

Essex Public Rights of Way

Ramblers Area Hub Meeting 26th June 2025

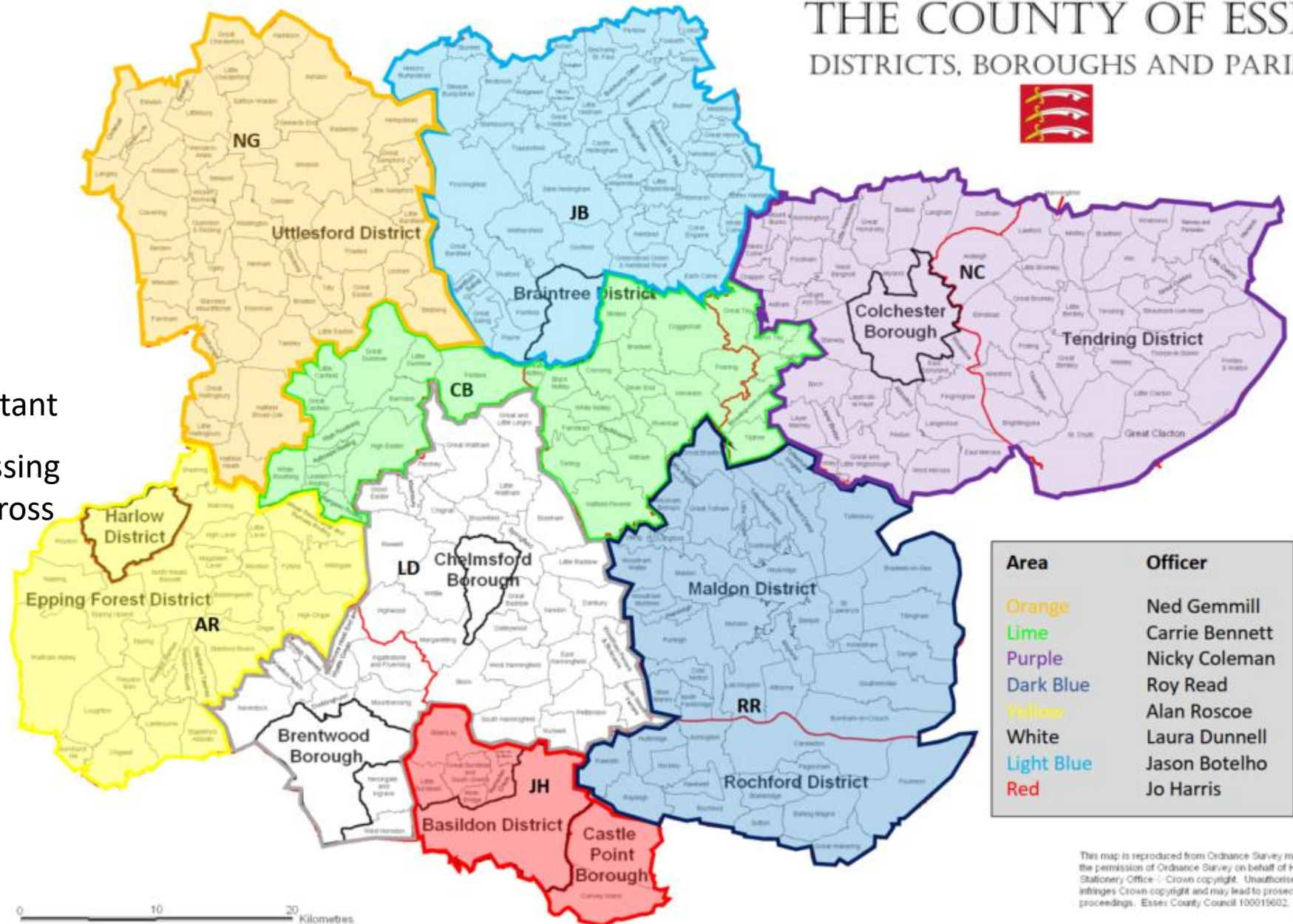
THE COUNTY OF ESSEX DISTRICTS, BOROUGHS AND PARISHES



