality for the landowner/applicant of their use of the field. No objector presented cogent reasons for enjoying the current route of this footpath over the proposed one.

Footpath 29 is currently enclosed between a hedge and the field's fence. It is lower lying than the adjoining land and is susceptible to flooding and standing water, especially in winter, when it becomes boggy after rainfall. By contrast, the proposed diversion route is on higher, more open land with better drainage and somewhat wider views.

Objectors did not provide any reasons as to why they might enjoy the current route of Footpath 29 over the proposed one, other than their view that the network should not change and that the footpath was an ancient log-hauling route. These views do not consider that the legislation makes provision for such path changes (irrespective of the age/origins of a path), and overlooks that the current footpath route had already been changed by means of a legal order in 2009. The current footpath route cannot therefore have the antiquity that objectors have attributed to it.

(v) The effect the order will have on the land served by the existing right of way and of the land over which the right of way is created.

The path is being diverted from and onto land in the ownership of the applicant and as demonstrated in 2.(i) above, the proposed changes are in their interests and therefore would have a beneficial effect on their land. Retaining the PROW on their current alignments by contrast would place limitations or even inhibit the landowner's intended use of the land.

Taking all of the above factors into account, the OMA conclude that the proposed diversion for the Public Rights of Way meets the relevant tests as laid down in section 119 of the Highways Act 1980.

3. OMA's submission letter

The Planning Inspectorate
Rights of Way Section
Room 3A Eagle
Temple Quay House
2 The Square, Temple Quay
Bristol BS1 6PN

Date 29.03.23
Our Ref: Footpaths 26 & 29
Langham Diversion

Dear Sir/Madam,

Highways Act 1980 – Section 119 Public Path Diversion Order 2022 Footpaths 26 & 29 Langham Parish, Colchester City, Essex

Essex County Council, being both the Order Making Authority and Highway Authority, are writing with regard to the above proposed diversion application, which has undergone a statutory consultation period of the order made on 10/11/2022. Following the expiry of the statutory consultation period and ensuing attempts to negotiate with objectors by email the County Council were unable to achieve the withdrawal of three of the four duly made objections.

The County Council having considered the criteria for making and confirming the order are satisfied that the application meets the relevant tests and therefore support the Order. Accordingly, I write to formally request the Secretary of State in pursuance of section 2(2) of Schedule 6 to the Highways Act 1980 determines to confirm the above mentioned Order. I enclose by email attachment documentation required for the submission of Public Path Orders to the Secretary of State for consideration. The list of documents follows the order given on The Planning Inspectorate's *'Documents Required By The Planning Inspectorate (Checklist for Order Making Authorities)*.

I would request that where possible the dates below are avoided in respect of possible dates for attendance at a hearing or inquiry. The Council also hereby confirms that it would be in agreement and preferable for the matter to be resolved by written representations should that be acceptable to all interested parties.

Dates to avoid:

Robert Lee: w/c 24th July, w/c 4th August, w/c 14th August, w/c 23rd September, w/c 25th December (all 2023).

24th & 29th March, w/c 1st April, w/c 8th April. w/c 27th May (all 2024)

Sarah Potter: 14–17th July, 6–8th Oct, 20–23rd Oct, 18th Dec–8th Jan, 1–4th March.

Yours sincerely

Robert Lee, PROW & Records Analyst, Essex County Council

4. Representations and objections to the order (including supporters) with a covering list of names (includes OMA response)

See submitted PDF file:

04-Langham FPs26 & 29 Representation Contacts.pdf

04-(1) Mann.pdf

04-(2) Stacey.pdf

04-(3) Hollands.pdf

04-(4) Garner.pdf

04-(5) Stevens.pdf

04-(6) White.pdf

04-(7) Reynolds.pdf

5. Statement containing the OMA's comments on the maintained objections

The OMA's actual written responses to the objection letters are included in Documents no.4.

However, for the sake of clarity these have been expanded upon below.

Representation One (objection withdrawn) - Mr Stephen Mann

Mr Mann objected on the following points:

1. Footpath 26 – He does not see the justification for creating a dog-leg path and his understanding is that the principle is to stay with the status quo unless there is a real justification for change.
2. Claim that pre-emptive clearance took place on the proposed diversion route. Belief that the diversion route would become muddy.
3. Footpath 29 – objector expresses their view that as the footpath has previously been diverted any issues with it should have already been resolved.

