

**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Subject:** RE: FW: FOOTPATHS 26 AND 29 LANGHAM DIVERSION  
**Date:** 11 January 2023 09:31:00

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Good morning [REDACTED]

Thank you for your email. I hereby acknowledge receipt of the withdrawal of your objection. I provided a deadline for a response as it is important for all parties; applicants, respondents and user groups (none of whom objected to the proposal) that the process does not become an open-ended one without a conclusion.

In respect of the ploughing issue that you reported, while I am not personally a Public Rights of Way Officer, and so have no responsibility for maintenance or enforcement issues, I am sure that they would want me to apologise on their behalf for the delay that you experienced. I am aware though that the geographical area in question was without an officer for an extended period after the previous one left and before the current officer took over late last year. I am confident that that team will pick up such issues more quickly going forwards.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



**SAFER / GREENER / HEALTHIER**

T: [REDACTED]  
E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)  
W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** [REDACTED]  
**Sent:** 10 January 2023 17:29  
**To:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Subject:** Re: FW: FOOTPATHS 26 AND 29 LANGHAM DIVERSION

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Dear Me Lee,

I don't think your objection process is reasonable and would not stand up in court. If I have

made an objection then surely that objection stands until or unless I withdraw it and not at some arbitrary date that you decide.

I wish that we had the Scottish system of access and then we wouldn't need to go through this process at all. But I understand that you have to follow the laws as they stand in England.

I also wish that Essex Highways we're as efficient at investigating damage to prows as they are at agreeing to diversions. For example, I sent in an observation of a ploughed up bridleway back in May last year and have just received an acknowledgment!! See below:



**Current status: further investigation required**

All that being said, I want you to keep as much budget as possible to contest obstructed prows and unjustified diversions, so I will withdraw my objection for this case.

Yours sincerely



On Mon, 9 Jan 2023 at 11:39, Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)> wrote:

Dear 

Following my email of 9 December (below) I wonder if you have had the time to consider the information therein and the invitation to withdraw your objection?

I would be grateful if you could respond to this email address by 24 January 2023. If I do not hear to the contrary I will assume that you have decided to withdraw your objection.

Please note that if objections remain after the above date then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the PROW service. Consequently, we carefully assess all proposals before making orders and seek to avoid having opposed orders, where in our view the proposals meet the appropriate legal criteria.

Regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** Robert Lee  
**Sent:** 09 December 2022 11:04  
**To:** [REDACTED]  
**Cc:** Sarah Potter <[Sarah.Potter@essexhighways.org](mailto:Sarah.Potter@essexhighways.org)>  
**Subject:** FOOTPATHS 26 AND 29 LANGHAM DIVERSION

Good morning [REDACTED]

Thank you for your letter of the 29<sup>th</sup> November (attached).

The legislation under which the diversion order has been made is Section 119 of the Highways Act 1980, which allows for landowners to apply to divert public rights of way in their interests as is the case here and in most diversion orders processed. The cost of undertaking this work is recovered from the applicant/landowner.

The interest test in fact the first and primary test of the legislation and in the view of the order making authority the reasons given by the applicant satisfy us that the test has been met.

As you have said the extra distance involved in walking the proposed diversion route is small and so this would not be considered to have a significant effect on the convenience of users.

In respect of taking steps to make the new route accessible for consideration the applicant has acted entirely properly.

As the order making authority Essex County Council leave the decision as to whether to make proposed routes available at the discretion of applicants as there are usually costs or work involved in doing so, though in general we welcome it as it makes consideration of proposals easier.

In this case the work was part completed (more work would follow if the order is confirmed) in response to a request by a user group.

The current bare soil surface would be seeded with grass by the applicant were the diversion to be successful, though this was not deemed appropriate at this time of year nor at this stage in the process.

We are confident having fully assessed the application that the diversion proposal fully meets the criteria of the above referenced legislation, and would therefore ask you if you would like to consider withdrawing your objection (which can be done by email).