Staff Updates

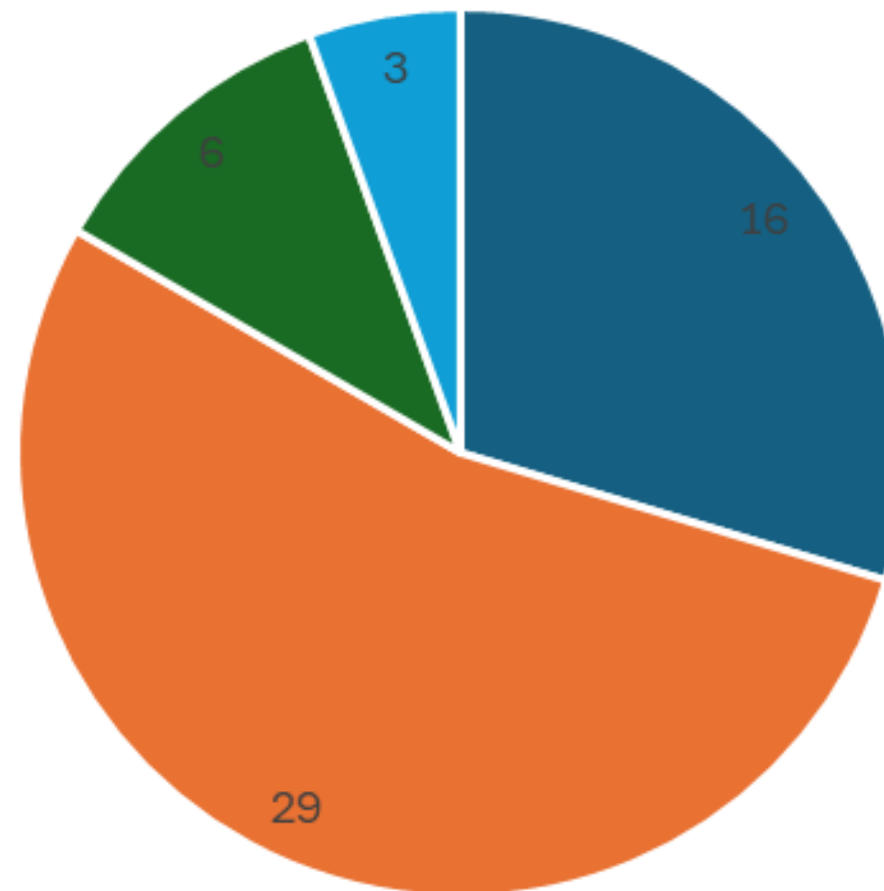
New position - PROW Assistant

Their focus will be on assessing the condition of bridges across the network



Barrier Removal Works 2023

- Stiles replaced with gate
- Stiles removed to leave a gap
- Gates removed
- Staggered barriers widened or removed



Barrier Removal Works

Colne Engaine Footpath 19 Stile in fence line with proximity to barbed wire, single step and no hand post. This has now been cut out and a gap remains with new WM disc to draw attention to the gap