OMA response:

1. Section 119 of the Highways Act 1980 specifically allows landowners to apply to divert PROW in their interests. It is clearly advantageous to the landowner, who wishes to keep animals in the field for his sons to look after, for the field not to be divided by the PROW. This would render the top corner of the field unusable and/or present issues with the ingress/egress of livestock. The objector acknowledged that the distance involved is small (9m).

2. The proposed diversion route is not yet a PROW and therefore has no public right of access over it. The landowner is therefore free to undertake work on it at their discretion and the OMA often encourage applicants to do this where the expense/effort of doing so would not be prohibitive/unreasonable. In this case, the Ramblers representative requested that the route be made available on the ground for them to peruse. The OMA passed this suggestion onto the applicant who undertook the work in their own time and at their own expense. They then allowed the public and user groups to walk the proposed routes during the consultation period to enable them to gain a more informed view of its merits. Rather than a pre-emptive act on the part of the applicant, this was a helpful response to a stakeholder request, which has been misinterpreted by the objector. At no time was the definitive route unavailable and it was a surprise therefore to receive an objection made on this basis. The applicant proposes to turf the section of the diversion route that is currently bare earth if the diversion order is confirmed.

3. A section of Footpath 29 was previously diverted in 2009. The legislation does not prohibit further diversions and the reasons for doing so this time around are not the same. This diversion is being applied for so that the applicant's young sons can use the field to keep animals on, and, in the interests of safety, to have a direct connection to that field from the applicant's garden. Currently the field, due to the cross-field section of Footpath 26, has become a bit of a free-for-all in terms of access, with dogs not under control and walkers and their dogs not keeping to the footpath. To fence off the cross-field path would render the top corner unusable and still see the connection between the garden and field divided by Footpath 29.

Representation Two (objection maintained) - Mr Andrew Stacey

Mr Stacey objected on the following points:

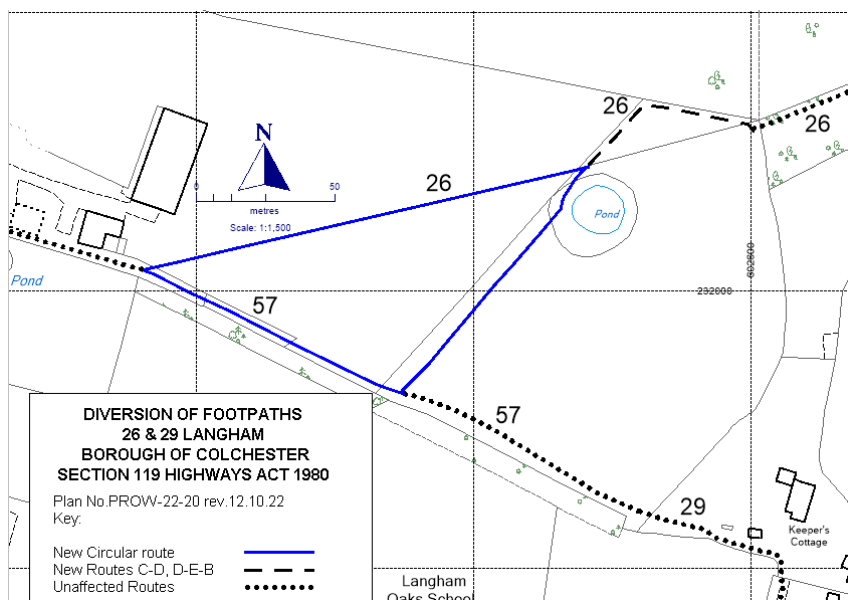
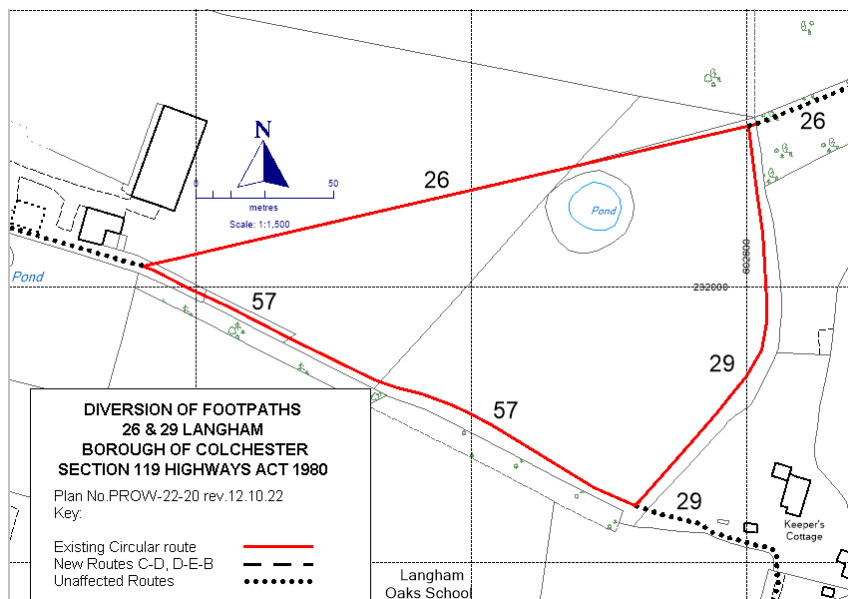
1. The increased distance of proposed A-B-C-D versus existing A-B
2. Claimed loss of circular route
3. Claimed impact on views
4. Reference to standing water issue on current route of Footpath 29
5. Objector's view that landowner is seeking to make their landholding contiguous
6. Reference to previous diversion of Footpath 29, claimed PROW route (Footpath 57)