If the order remains opposed we will then refer it to the Planning Inspectorate for determination, the costs of which are the responsibility of the PROW service and not the applicant.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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T: [REDACTED]  
E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)  
W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



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[REDACTED]

29<sup>th</sup> November 2022

RE: PUBLIC FOOTPATH DIVERSION ORDER Nos 29 & 26 LANGHAM

Dear Mr Lee,

I wish to object to this footpath diversion order that was made on 10<sup>th</sup> November 2022 in the parish of Langham, Colchester.

I have been a resident in the adjoining village of Boxted since 1989 and am a regular user of footpaths in both Boxted and Langham.

I use footpath No 26 weekly and see no justification for creating a dog leg when it joins the proposed new route of path 29. Footpath 26 is a good functional path forming the shortest diagonal distance between the entry and exit points of the field that it crosses. Although the extra distance created on the dog leg is small, I understand the principle should be to stay with the *status quo* unless there is a real justification for change.

I would also like to point out that some pre-emptive ground clearance has already been done on the proposed dog-leg which would result in a muddy soil pathway rather than the pleasant turf footpath that is currently in place. I presume you will remind the landowner of the correct procedure that needs to be followed in this matter.

With regards to footpath 29, it is my understanding that some years ago, a previous footpath was diverted away from crossing the garden of [REDACTED] it's historical route. The current route of footpath 29 is the result of that previous diversion. Therefore any issues around privacy with the landowner have already been resolved and again the *status quo* should be respected.

Regards

[REDACTED]

[REDACTED]

**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Cc:** [Sarah Potter](#)  
**Subject:** RE: FW: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS  
**Date:** 24 January 2023 12:00:00

---

Good morning [REDACTED],

Thank you for your email.  
Your intention to maintain your objection is duly noted.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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T: [REDACTED]  
E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)  
W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** [REDACTED]  
**Sent:** 24 January 2023 11:46  
**To:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Subject:** Re: FW: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

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Dear Mr Lee,

I have heard nothing that has caused me to withdraw my objections to this proposal, or the way in which it has been handled, so these objections stand.

Best wishes,

[REDACTED]

On 23 January 2023 at 11:17 Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)> wrote:

Dear [REDACTED],

Following my email of 9 January (below) I wonder if you have had the time to consider the information therein and the invitation to withdraw your objection?

I would be grateful if you could respond to this email address by 6 February 2023. If I do not hear to the contrary I will assume that you have decided to withdraw your objection.

Please note that if objections remain after the above date then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the Public Rights of Way service.

Consequently, we carefully assess all proposals before making orders and seek to avoid having opposed orders, where in our view and experience the proposals meet the appropriate legal criteria.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** Robert Lee  
**Sent:** 09 January 2023 11:46  
**To:** [REDACTED]  
**Cc:** Sarah Potter <[Sarah.Potter@essexhighways.org](mailto:Sarah.Potter@essexhighways.org)>  
**Subject:** LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

Dear [REDACTED]

I herein acknowledge receipt of your objection letter (attached) and thank you for your interest in the public rights of way (PROW) network.

Essex County Council (ECC) as the order making authority assess all applications for public path order diversions against the criteria of Section 119 of the Highways Act 1980, which in our experience and opinion this diversion proposal meets.

Noting your personal comments regarding when PROW should or should not be diverted please be advised that these do not accord with the legislation, which specifically allows for landowners to apply to divert public rights of way in their interests, and this has been demonstrated to the order making authority's satisfaction.

The legislation does not preclude a PROW from being diverted more than once, nor does it prevent the diversion of paths based upon their age, though it should be noted that all such paths only became recorded public rights of way upon the issue of the first Definitive Map in 1953 (the current edition dates from 2002).

Various organisations and user groups - including Natural England, the Environment Agency, ECC Historic Environment, the Parish and District Councils and Area County Councillor, the Ramblers Association, Open Spaces Society and others - were consulted at both the pre-order and made order (public) consultation stages, none of whom objected to this proposal.