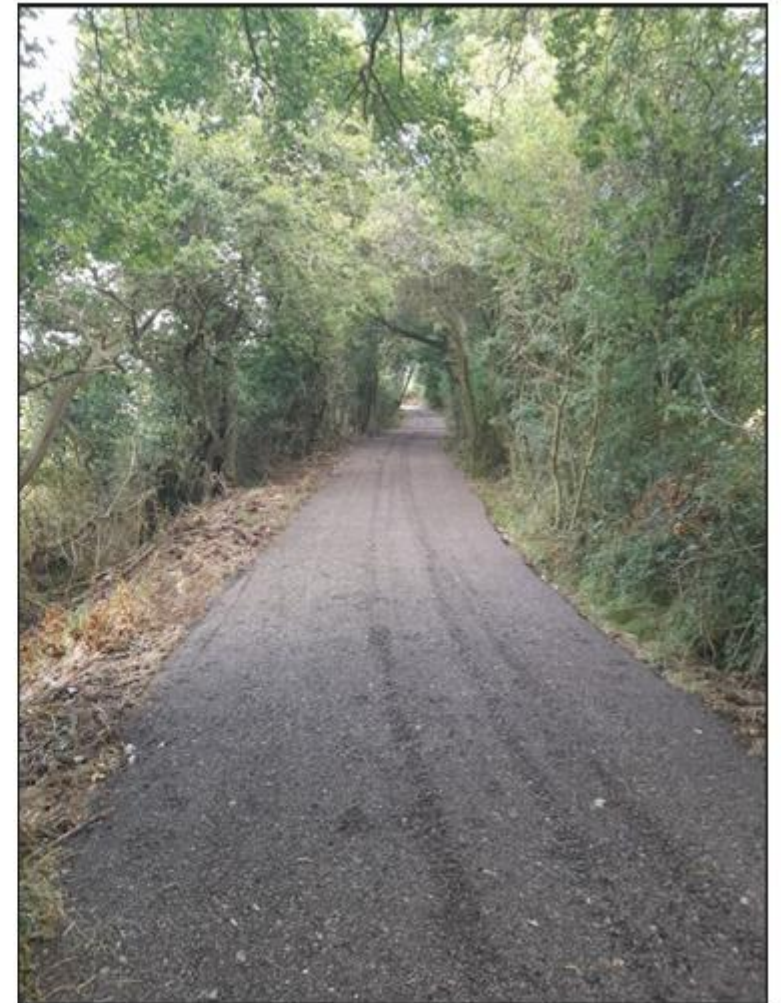


Finchingfield FP20 An unauthorised pedestrian gate – landowner agreed to it being removed and only rehung when they submit an s147 application and have animals for the field.

2024 Completed Works

Byway 1 Coggeshall/Byway 10 Stisted

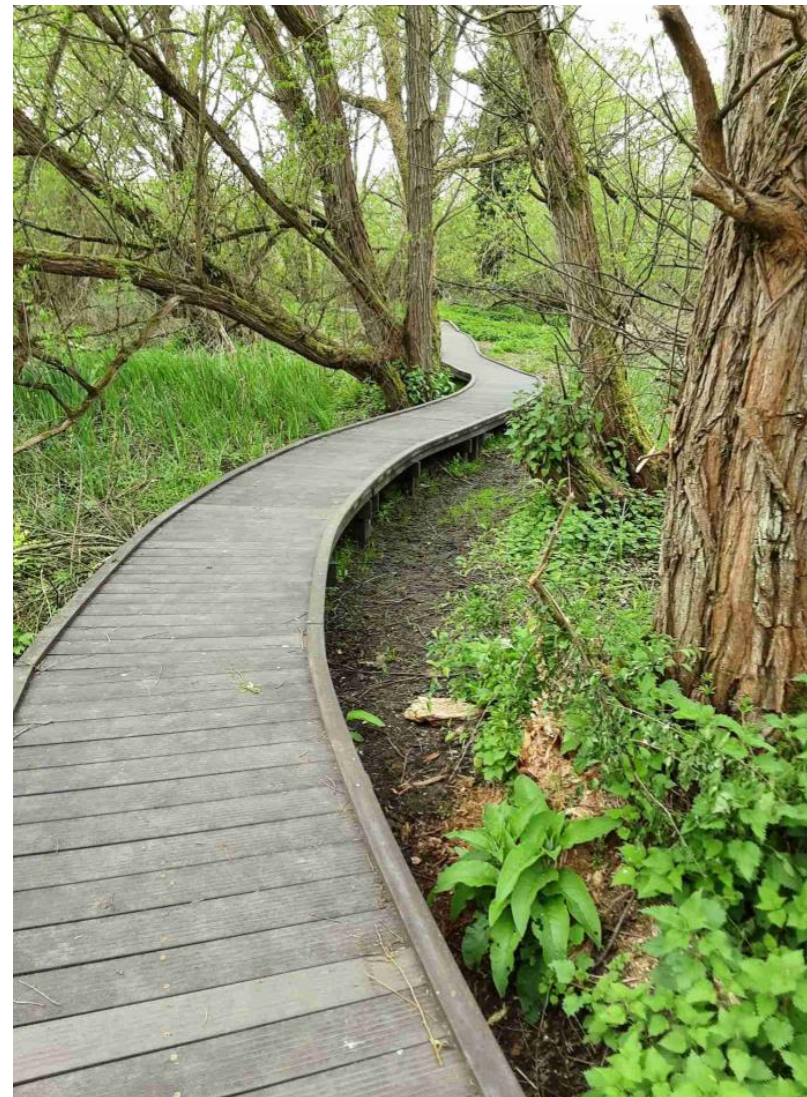
792m of drainage and surface engineering



