

TENDRING DISTRICT COUNCIL

**PUBLIC PATH DIVERSION ORDER 2024
FOOTPATH 11 HARWICH**

**IN
THE DISTRICT OF TENDRING**

**TOWN & COUNTRY PLANNING ACT 1990 - SECTION 257
PUBLIC PATH DIVERSION ORDER**

TENDRING DISTRICT COUNCIL
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PUBLIC PATH DIVERSION ORDER
FOOTPATH 11 HARWICH

This Order is made by TENDRING DISTRICT COUNCIL (“the authority”) under section 257 of the Town & Country Planning Act 1990 (“the 1990 Act”) because it is satisfied that it is necessary to divert part of the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 by Tendring District Council namely: Planning Application 21/00926/FUL Redevelopment of existing car park to provide 24 affordable houses with parking and formation of a car park for Harwich and Parkeston Football Club.

BY THIS ORDER:

1. A part length of the footpath over the land shown by a bold black line on the attached map and described in Part 1 of the Schedule to this order (“the Schedule”) shall be diverted as provided below.
2. There shall be created to the reasonable satisfaction of Essex County Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
3. The diversion of the footpath shall have effect on the date on which Essex County Council certify that the terms of Article 2 above have been complied with.
5. The applicant is hereby required to pay the full costs of seeking the diversion Order; this to include costs of advertising and administration, accommodation costs for any resulting hearing or inquiry, and the removal or abandonment of any apparatus, including the cost of providing any telecom

apparatus rendered useless under, in, on, over, along or across the path to be stopped up.

6. Where immediately before the date on which part of the footpath is diverted, there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying out their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

[PART 1]

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

A part length of Footpath 11 Harwich shown by a bold black continuous line on the Order Map starting point **A** at grid reference 62505,23138 following a surfaced vehicular track in a south easterly direction from Harwich Road situated to the west of Royal Oak Football Ground for a distance of approximately 108 metres to point **B** at grid reference 62509,23128 where it continues unaffected.

[PART 1]

DESCRIPTION OF SITE OF NEW PATH OR WAY

A Footpath being 2 metres in width shown by a bold black dashed line on the Order Map commencing at point **C** at grid reference 62505,23138 approximately 7 metres west from the aforementioned point **A** following a surfaced path in a generally south easterly then south westerly then southerly direction for a distance of approximately 92 metres to point **D** at grid reference 62506,23131 where it continues along a pedestrian road crossing in a southerly then north easterly then south easterly direction for a further 50 metres to the aforementioned point **B** where it continues unaffected.

Given under the Common Seal of the TENDRING DISTRICT COUNCIL this day of 2024

The common seal of the)
TENDRING DISTRICT COUNCIL)
was hereunto affixed in the)
presence of:-)

Dated: day of 2024

PUBLIC PATH DIVERSION ORDER

**TOWN & COUNTRY PLANNING ACT
1990 Section 257**

Footpath 11 Harwich
District of Tendring

**TENDRING DISTRICT COUNCIL
Thorpe Road, Weeley, CO16 9AJ**