In respect of distances, the difference for walkers heading north and then north west from the direction of School Road on the current route (between A-B) and proposed route (A-C-D-E-B) is 120 metres, which we do not consider as significant in the context of a leisure route, especially for longer walks such as those that you mention you undertake. For walkers arriving from Greyhound Hill and heading west and then north west using the current route (D-B) vs the proposed route (D-E-B) the difference is an unnoticeable 9 metres.

I would invite you please to consider withdrawing your objection to this proposal, to this email address and would be grateful if you could do so by 24 January 2023.

If objections remain after that period then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the PROW service.

Consequently we carefully assess proposals before making orders and seek to avoid having opposed orders, where in our view the proposals meet the appropriate legal criteria.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**

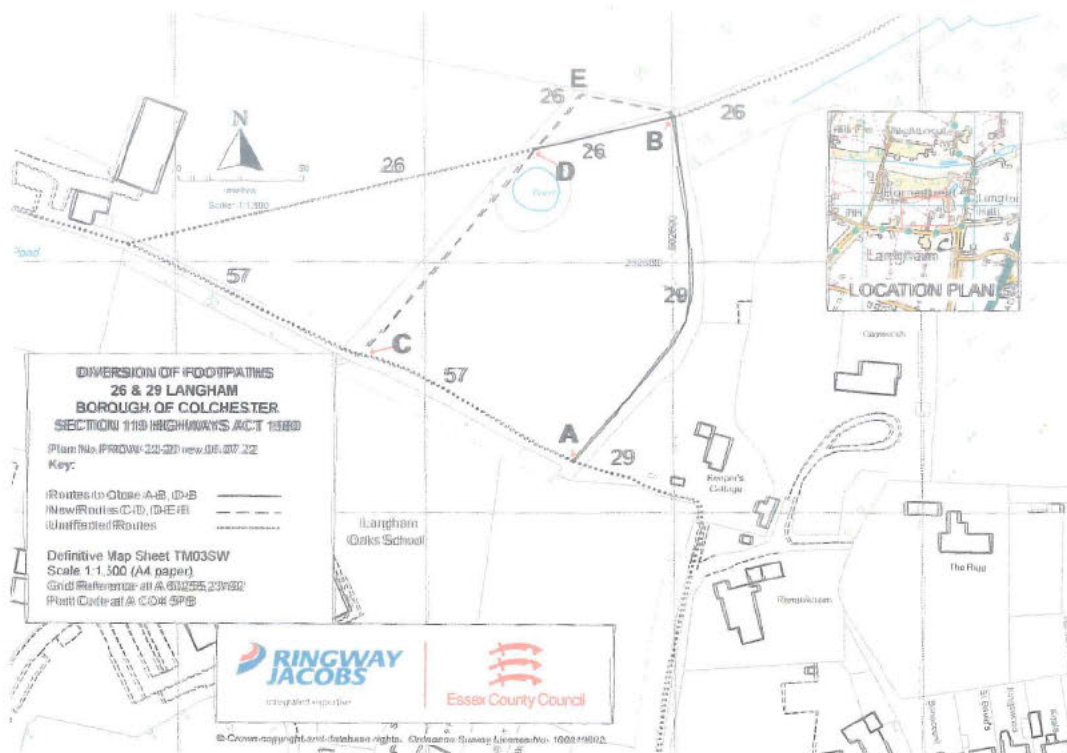


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W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)





To:  
 Robert Lee,  
 Definitive Map Service,  
 Essex County Council,  
 Seax House,  
 2nd Floor,  
 Victoria Road  
 South, Chelmsford  
 CM1 1QH

**Footpath diversions for footpaths 26 and 29 in Langham.**



I wish to object to the proposed diversion of the local PROW network, and the early termination of FP29 on a number of grounds.

For some of the reasons I give below, I am more than a little surprised that this application has travelled so far.

In crude terms, the new route ACDB represents an approximately 70% increase in the distance walked in comparison with the present determination, A-B. This is a very high figure and a past application by this resident for a diversion, involving a much lower figure, was cursorily rejected.