2024 Completed Works

Footpath 17 Feering

120m of replacement boardwalk

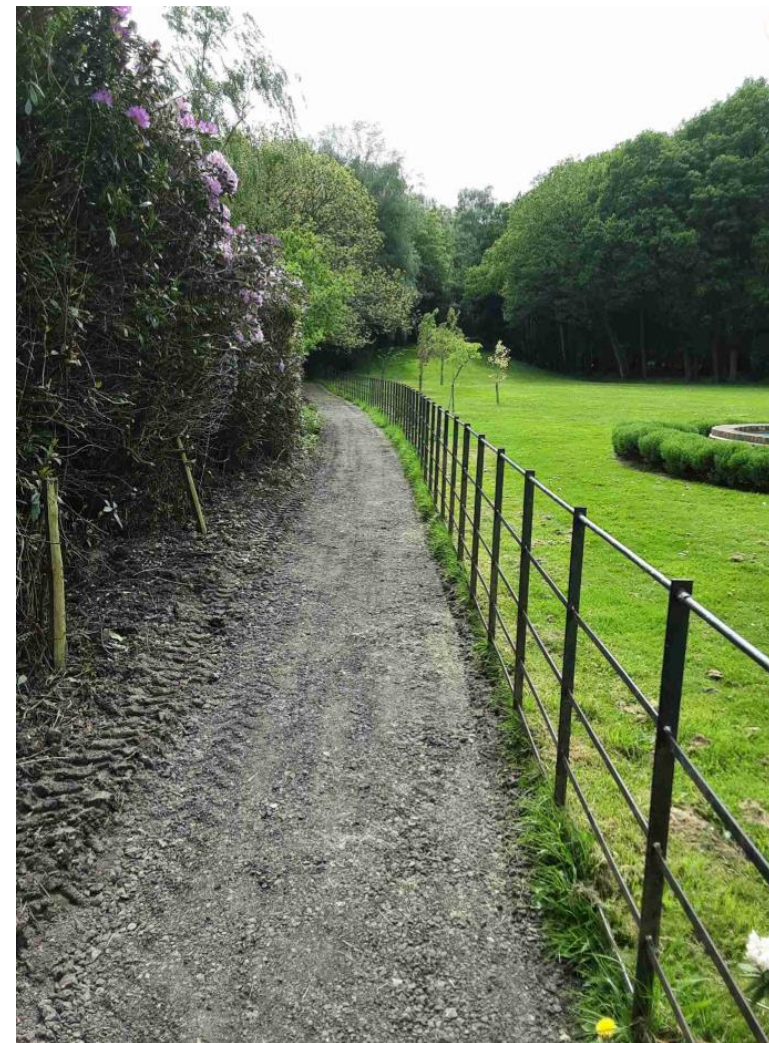


2024 Completed Works



Footpath 42 Herongate and Ingrave

220m of surface improvements
7m bridge replacement



2024 Completed Works



Fingerpost replacement and refurbishment programme is well underway.

This winter over 200 jobs completed.

Works well during the gritting season when $\frac{3}{4}$ of the PROW operatives are called on to salt the roads day and night.