OMA response:

1. While the OMA acknowledge that the diversion proposal would increase the walking distance, this only applies to those walking between School Lane and point B (the increase in distance for D-E-B over D-B being an unnoticeable 9m). We do not accept that the increased distance of 120m proposed route for A-C-D-E-B over A-B is significant, especially in the context of a leisure route where additional walking distance can be desirable, especially for the longer walks referenced by the objector. The current route is clearly visible from the proposed diversion route, being a literal 'stone's throw' from it. Stating the percentage increase is not, in the context of the relatively small distances involved here, a particularly useful comparison. While a difference of approximately 70% referenced by the objector may sound

significant, at an average walking speed of 3mph the time taken to walk the additional 120m is only 2 minutes.

2. The circular route referenced by Mr Stacey is presumed to consist of a loop (if heading east) starting from the junction of Footpath 57 with Footpath 26, round via Footpath 26 to Footpath 29 and back via Footpath 29 and Footpath 57 to the aforementioned start (see red route screenshot below). This is a route of approximately 574m – therefore a short circular route of limited benefit even to those of restricted mobility given that it consists of naturally-surfaced PROW and is only accessible to walkers who will have first needed to walk to the circular walk via other PROW/sections of PROW (FPs26, 29 or 30). The diversion proposal retains a circular route between the junction of Footpaths 57 and 26 and the diverted route of Footpath 29 (see blue route screenshot below), which is approximately 200m shorter (e.g. a 6 minute circular walk instead of an 8 minute one). Neither of these routes in the opinion of the OMA are particularly useful as 'circular' walks, which are generally of a longer distance to be more worthwhile.



3. The current route of Footpath 29 is located between a fence and hedge offering limited views. The proposed diversion route provides a more open aspect. There is no noticeable difference to the views available on the current and proposed routes of Footpath 26.
4. The standing water/flooding issue on the current route of Footpath 29 is a known one that reflects the footpath being located on lower lying land than the adjoining field and garden. The OMA do not accept that the applicant is at fault for this issue, which is due to the geography of the land. The applicants have in fact spent their own money in installing a culvert to try to resolve the problem. See Document 21.PROW Officer's Statement for more on this issue.
5. The applicant is seeking a diversion that would enable their children to safely use the land adjacent to the current route of Footpath 29 to keep animals on. This does not seem an unreasonable reason for proposing to divert and is, as the legislation allows, in their interests.
6. Footpath 29 was previous diverted by a Section 119 Highways Act order confirmed in 2009. The OMA are not aware of any provision in the Section 119 legislation that prohibits the further diversion of any PROW. The objector also claims that the applicant 'made to stop up' Footpath 57. It is worth noting that until Footpath 57 was added to the Definitive Map and Statement by means of a legal order in 2018 following a successful claim, it would not have previously been recorded as a formal PROW.