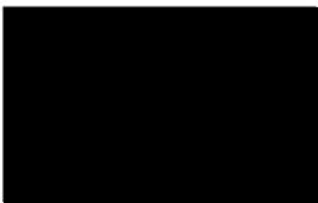
The stopping up of FP29 at point A eliminates the possibility of a circular route, beloved of many walkers and particularly those exercising dogs; it is a loss of enjoyment of their walk. Moreover, the addition of at least 200 people (80 houses) within a couple of hundred metres from this diversion over the next several years, all intent on such a usage pattern, will be contentious, if not fractious.

The footpath network at this site lies in the shadow of the AONB Project Area, namely Hobday Woods, and its landscape significance is strong amongst residents and long-distance walkers alike. The views will be curtailed if DEB replaces DB and, the owners of the woods will have imposed upon them, for no good reason, the need to maintain a higher level of fencing (incursions being a problem) as the PROW will run along its boundary. Perhaps the applicant might wish to consider assistance in this area ... of unintended consequences.

The present FP29, from A-B, runs along the boundary of the applicant's domestic cartilage, a footpath that he has fenced tightly and which suffers from standing water in season. The failure to clear a culvert under his track access to the field he has acquired has been used in the past as a reason to stop up the PROW. Of course, the existence of a culvert indicates the need to drain water; it is there for no other purpose.

However, it is the principle that a resident can manage to obtain a diversion to the PROW network simply to make his holding contiguous that I must resist. The precedent would, I assume, be noticed and taken up by a large number of people!

The recent history of PROW application in this area and by this applicant cannot be ignored. The density of footpaths in this area is no mystery when one considers the fact that the applicant's house is, in fact, the Old Workhouse! To this end, a diversion of a footpath running past the applicant's front door was happily agreed to by the Parish Council in 2008, on my recommendation as PROW councillor. When, later, the applicant made to stop up the footpath that became FP57, the parish was moved to establish legal status for a long-used routeway through a Public Enquiry. There have been numerous physical impediments to the network on the applicant's land in the years since, and I am sure that the friction will not end with or without this diversion. Neither am I convinced this will be the last diversion application.



**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Cc:** [Cllr Lewis Barber](#); [Sarah Potter](#)  
**Subject:** RE: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS  
**Date:** 24 January 2023 15:39:00  
**Attachments:** [REDACTED]

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Dear [REDACTED],

Thank you for your email.

I provided a deadline for a response to my email having not had a reply to my previous one which addressed issues raised in your objection letter. As the order making authority we feel that it is important for all parties; applicants, respondents, councils and user groups (neither of whom objected to the proposal) that the process does not become an open-ended one without a conclusion.

Your decision to maintain your objection is, however, duly noted.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** [REDACTED]  
**Sent:** 24 January 2023 13:24  
**To:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Cc:** Cllr Lewis Barber [REDACTED]  
**Subject:** RE: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

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Dear Mr Lee,

Thank you for your email, parts of which I find objectionable. I refer in particular to the second sentence of the second paragraph.

I do not withdraw my objection.

Yours sincerely,

[REDACTED]

---

**From:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Sent:** 23 January 2023 11:18  
**To:** [REDACTED]  
**Cc:** Sarah Potter <[Sarah.Potter@essexhighways.org](mailto:Sarah.Potter@essexhighways.org)>  
**Subject:** FW: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

Dear [REDACTED],

Following my email of 9 January (below) I wonder if you have had the time to consider the information therein and the invitation to withdraw your objection?

I would be grateful if you could respond to this email address by 6 February 2023. If I do not hear to the contrary I will assume that you have decided to withdraw your objection.

Please note that if objections remain after the above date then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the Public Rights of Way service. Consequently, we carefully assess all proposals before making orders and seek to avoid having opposed orders, where in our view and experience the proposals meet the appropriate legal criteria.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** Robert Lee  
**Sent:** 09 January 2023 11:46  
**To:** [REDACTED]  
**Cc:** Sarah Potter <[Sarah.Potter@essexhighways.org](mailto:Sarah.Potter@essexhighways.org)>  
**Subject:** LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

Dear Mr Hollands,

I herein acknowledge receipt of your objection letter (attached) and thank you for your interest in the public rights of way (PROW) network.