Network Rail Transport and Works Act Order

Crossing	Name	Location	Progress	PROW Affected
E01	Old Lane	Roydon	Completed	FP 13 Roydon
E07	Ugley Lane	Ugley	Completed	NA
E15	Margaretting (Parsonage Lane)	Margaretting	Completed	NA
E21	Hill House 1	Feering	Completed	FP7 Feering
E22	Great Domsey	Feering	Completed	FP3 Feering
E25	Church 2	Stanway	Completed	FP29 Stanway, FP11 Eight Ash Green
E26	Barbara Close	Hawkwell	Completed	NA
E35	Cranes No. 1	Cressing	Completed	FP14 Cressing
E36	Cranes No. 2	White Notley	Completed	FP8 White Notley
E45	Great Bentley Station	Great Bentley	Completed	FP 8 Gt Bentley
E47	Bluehouse	Kirby le Soken	Completed	FP 16 Frinton and Walton
E48	Wheatsheaf	Wrabness	Completed	FP 19 Wrabness
E56	Abbotts	Ardleigh	Completed	FP 27 Ardleigh
E11	Windmills	Newport	Completed	FP8 Newport
E46	Lords No.1	Great Bentley	Completed (with above)	FP 8 Gt Bentley
E20	Snivellers	Kelvedon	Completed	BR24 Kelvedon
E02	Camps	Harlow	Construction underway	FP 75 Harlow
E08	Henham	Henham	Construction underway	Widdington 26
calvo	Maldon Road	Margaretting	Construction underway	FP 21 Margaretting
E23	Long Green	Marks Tey	Await design	FP creation Dobbies Lane
E06	Elsenham Emergency Hut	Elsenham	Moved to 2026/27	FP 32 Henham
E28	Whipps Farmers	Brentwood	Moved to 2026/27	FP178 Brentwood + new route to link to FP180
E09	Elephants	Newport	Moved to 2026/27	FP 14 Newport
E30	Ferry	Benfleet	Moved to 2026/27	FP 12 Benfleet
E31	Brickyard Farm	Benfleet	Moved to 2026/27	FP 22 Benfleet
E18	Noakes	Boreham	Now removed from Programme	FP 24 Boreham
E04	Parndons Mill	Harlow	Now removed from Programme	Harlow 73

King Charles III England Coast Path

Grants just approved for establishment this year of:
Wallasea Island to Burnham on Crouch
Jaywick to Harwich

Preparing grant bids for :
Mersea Island
Salcott to Jaywick



King Charles III England Coast Path - Stretch Progress Essex Hub Team - 16th July 2024



Public rights of way issues



Issues on the footpath,
byway and bridleway
network

Enquiries – How you can help us

Our enquiry thought process:

1. Where is it?

Accuracy of mapping is so important. If we read the description and it doesn't match the location that the issue has been mapped to, we may close the enquiry down.

2. Is this an urgent safety matter?

How quickly do we need to attend site? Do we need to attend at all? What do we need to take with us?

3. Can we take action now or is a site visit essential?

In some cases, we can start to resolve an issue immediately and we won't need to attend a site in person. If we don't have good photos, we don't have good information.