Representation Three (objection maintained) - Mr Ian Hollands

Mr Hollands objected on the following points:

1. The applicant must have acquired the land in the knowledge of the existence of Footpaths 26 and 26 and should therefore not be allowed to divert them for their convenience.
2. The existing footpath pattern (network?) should be preserved in the public's interest, which should prevail over private interest. If private interest prevails, it would set a precedent.
3. Increase in length of diversion route.
4. Purported loss of a circular walk.

OMA response:

1. & 2. The objector was advised in the OMA's email response to their objection (see 4-(3) Hollands.pdf) that Section 119 of the Highways Act 1980 specifically allows for landowners to apply to divert PROW in their interests and for an order to be made on that basis. The vast majority of orders made in this county are made on that basis. It is therefore the legislation and not precedent that enables path changes to take place on this basis. It is therefore not reasonable, nor supported by the legislation, that no path changes should be allowed to take place in order to preserve the status quo in terms of the current network, the origins of which may be more recent than imagined. Footpath 29's current route for example dates from 2009 and its previous diversion.

In the opinion of the OMA the public interest in respect of the proposed diversions has not been definitively established. There were only 5 objections (3 maintained, 1 withdrawn and one unduly made

(which referenced planning)), two supporting emails (unduly made), and no objections from the Parish or City Councils, and no user group objections to the made order consultation. The assumption of public interest cannot therefore be said to necessarily align with the objector's views, which are in any case not in accordance with the allowances made in the legislation, which permits applications in a landowner's interest.

3. See OMA's answer 1. to Objector Two above.

4. See OMA's answer 2. to Objector Two above.

Representation Four (objection maintained) - Mr Stephen Garner

Mr Garner objected on the following points:

1. That Footpath 29 is an ancient log-hauling route.
2. The current route of Footpath 29 is stated as being well used by the objector as part of longer walks and he objects to the added distance and inconvenience.
3. The objector views the minor diversion of Footpath 26 as unnecessary.

OMA response:

1. The current route of Footpath 29 dates from 2009 when it was previously diverted and so it is not an ancient route (objector himself references the previous diversion). The legislation does not preclude PROW from being diverted more than once, nor does it prevent the diversion of paths based upon their age. It should be noted, however, that all such paths only became recorded as public rights of way upon the issue of the first Definitive Map in 1953 (the current edition dates from 2002), or in the case of this route specifically, when it was diverted in 2009.
2. See OMA's answer 1. to Objector Two above. In addition, the objector acknowledges that they use Footpath 29 as a part of longer, recreational walks. The relatively small increase in distance (120m) would therefore not seem to be much of an inconvenience for a leisure route, and potentially would be a benefit.
3. The order was made in the interest of the landowner. Therefore, if in the applicant's view the minor diversion of Footpath 26 is beneficial to them, in avoiding unnecessary fencing and the division of their field, there would seem no valid reason for an objection to the inconsequential 9m increase in walking distance solely because the reason behind it is not comprehended or accepted.

Representation Five (supporting unduly made) - Mr Peter Stevens

Mr Stevens expressed support for the diversion proposal on the following points:

1. The current route being impassable in summer (vegetation) and winter (flooding).
2. People are taking a short cut over Mr Stevens' land in the above circumstances.
3. States that diversion would make the land usable for the applicant.

OMA response:

1. , 2. and 3. Mr Stevens was advised that his response was unduly made (after the formal consultation had ended).

Representation Six (supporting unduly made) - Mr Steve White

Mr White expressed support for the diversion proposal on the following points:

1. He has to drive a tractor across Footpath 29 to maintain the field, which he considers unsafe.
2. States that the fence alongside Footpath 29 is frequently damaged (cut).
3. Footpath 29 floods in winter.
4. Dog waste bags are left in applicant's hedge alongside Footpath 29.
5. The corner of field north of the cross-field section of Footpath 26 is difficult to access and maintain.
6. He believes proposed diversion would be better for walkers and the landowner, and safer for walkers when he is using the tractor.