Essex County Council (ECC) as the order making authority assess all applications for public path order diversions against the criteria of Section 119 of the Highways Act 1980, which in our experience and opinion this diversion proposal meets.

While noting your personal comments regarding when PROW should or should not be diverted, please be advised that these do not accord with the legislation, which specifically allows for landowners to apply to divert public rights of way in their interests, and this has been demonstrated to the order making authority's satisfaction.

The legislation does not preclude a PROW from being diverted based upon its age, though it should be noted that all such paths only became recorded public rights of way upon the issue of the first Definitive Map in 1953 (the current edition dates from 2002).

Various organisations and user groups - including Natural England, the Environment Agency, ECC Historic Environment, the Parish and District Councils and Area County Councillor, the Ramblers Association, Open Spaces Society and others - were consulted at both the pre-order and made order (public) consultation stages, none of whom objected to this proposal.

In respect of distances, the difference for walkers heading north and then north west from the direction of School Road on the current route (between A-B) and proposed route (A-C-D-E-B) is 120 metres, which we do not consider as significant in the context of a leisure route, especially for longer walks such as those that you mention you undertake. For walkers arriving from Greyhound Hill and heading west and then north west using the current route (D-B) vs the proposed route (D-E-B) the difference is an unnoticeable 9 metres.

There is no loss of a circular route though the one provided by the diversion is now shorter than the existing one, which given your concerns over added distance elsewhere may be welcomed by some.

I would invite you please to consider withdrawing your objection to this proposal, to this email address and would be grateful if you could do so by 24 January 2023.

If objections remain after that period then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the PROW service.

Consequently we carefully assess proposals before making orders and seek to avoid having

opposed orders, where in our view the proposals meet the appropriate legal criteria.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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Mr Robert Lee  
Definitive Map Service  
Essex County Council  
2<sup>nd</sup> floor  
Seax House  
Victoria Road  
South Chelmsford  
CM1 1QH

16 December 2022

Dear Sir,

**PROPOSED FOOTPATH DIVERSION:  
FOOTPATHS 26 & 29, LANGHAM, COLCHESTER**

I understand that the owner of Keeper's Cottage, Langham, Colchester, is applying to have Footpaths 26 and 29 diverted so that they do not cross his property. I object to the application.

The English network of footpaths is a glory of the kingdom and should not be compromised without very sound and pressing reasons.

The applicant must have acquired the land over which Footpaths 26 and 29 lie in full knowledge of their existence as Rights of Way. He may now find their presence inconvenient but this is no cause for altering the lines of footpaths that existed long before his arrival in Langham and will continue to exist long after his time on earth. There is well-established public interest in the preservation of the existing footpath pattern and this public interest should normally prevail over private interest. The applicant advances no reason why in this case his private interest should prevail. Indeed, should his application succeed, it would establish a precedent for any landowner who finds the presence of a footpath not to his or her liking to secure its diversion. Disintegration of the system would follow.

The proposed diversion A-C-D-E-B would add very considerably to the length of the customary route, A-B. of walkers coming from School Road and going north-east on Footpath 26 towards The Grove ('Hobday Wood'). It would also deprive walkers of the popular circular route formed by Footpaths 26-29-57.

Copies of this letter go to Mr Paul Armstrong, Langham Parish Council and to the Colchester Group of the Ramblers' Association.

Yours faithfully,





**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Cc:** [Sarah Potter](#)  
**Subject:** RE: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS  
**Date:** 03 February 2023 08:54:00

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Dear [REDACTED],

Your decision to maintain your objection is noted.

Regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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T: [REDACTED]  
E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)  
W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



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**From:** [REDACTED] >  
**Sent:** 02 February 2023 22:03  
**To:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Cc:** Sarah Potter <[Sarah.Potter@essexhighways.org](mailto:Sarah.Potter@essexhighways.org)>  
**Subject:** Re: LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

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## **LANGHAM FOOTPATHS 29 & 26 DIVERSIONS**

Dear Mr Lee,

Thankyou for your reply dated 9th January to my letter of 10th December last. Given that I have not responded sooner to your invitation to withdraw my objection, you will have deduced by now that I do *not* withdraw my objection.

