

STATEMENT OF REASONS

HIGHWAYS ACT 1980

THE NOTTINGHAMSHIRE COUNTY COUNCIL **(SPALFORD FOOTPATH NO.8 / SOUTH CLIFFTON FP3) DIVERSION ORDER 2024**

Under the Highways Act 1980, the County Council as the Highway Authority for Nottinghamshire has the power to make orders to create, extinguish (close) or divert public rights of way. A notice that such an Order has been made has to be advertised on the site of the paths in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

The Nottinghamshire County Council has made an Order to divert South Clifton Footpath No.3 and Spafford Footpath No.8. This Statement has been prepared to explain various aspects of the Order.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

The Nottinghamshire County Council has made the Order to divert the footpaths from Clay Hill Farm and to divert the path to the field edge through to the start of Girton Restricted Byway No.1. Running concurrently with the Diversion, the landowners will dedicate the footpaths to bridleways.

The Nottinghamshire County Council is satisfied that the Order complies with the following legal grounds and tests laid down in the Highways Act, namely that in the interests of both the public and owner of the land crossed by the footpath, it is expedient that the line of the path should be diverted.

THE ORDER WILL COME INTO EFFECT ONLY AFTER IT HAS BEEN CONFIRMED: making and advertising the Order simply provides an opportunity for objections or representations to be made.

Objections or representations relating to the Order must be made in writing by Friday 25th October 2024 to the Countryside Access Team at the address which is given in the Notice.

The Nottinghamshire County Council will be willing to discuss the concerns of those considering objecting or making representations relating to the Order. Anyone wishing to do so may contact Miss Rachel Williams in the Countryside Access Team via email: rachel.williams@nottscc.gov.uk or by telephone: 0115 977 2361 between 8.00 am and 4.00 pm, Mondays to Fridays inclusive.

The right of objection to an Order is a statutory right, but it should be exercised in a reasonable manner. The costs involved in dealing with objections to Orders may be awarded against objectors in cases of unreasonable behaviour.

If any objections are made and not withdrawn, then the Council will have to refer the Order to the Department of the Environment for determination. An Inspector from the Planning Inspectorate will then hear the objections at a Public Inquiry or Hearing, or in writing if the objectors agree. The Inspector can confirm an Order, confirm it with modifications, or refuse to confirm it. If no objections are received or if any objections received are subsequently withdrawn, the Council will be able to confirm the Order itself but it has no power to modify Orders.

Where a new path is being created by a Creation or Diversion Order, the change will come into effect only after a specified period from the date of confirmation to allow time for any necessary works to be undertaken.