OMA response:

1. and 2. Mr White was advised that his response was unduly made (after the formal consultation had ended).

Representation Seven (objection unduly made) - Mr and Mrs Reynolds

1. Claims that the applicant tried to close Footpath 29 and this was objected to by the Ramblers.
2. Stated that they have walked Footpath 29 since 1996.

OMA response:

1. and 2. Mr and Mrs Reynolds were advised that their response was unduly made (after the formal consultation had ended).

In addition:

1. The OMA have no evidence of any attempt to close Footpath 29 as claimed. It is not clear, but they may be referring to when it was previously diverted in 2009, the order for which was unopposed. The Ramblers did not object to this proposed diversion, and there is nothing to suggest that any attempt has been made by the applicant or anyone else to close Footpath 29.
2. The route of Footpath 29 was changed by legal order in 2009 and so will only have been walked by them on the current route as of right since that date and not 1996.

6. Copy of the notice publicising the order together with a copy of the newspaper cutting

See submitted PDF file:

6-Copy of notice publicising the order plus newspaper cutting.pdf

7. Certificate that in accordance with the requirements of the Act, notices have been published, served and posted on site and at the local offices

I hereby certify that:

1. A Notice in the form numbered 1 of Schedule 2 to the Public Path Orders Regulations 1993[Si 1993 No. 11] in respect of Orders under the Highways Act 1980 was published in the Colchester Gazette on 24th November, 2022. The time allowed for objections was not less than 28 days from date of publication of the Notice and the last date for objections was 22nd December 2022
2. Notices in form 1 referred to above, were duly served on every owner, lessee and occupier of the land to which the Order relates, Colchester City Council, Langham Parish Council and prescribed persons as specified in Schedule 3 of the said Regulations. The Notices were served by email on 23rd November 2022.
3. A copy of the Order and Map were uploaded to our website (<https://www.essexhighways.org/public-path-notices>) on 23rd November 2022. It was also specified in the site notice and newspaper advertisement that copies of the order and notice could be requested to be posted or viewed by emailing publicpathorders@essexhighways.org to arrange a suitable time to inspect the documents quoting the Order title. Documents can be made available for inspection 8.30am-4.30pm Mon-Fri at Essex County Council, County Hall, E block main reception, Market Road, Chelmsford if so required following the current social distancing restrictions.
4. A copy of the Notice and Plan were posted on site on 23rd November 2022 by Sarah Potter, Area Public Rights of Way Officer.

Robert Lee
PROW & Records Analyst
Essex County Council

8. Certificate that the necessary consultations have been carried out (other local authorities and statutory undertakers)

I hereby certify that:

1. Colchester City Council, Langham Parish Council, statutory undertakers, owners and occupiers of affected land and prescribed persons as specified in the Regulations were consulted informally on 10th August 2022 Note: the Made Order consultation took place on 23rd November 2022.
2. Those responses received from statutory undertakers confirmed that no apparatus would be affected by the proposed diversions.
3. Such comments as were received from the District Council, Parish Council or other statutory and ECC policy consultees are included in the PDF Documents numbered 09.

Robert Lee
PROW & Records Analyst
Essex County Council

9. Copies of any replies to the pre-order consultation and the responses by the OMA

See submitted PDF files:

09-ECC Pre-Order consultation.pdf
09-(1) Ramblers.pdf
09-(2) Colchester City Council.pdf

10. Name and address of every person, council or prescribed organisation notified under

- (i) paragraph 1(3)(b)(i), (ii) and (iv) of Schedule 6 to the 1980 Act and Schedule 3 of SI 1993 No.11 Highways England and Wales, The Public Path Orders regulations 1993;

See submitted PDF file:

10-Name and address of every person notified under Schedule 6 of the 1980 Act.pdf

11. Undertaking that if confirmed, notice will be duly published and served; or if not confirmed notice will be duly served

Essex County Council, hereby undertakes as the relevant order making authority for the area of land in question, in accordance with the requirements of the Planning Inspectorate the following:

