

NOTICE OF CONFIRMATION OF PUBLIC PATH ORDER

HIGHWAYS ACT 1980

EAST SUFFOLK COUNCIL (LOWESTOFT FOOTPATH NO 52) PUBLIC PATH DIVERSION ORDER 2022

On 13 January 2023 East Suffolk Council confirmed the above order made under Section 119 of the Highways Act 1980.

The effect of the order as confirmed is to divert the whole of Lowestoft Footpath No 52 commencing at Ordnance Survey grid reference (OSGR) TM55259419 at a junction with Whapload Road (6U6236) at a site known as The Ness and proceeding in a generally north easterly direction for approximately 74 metres to join Lowestoft Footpath No 51 at OSGR TM55319422 to a new line commencing at OSGR TM55249422 at a junction with Whapload Road and proceeding in an east north easterly direction for approximately 8 metres across a surfaced area passing on the north side of a parking bay to OSGR TM55259422 then continuing in an east north easterly direction for approximately 59 metres along a surfaced path to join Lowestoft Footpath No 51 at OSGR TM55319424 as described in the order and as shown on the order map. There are two lockable bollards at OSGRTM55259422.

A copy of the order as confirmed and the order map have been placed and may be seen free of charge at Lowestoft Library, Clapham Road South, Lowestoft NR32 1DR between the hours of 9am and 6pm Monday, 8:30am and 6pm Tuesday, Wednesday, Thursday and Friday, 9am and 5pm Saturday and 10am and 4pm Sunday. A copy of the confirmed order and the order map may be obtained by post or email free of charge by contacting the council's representative Sharon Berry, via email at sharon.berry@baberghmidsuffolk.gov.uk or telephone 01449 724643. They can also be viewed at <http://www.eastsuffolk.gov.uk/environment/rights-of-way/>.

The order comes into force on 25 March 2023 but if a person aggrieved by the order wants to question its validity, or that of any provision contained in it, on the ground that it is not within the powers of the Highways Act 1980, as amended, or on the ground that any requirement of the Act, as amended, or of any regulation made under the Act has not been complied with in relation to the order he or she may, under paragraph 2 of Schedule 2 to the Act as applied by paragraph 5 of Schedule 6 to the Act, within six weeks from 20 January 2023, make an application to the High Court.

Dated: 20 January 2023

P Ridley
Head of Planning and Coastal Management
East Suffolk Council

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980

EAST SUFFOLK COUNCIL (LOWESTOFT FOOTPATH NO 52) PUBLIC PATH DIVERSION ORDER 2022

This order is made by East Suffolk Council ("the authority") under section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owner of the land crossed by the footpath described in paragraph 1 of this order and of the public it is expedient that the line of the path should be diverted.

East Suffolk Council has agreed to defray any compensation which becomes payable in consequence of the coming into force of the order, and any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Suffolk County Council has been consulted as required by section 120(2) of the 1980 Act and Suffolk County Council has consented to the making of the order.

BY THIS ORDER:

1. The public right of way over the land situate at Lowestoft and shown by a bold continuous line on the map contained in this order and described in Part 1 of the Schedule to this order shall be stopped up with effect from the date on which Suffolk County Council certifies that the work to bring the public footpath described in Part 2 of the Schedule to this order into a fit condition for use by the public has been carried out. Certification shall not take place prior to the creation of the new route as described in Paragraph 2 of this order.
2. There shall at the end of seventy days from the date of confirmation of this order be a public footpath over the land situate at Lowestoft described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order.
3. The rights conferred on the public under this order shall be subject to the limitation set out in Part 3 of the Schedule.

THE COMMON SEAL of the said
EAST SUFFOLK COUNCIL

was hereunto affixed this 11th day of November 2022

in the presence of:

Authorised Officer:

Authorised Officer:



Y69

The foregoing Order is hereby confirmed by East Suffolk Council
as an unopposed Order

THE COMMON SEAL of EAST SUFFOLK COUNCIL

was hereunto affixed this 13th day of January 2023

Authorised Officer:

Authorised Officer:

Abigail
JAVIER
FCILEY

ra
MARIE CLARK
SOLICITOR



9/8

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH

Lowestoft Footpath No 52 – The whole of Lowestoft Footpath No 52 commencing at Ordnance Survey grid reference TM55259419 at a junction with Whapload Road (6U6236) at point A and proceeding in a generally north easterly direction for approximately 74 metres to join Lowestoft Footpath No 51 at Ordnance Survey grid reference TM55319422 at point B; this being the route shown between points A – B on the order map.

PART 2

DESCRIPTION OF SITE OF NEW PATH

Lowestoft Footpath No 52 – Commencing at Ordnance Survey grid reference TM55249422 at a junction with Whapload Road (6U6236) at point C and proceeding in an east north easterly direction for approximately 8 metres across a surfaced area passing on the north side of a parking bay to Ordnance Survey grid reference TM55259422 at point D then continuing in an east north easterly direction for approximately 59 metres along a surfaced path to join Lowestoft Footpath No 51 at Ordnance Survey grid reference TM55319424 at point E; this being the route shown between points C – D – E on the order map.

Width: Varying between 3.35 metres and 3.5 metres

PART 3

LIMITATION

Two lockable bollards at Ordnance Survey grid reference TM55259422 reducing the width of the footpath to 0.9 metres between the bollards and 1.1 metres either side of the bollards.



ORDER TO IN THE EAST SUFFOLK COUNCIL (LOWESTOFT FOOTPATH NO 52) PUBLIC PATH DIVERSION ORDER 2022



- Footpath to be diverted (A - B)
- - - Proposed Footpath (C - D - E)
- Unaffected Footpath

Ordnance Survey MasterMap

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Scale 1:2500 @ A4

2022-09-02 RoW.003. Order Map Final