You mention the criteria of Section 119 of the Highways Act 1980. I would assert that the diversion of a public right of way in the landowner's interest has already taken place in the diversion of the original right of way to the present footpath 29 (in its Southern half) to the benefit of the amenity of [REDACTED]. By your explanation you imply that every time a piece of land is purchased an application to divert a public right of way will meet the criteria.

It is, perhaps, unfortunate that the Parish Council did not lodge a formal written objection for your records, however you will no doubt be aware that concerns were expressed at the pre-order consultation stage.

You observe that by your measurement the diversion A-C-D-E-B is 120 metres greater than distance A-B and you do not consider that significant. This begs the question of how great in measured metres a diversion would have to be before it is considered significant. More pertinent is to view the planned diversion on the Definitive Map sheet, where the actual scale of the diversion is obvious. For instance, if the intention is to reach point B from School Lane, the diversion from point A to point C is more than 90 degrees away from the path A to B, with the user walking away from the objective.

In your email of January 9th you make it clear that my objection stands unless I withdraw it, the situation to which I refer in my opening paragraph. In spite of this, in your email of 23rd January, you state that you will assume I have withdrawn if you do not hear to the contrary. Your 'volte face', if not actually illegal, certainly shows a lack of integrity. In any case the principle 'qui tacet consentire videtur' is not recognised in English law. I most definitely maintain, and do *not* withdraw, my objection to the diversion of Footpath 29.

While the proposed diversion D-E-B of Footpath 26 is a relatively minor irritation when compared to the above, I also maintain my objection to the proposed diversion of part of Footpath 26.

Kind regards,



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**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Cc:** [Sarah Potter](#)  
**Subject:** LANGHAM FOOTPATHS 29 & 26 DIVERSIONS  
**Date:** 23 January 2023 11:17:00  
**Attachments:** [REDACTED]

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Dear [REDACTED],

Following my email of 9 January (below) I wonder if you have had the time to consider the information therein and the invitation to withdraw your objection?

I would be grateful if you could respond to this email address by 6 February 2023. If I do not hear to the contrary I will assume that you have decided to withdraw your objection.

Please note that if objections remain after the above date then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the Public Rights of Way service. Consequently, we carefully assess all proposals before making orders and seek to avoid having opposed orders, where in our view and experience the proposals meet the appropriate legal criteria.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



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---

**From:** Robert Lee  
**Sent:** 09 January 2023 11:45  
**To:** [REDACTED]  
**Cc:** Sarah Potter <[Sarah.Potter@essexhighways.org](mailto:Sarah.Potter@essexhighways.org)>  
**Subject:** LANGHAM FOOTPATHS 29 & 26 DIVERSIONS

Dear [REDACTED]

I herein acknowledge receipt of your objection letter (attached) and thank you for your interest in the public rights of way (PROW) network.

Essex County Council (ECC) as the order making authority assess all applications for public path order diversions against the criteria of Section 119 of the Highways Act 1980, which in our experience and opinion this diversion proposal meets.

The legislation allows for landowners to apply to divert public rights of way in their interests, and this has been demonstrated to the order making authority's satisfaction.

The legislation does not preclude a PROW from being diverted more than once, nor does it prevent the diversion of paths based upon their age, though it should be noted 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).

Various organisations and user groups - including Natural England, the Environment Agency, ECC Historic Environment, the Parish and District Councils and Area County Councillor, the Ramblers Association, Open Spaces Society and others - were consulted at both the pre-order and made order (public) consultation stages, none of whom objected to this proposal.

In respect of distances, the difference for walkers heading north and then north west from the direction of School Road on the current route (between A-B) and proposed route (A-C-D-E-B) is 120 metres, which we do not consider as significant in the context of a leisure route, especially for longer walks such as those that you mention you undertake. For walkers arriving from Greyhound Hill and heading west and then north west using the current route (D-B) vs the proposed route (D-E-B) the difference is an unnoticeable 9 metres. This latter diversion is not unnecessary in the view of the applicant as it would allow them to use their field as a whole without having to fence off a triangle section and leave that unused.