Enquiries – How you can help us

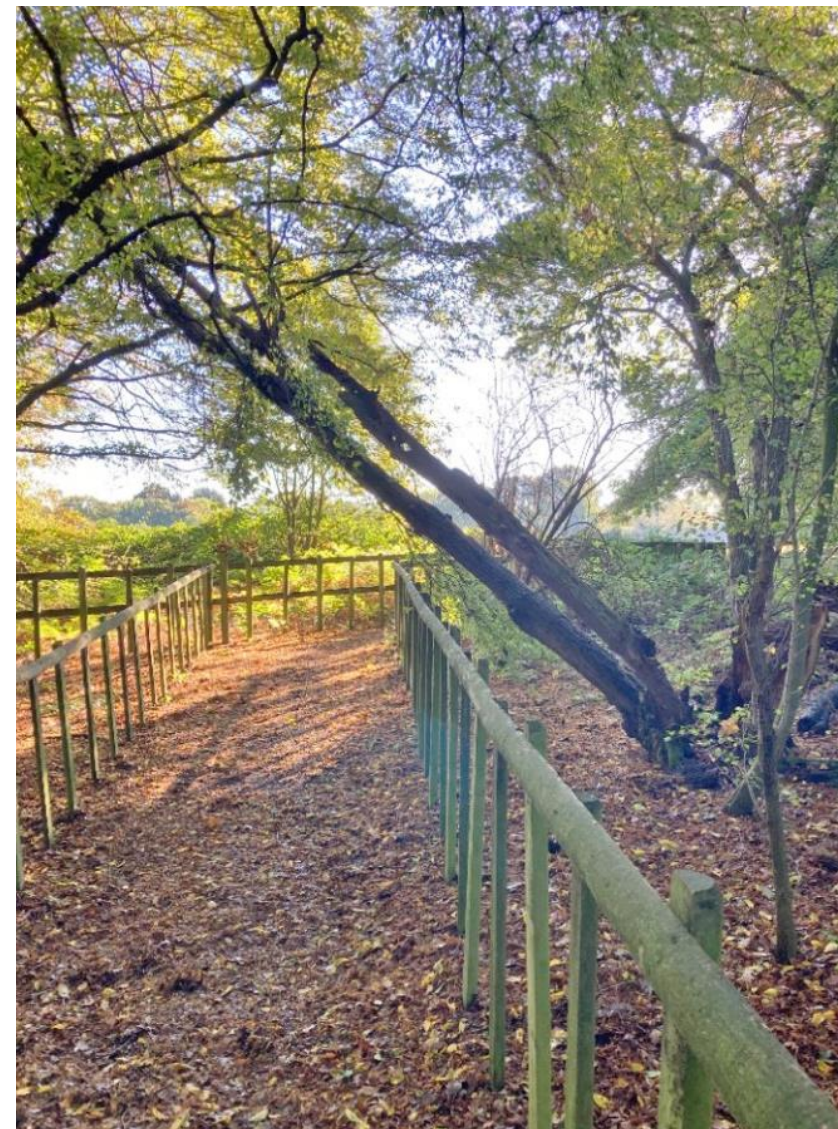


Fallen Trees:

How big is the tree?

Is it safely on the ground or it is hung up precariously on neighbouring trees?

Is it preventing use?



Enquiries – How you can help us



Crossfield paths:

Can I see a line at all? A wide view of the issue is really useful.

Is there anything in the background that helps to locate the photo?

If the enquiry is about ploughing, then no action will be taken for at least 2 weeks. If we had a photo already, we could use this to contact the landowner.



Enquiries – How you can help us



Surface issues:

One muddy puddle or 100? If there are lots, send lots of photos.

A wide view is important. Can people walk around the ruts/puddles?



Enquiries – How you can help us



Stiles and gates:

If the issue is obvious from your photo, we can contact the landowner directly without going to site.

If there is a gap to the side that everyone uses, don't report it.

Enquiries – How you can help us



Bridges:

Say what the damage is.

How many slats?

How stable is it?

Is the handrail in good condition?

What are the dimensions?

The ECC Public Path Order process consists of three main stages

1. Pre-Order stage: application assessment, site visit, full assessment, decision, plan construction, INFORMAL CONSULTATION, review responses

2. Made Order stage: FORMAL CONSULTATION via email, newspaper, website and site notices, review responses, refer to PINs, if necessary, withdraw if appropriate, PROW Officer/applicant schedule works

3. Confirmed Order stage: Order to be Confirmed and sealed, CONFIRMED ORDER NOTIFICATION via email, newspaper, website and site notices

PPO Process - The Application Phase

“in the interests of the landowner” – we need to be satisfied that this has been set out to us, but we do not have a legal requirement to share the details

Not all applications get beyond this initial stage. Some come back in with amendments, and some applicants decide not to continue if an agreement can't be reached

All our costs are recovered from the applicant – except costs associated with taking the case to PINs

Processing a PPO is discretionary and we often reject them.

PPO Process - Pre-consultation Checks

Site meeting with applicant, PPO and PROW Officers.

An opportunity to consider and compare the current and proposed routes in detail on the ground.

Any works required and the likely maintenance of route options are discussed.

The on-site assessment by the PPO and PROW Officer will include any issues re limitations within the applicant's site and ownership, and their removal or any requirements for new, legitimate and accessible ones.

**Not all applications get
beyond this initial stage.**

PPO Process - The Informal Consultation

A draft Order is drawn up and advertised via email to our stakeholders (not the general public) for review.

There are 28 days to make comments in support or to make objections.

Useful comments might include:

- Minor adjustments to the alignment
- Statements about the impact on the views – good or bad
- Thoughts on the length of the diversion
- Comments on the termination points at the road
- Whether or not you think the proposed route would be pleasant

Not appropriate:

- Maintenance issues elsewhere on the route
- Outstanding enforcement matters
- Significant changes to the proposal
- Queries over the legality of structures

Please report these in the usual way

PPOs - What is in the Order

- The applicable legislation and who the OMA is *e.g. HA S119 and Essex County Council*
- It specifies but does not necessarily name in whose interests the order is made and who is defraying the costs *e.g. the landowner*
- The general location of the current and proposed new route/s
- The Coming into Force date for the new route, and the date by which the old route will cease to exist
- A record of any limitations to be included *e.g. a gate*
- A description of the current route
- A description of the proposed new route
- The Order plan



Formal Consultation:

The legal grounds for objection are very minimal and these are the criteria that a Planning Inspector will only refer to.

