

## **EXPLANATORY STATEMENT**

### **The Oxfordshire County Council, Hook Norton Footpath 11 (part) and Hook Norton Footpath 12 (part) Public Path Diversion and Definitive Map and Statement Modification Order 2020**

#### **THIS EXPLANATORY STATEMENT PROVIDES BACKGROUND INFORMATION AND DOES NOT FORM PART OF THE ORDER**

Oxfordshire County Council (“the County Council”) has the power to make Orders to divert public rights of way under section 119 of Highways Act 1980 (“the Act”). The Order to divert part of Fp 11 and Fp 12 is made as a result of an application received from the owners of Cowpasture Farm, Hook Norton. The overall purpose of the Order is to ensure privacy for the owners in their house and garden and to improve the public rights of way network for walkers.

The existing route of Fp 11 leads eastwards from Traitors Ford Lane along the property’s drive and past the front of the house to join with Fp 12. The path then heads south-westwards beside the front garden and continues into a paddock where, at its southern boundary, the path runs through a pond to the neighbouring owner’s field. The new footpath begins 66m further south-west along the lane and heads overall south-eastwards along the edge of a paddock. It then crosses into the adjacent landowner’s arable field as a headland route to re-join the un-diverted Fp 11.

The existing Fp 12 begins at the farmhouse at its junction with Fp 11 and runs eastwards beside the farm cottage and an agricultural building. It continues south-eastwards to a field gate before heading across a paddock. The new footpath begins at Traitors Ford Lane 315m north-east of the property’s access drive (Fp 11) and heads eastwards to a wooded valley (“The Slynket”) where it turns southwards along the valley bottom to re-join the un-diverted Fp 12.

The Slynket has two Victorian pumping chambers which the landowner will be renovating. The new Fp 12 runs along an elevated route with views to Brailles Hill, Sibford Gower and Sibford Ferris and creates closer links to the public paths (including the MacMillan Way) northwards along Traitor’s Ford Lane. Both the existing and diversion routes of Fp 12 have two pedestrian gates. The new Fp 11 maintains views of Oatley Hill. The existing Fp 11 has one gate on its route whereas the diversion route has three pedestrian gates. All new path surfaces are grass save for a 20m section of steps leading from the Slynket. The landowner has agreed to mow all paths.

The Definitive routes to be diverted and the diversion routes together with their widths and lengths are shown on the plan shown with this statement.

The diversions provide privacy for the owners at their property and greater lengths of public footpath for the public. The administration and advertising costs this Council incurs as a result of the Order will be recharged to the applicant. The applicant will be responsible for any outstanding works required to bring the new route into a satisfactory condition for public use. All new signage and installation of new road fingerposts would be carried out by this authority should a diversion be successful.

The County Council has considered the application and has consulted with key interest groups and the parish council. It appears to the Council that it complies with the legal provisions contained in the Act and that it is expedient that the paths should be diverted in the interest of the public and the landowners.

Any representations about or objections to the Order may be sent in writing to the **Principal Officer, Oxfordshire County Council, Countryside Records, County Hall, New Road, Oxford**

**OX1 1ND** not later than **25<sup>th</sup> September 2020**. Please state the grounds on which they are made. If no such representations or objections are duly made, or if any so made are withdrawn, the Oxfordshire County Council may confirm the Order as an unopposed Order.

If any objections are made and not withdrawn, the Council may refer the Order and objections to the Secretary of State for Environment Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then either take written representations or hear the objections at a Public Inquiry or Hearing. The Inspector can confirm the Order, confirm it with modifications, or refuse to confirm it. *The right of an 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 no objections are received the County Council may confirm the Order itself, but it has no power to modify the Order.

Further information about public path order procedures and the relevant legal provisions are available in our Guidance Notes at [www.oxfordshire.gov.uk/modificationsanddiversions](http://www.oxfordshire.gov.uk/modificationsanddiversions) and Natural England's "A guide to definitive maps and changes to public rights of way" (reference NE112) at <https://www.gov.uk/government/publications/definitive-maps-of-public-rights-of-way-change-the-legal-records>.

**Data Protection Act and GDPR:** *The County Council will consider all correspondence, objections and representations received in response to this order. They may be disseminated widely for these purposes and made available to the public.*