I would invite you please to consider withdrawing your objection to this proposal via an email to this email address and would be grateful if you could do so by 24 January 2023.

If objections remain after that period then ECC as the order making authority will refer the order to the Planning Inspectorate for determination wherein we will support the confirming of the order. Under the current legislation this referral process cannot be charged to the applicant and is instead paid for by the PROW service.

Consequently we carefully assess proposals before making orders and seek to avoid having opposed orders, where in our view the proposals meet the appropriate legal criteria.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



**SAFER / GREENER / HEALTHIER**

To Robert Lee  
Definitive Map Service  
Essex County Council  
Seax House 2nd Floor  
Victoria Road South  
Chelmsford CM1 1QH

10th December 2022

Dear Mr Lee,

Public Footpaths Diversion Order  
Paths 29 and 26 Langham

Please take note that I object to the diversion of footpath 29 Langham and I object to the diversion of footpath 26 Langham.

Footpath 29 is an ancient right of way and “right to haul logs”, the original route of which ran straight from point B on your plan to the end of School Lane, Langham, therefore passing close to [REDACTED]. It has already been diverted, to the benefit of the property owner, from its mid point to point A and from point A to School Lane, initially as a permissive path and more recently as the definitive right of way. Footpath 29 in its existing route is well used by the local population, including me, linking to footpath 26 for recreational walks north-eastwards toward Grove Hill or part of longer walks to or from Langham church or to or from the neighbouring villages of Stratford St Mary and Dedham. Closure of the route of this footpath A to B and its diversion to a new route via points C and D is an unwelcome and lengthy deviation and would be a huge inconvenience to persons commencing or finishing a walk at School Lane, which is itself in the centre of the main populated area of Langham. I object to the closure and diversion proposed.

Footpath 26 is a long-established path crossing a near rectangular field diagonally from corner to corner in the usual way when the field was a single property. The diversion of this path from point D to point E to point B is pointless and unnecessary, and would be so even if the diversion of footpath 29 were to proceed. The path proceeds past fencing D to B; if the landowner of this half of the original field is wishing to fence the very small triangle of land D - E - B then a clap-gate at D and at B would maintain the footpath without diversion. I object to the diversion proposed.

Yours sincerely,

[REDACTED]

**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Subject:** RE: footpaths 29 and 26 Langham  
**Date:** 11 January 2023 09:20:00

---

Good morning [REDACTED] and thank you for your email.

The consultation period has now ended but I will keep your email on file as a record of support for the proposal should it be necessary to refer the diversion order to the Planning Inspectorate for determination.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



**SAFER / GREENER / HEALTHIER**

T: [REDACTED]  
E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)  
W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



---

**From:** [REDACTED]  
**Sent:** 10 January 2023 21:04  
**To:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Subject:** footpaths 29 and 26 Langham

**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.

Good Morning Mr Lee I would like to support the diversion as proposed by [REDACTED]. the current route is impassable for most of the summer due to overgrown vegetation, and flooding in winter. People are now taking a short cut over my land which is parallel to the proposed new path which is causing me problems. If this proposal gets approved it would make the land usable for [REDACTED].

Kind Regards [REDACTED]

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**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Subject:** RE: Proposal to divert footpaths 29 & 26 at Langham, Essex  
**Date:** 23 January 2023 08:40:00

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Good morning [REDACTED]

Thank you for your email of support in respect of the above.

Because the formal consultation has already closed I will keep your expression of support for the diversion on file in case it is necessary to refer the footpath diversion order onto the Planning Inspectorate for determination.

Kind regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



**SAFER / GREENER / HEALTHIER**

T: [REDACTED]  
E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)  
W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



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**From:** [REDACTED]  
**Sent:** 20 January 2023 16:14  
**To:** Robert Lee <[Robert.Lee@essexhighways.org](mailto:Robert.Lee@essexhighways.org)>  
**Subject:** Proposal to divert footpaths 29 & 26 at Langham, Essex

**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 Mr Lee

I am a full time gardener and have worked at the property alongside footpath 29 for the past 10+ years. I frequently have to take tree branches, hedge clippings and other garden waste into the field adjacent to footpath 29. I use a small tractor and trailer for this and have to drive across footpath 29 to gain access to and from the field, which I consider is unsafe, due to the walkers and their dogs on the footpath.