- Does it clearly identify who the Order is made in the interests of and is it actually in their interest
- Are the termination points of the diversion on the same highway, or a highway connected to it and are they **substantially** as convenient to the public
- Is the diversion route itself not **substantially** less convenient to the public (in terms of increased distance)
- What effect would the diversion have on the public enjoyment of the path as a whole
- What effect would an order have on the land served by the existing right of way and the land over which it is created

Consultation is 28days, this cannot be extended



Ensure consistency with any comments made at the Informal Consultation stage

Holding objections are not considered objections. State clearly the point on which you object.

How to present your objection

Make it clear which criteria of the Highways Act you are objecting under:

- Substantially less convenient – How is it so? What effect does it have on the average walker.
- Impact on enjoyment – How does it negatively affect the enjoyment for you walking this section of the path. How much of an impact is it on you and your walk? Are there any special points of interest that you no longer have sight of or access to?
- Are there negative impacts to the land the path is being diverted onto? e.g. is the land a sensitive environmental site?
- Are the termination points now substantially less convenient to you.

Do not suggest alternative routes, complain about the condition of paths or ask for stiles elsewhere to be removed

The Brutal Truth

Using **substantially** as a quantifier, the legislation is deliberately allowing for landowners to apply for diversions in 'their' interests with routes that are less convenient and less enjoyable than the existing ones, providing that they are not **substantially** so.

It is important that all consultees recognise this in accepting that most Orders are not made in the interests of the public.



If objections are not withdrawn, ECC and the applicant decide together whether to refer the case to the Planning Inspectorate for their determination.

Written Representation

ECC, the applicant and objectors submit their statements supporting or opposing the order. An allocated Inspector will determine the case without a public meeting, but they may invite the interested parties to an accompanied site visit where attendees are expected to respond to the Inspector's questions but not ask any of their own unless directed to do so.

Public Hearing

presided over by a PINS Inspector and usually held at a village hall, council office or similar. These are open to the public and afford the opportunity for all parties to state their cases verbally (already supplied in documentary form) and answer questions in a relatively informal environment.

Public Inquiry

Presided over by a PINS Inspector in a village hall or similar, again open to the public. These are more likely to be formal in tone and parties may decide to have legal or expert representation for the purposes of introducing witnesses and cross-examining other witnesses.

The Impact of a PINs Case



Planning
Inspectorate

Staff Time

Significant, it can take several weeks to prepare everything required by PINs

Costs

There is no mechanism to recover the costs for a PINS referral, except those incurred through unreasonable behaviour/actions. ECC foot the bill entirely.

Delays

To hear the case and get a determination from PINs can take between 18 - 36 months

Other cases

Referrals have a marked impact on the backlog of cases (currently at 2yrs). This makes some enforcement cases very difficult to progress.

**The majority of cases
are confirmed
without modification**

Common Queries

The proposed route is not available on the ground, so surely, it's just not suitable?

Consultees must trust that everything necessary to enable a new route to “come into force” will happen at the appropriate time or that action will be taken if not.

Can I walk a proposed diversion route?

Some applicants are happy for the proposed routes to be walked during a consultation. If you want to walk it, we can make a request on your behalf.

Can I use a holding objection to give me more time to assess a proposal?

Holding objections have no validity. Objections must clearly state that they object and specify the reasons, linked to the legislative tests. To be fair to both applicant and consultees we do not reduce or increase the time available.

Shouldn't all new footpaths be 2m in width?

In many cases we may specify a width greater than the legal minimum, but this is not official policy and there is no requirement for us to do so.



Useful Links

Road Strategies: <https://www.essexhighways.org/roads-and-pavements/roads-strategies>

PROW Main Page : <https://www.essexhighways.org/getting-around/public-rights-of-way>

Vegetation Cutting : <https://www.essexhighways.org/vegetation-cutting>

Our Works : <https://www.essexhighways.org/prow-our-works>

Diversion Schemes Register : <https://www.essexhighways.org/permanent-closures-or-diversions>

King Charles III England Coast Path : <https://www.essexhighways.org/king-charles-iii-england-coast-path>