That if the aforementioned Highways Act Order to divert sections of Footpaths 26 and 29 Langham is confirmed by the Secretary of State, the Council will duly publish and serve notice of the same

or

if not confirmed notice to that effect will be duly served in accordance with the directions of the Secretary of State

Robert Lee, PROW & Records Analyst
Essex County Council

12. Location map to enable Inspector to locate the site

The diversion of Footpaths 26 and 29 Langham is located at;

Keeper's Cottage, Langham, School Road, Langham, Colchester CO4 5PB

See submitted PDF file:

12-Location map Footpaths 26 & 29 Langham.pdf

13. Written permission from the landowner allowing the Inspector access to the land

See submitted PDF file:

13-Landowner consent form I.Ravest.pdf

14. Name and address of the applicant

Mr I.H. Ravest, Keeper's Cottage, School Road, Langham, Colchester CO4 5PB, 07823 622062,
rave1000@hotmail.com

15. Confirmation that the OMA is supporting the order

Essex County Council as the Order Making and Highway Authority hereby confirms it is supporting the order as made to divert Footpaths 26 and 29 in the parish of Langham.

We also confirm the County Council will continue to support the order should the matter be dealt with by Inquiry or Hearing.

Robert Lee
PROW & Records Analyst
Essex County Council

16. Details of the time and place where documents relating to the order will be made available for public inspection by the authority

The documents relating to the Order will be made available for public inspection on Essex Highways website at: <https://www.essexhighways.org/getting-around/opposed-orders>

Copies of the documents relating to the order can also be made available to view at Essex County Council Offices, County Hall, E block main reception, Market Road, Chelmsford, Essex CM1 1HQ between the hours of 8.30am to 4.30pm Monday to Friday, or posted or emailed (subject to a recipients' email file size limitations). To arrange to view or be sent the documents, requests should be submitted by email to robert.lee@essexhighways.org or publicpathorders@essexhighways.org

17. Health and Safety issues questionnaire

Health and safety at the site questionnaire

1. Is the site uneven or does it present any other known risks? Is special footwear or any other Personal Protection Equipment required?

N/A

2. Is there any likelihood of exposure to pets or other animals which may present a risk to the safety of the Inspector?

The footpaths are popular with dog walkers and so dogs are likely to be encountered.

3. Is the site remote and/or can it be seen from other highways or rights of way?

The footpaths are visible from other rights of way and are accessible from a publically maintained carriageway. They are not remote.

4. Does the site have a good mobile phone signal or is there easy access to a public telephone should the emergency services be required?

Ofcom's mobile availability checker shows okay coverage for all networks in the area of the footpaths. We have been unable to locate any nearby public telephones. The one shown on O/S maps in Bosted Cross is now a community library.

5. Is the right of way easily accessible? Will arrangements for access by the Inspector need to be made in advance?

The rights of way are easily accessible. Parking is available at the nearby Langham Community Centre (see location map/Document 12).
The 81/81A First Bus's bus service between Colchester and Dedham stops in Langham at a location convenient for the footpaths. This bus service connects to both Colchester and Manningtree mainline railway stations:
<https://www.firstbus.co.uk/sites/default/files/public/maps/Route%2081%2081A%20Colchester%20-%20Dedham.pdf>

6. Are there any dangerous pieces of equipment or substances stored at any point along the right of way?

None known of.

7. If there is any other relevant information which the Inspector should be aware of that is not covered in this questionnaire?

N/A

18. Undertaking that any new path or way to be provided will be ready for use before the order comes into operation;

Essex County Council, hereby undertakes as the relevant authority for the area of land in question, in accordance with the requirements of the Planning Inspectorate the following:

That any new path or way to be provided in accordance with the above Diversion Order confirmed by the Secretary Of State will be ready for use before the Diversion Order comes into operation.

Robert Lee
PROW & Records Analyst
Essex County Council

19. Extract from the definitive map and statement;

See submitted PDF file:

19-Extract from the Definitive Map and Statement.pdf

20. Copy of relevant part of the County Councils Rights of Way Improvement Plan;

See submitted PDF file:

20- Confirmation of no relevant provision with the Essex ROWIP

21. PROW Officer's Statement;

See submitted PDF file:

21-PROW Officer's Statement.pdf