I have also found that the fence between the field and footpath 29 has frequently had the wires cut. I used to repair this but have now given up. In addition footpath 29 always floods in winter making the route impossible for most people.

Another job, rather unpleasant is the removal of small bags of dog excrement that are thrown into the house garden from footpath 29.

The small triangular portion of the field, adjacent to footpath 26 is very difficult for me to maintain and cut the grass due to poor access.

I consider that the proposed path diversions would improve the situation for walkers and myself and the house owners, and make path 29 safer when I am using the tractor and trailer.

Yours sincerely

[REDACTED]

[REDACTED]

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**From:** [Robert Lee](#)  
**To:** [REDACTED]  
**Cc:** [Sarah Potter](#)  
**Subject:** RE: Langham Footpaths 29&26 Diversions  
**Date:** 08 February 2023 16:16:00

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Good afternoon [REDACTED]

Thank you for your email.

Please note the public consultation on the above referenced proposed footpath diversions concluded on 22 December 2022.

I am therefore unable to accept your email as a valid objection because under the terms of the consultation it is considered as unduly made.

Please also note that the proposed changes were unrelated to planning, and were undertaken under Section 119 of the Highways Act 1980.

The legislation specifically allows for landowners to apply to divert public rights of way on their land in their interests and places no limitations on the number of applications made.

Essex County Council as the Highway Authority and Order Making Authority assessed the diversion proposals prior to making the order and remain confident that the criteria of the legislation have been met.

Regards

**Robert Lee | PROW & Records Analyst**

**Definitive Map Team**



**SAFER / GREENER / HEALTHIER**

E: [robert.lee@essexhighways.org](mailto:robert.lee@essexhighways.org)

W: [www.essex.gov.uk/highways](http://www.essex.gov.uk/highways)



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**From:** [REDACTED]

**Sent:** 08 February 2023 15:17

**To:** Robert Lee <Robert.Lee@essexhighways.org>

**Cc:** [REDACTED]

**Subject:** Langham Footpaths 29&26 Diversions

**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.

My wife and I have failed to negotiate the planning website and so are contacting you to say that we entirely agree with [REDACTED] comments especially regarding the proposed closure of part of PROW 29 on section AtoB as shown on his map sent to you.

This application follows previous attempts by [REDACTED] to close PROW 29 where he has failed when pedestrians, including members of "The Ramblers", have been able to raise completely valid objections.

We, for example, have walked PROW 29 since 1966.

Sincerely

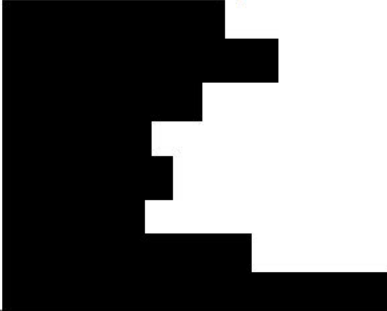
[REDACTED]

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09. Name and address of every person notified under Schedule 6 of the 1980 Act

<p>Landowner/Applicant:</p> 	<p>Langham Parish Council: a.thorpe@langhamparishcouncil.co.uk</p>
<p>Colchester City Council Chief Executive: Pamela Donnelly pamela.donnelly@colchester.gov.uk</p>	<p>Other Colchester City Council consultees: planning.services@colchester.gov.uk Jane.Thompson@colchester.gov.uk operations@colchester.gov.uk planning.services@colchester.gov.uk</p>
<p>Area County Councillor Lewis Barber C/O Members' Suite Essex County Council County Hall Duke Street Chelmsford CM1 1LX Email: cllr.lewis.barber@essex.gov.uk Mobile Telephone No: 07876237137</p>	