

To: South Cambridgeshire District Council – Planning Service
From: Roger Payne, Asset Information Definitive Map Manager
Ref: P101
Date: 29th May 2020

Report on the proposed diversion of Wimpole Footpath 5

1 Purpose

- 1.1 To report on the proposed diversion of Public Footpath No. 5, Wimpole in the district of South Cambridgeshire.
- 1.2 Appendix **A** comprises a copy of the agent’s application on behalf of the Landowner. Plans showing the effect of the proposals can be found at Appendix **B1** and **B2**. The planning permission is Appendix **C**, and photographs showing the location of the proposed diversions are at Appendix **D**. A memorandum of Agreement between Cambridgeshire County Council and South Cambridgeshire District Council for the processing of Public Path Orders can be found at Appendix **E**. Consultation responses can be seen at Appendix **F**. NMU Policy assessment can be found at Appendix **G**. The Assistant Director: Highways Memo approving the Proposals can be found at Appendix **H**.

2 Background

- 2.1 All of the land affected by this proposal is owned by National Trust (“the Landowner”) and the application Appendix **A**, has been made on their behalf by agent Alison Williamson (“the Applicant”). Plans showing the effect of the proposals can be found at Appendix **B1** and **B2**.
- 2.2 The applicant considers that a diversion order is necessary in order to implement a planning permission in relation to planning application number S/2214/17/FL which was approved by South Cambridgeshire District Council on 22nd January 2018. Appendix **C** is a copy of this permission. The permission is for the relocation of car parking to agricultural land, making good the land to parkland, and creation of new vehicle access and connecting pathway. The diversion of the footpath falls to be determined by the relevant planning authority under section 257 of the Town and Country Planning Act 1990.
- 2.3 The Proposal is to divert Public Footpath No. 5, Wimpole (“the Footpath”) at two separate locations, to bypass two new cattle grids which the Landowner wishes to

install in connection with approved planning permission. The diversions will allow the public to avoid crossing over the proposed cattle grids.

- 2.4 In February 2007, South Cambridgeshire District Council entered into an Agreement with Cambridgeshire County Council providing that all Public Path Diversion Order applications under section 257 of the Town and Country Planning Act 1990 should be processed by the County Council, acting as agents for the District Council. A copy of the Agreement explaining the procedure is attached at Document E.
- 2.5 The application documents were forwarded to Roger Payne, Definitive Map Manager at the County Council, who began the formal consultation procedure on 16th March 2020.

3 Site Description

3.1 **Location A: Main Gate, adjacent to Wimpole Park Road entrance** **Current Route of Public Footpath Wimpole No. 5 (Plan A: A-B)**

- 3.1.1 The affected section of the Footpath starts at the junction of Wimpole Park Road and East Back Drive, OSGR TL 34274 51095 (Point A), and proceeds westwards for a distance of 30 metres to TL 34244 51089 (Point B)
- 3.1.2 There is no recorded width in the May 2016 Definitive Statement. The 1951 statement listed a width of 9 feet. The Footpath runs along a metalled tarmac roadway which is 4.8 metres wide. On both sides of the roadway there is a narrow grass verge bounded by iron railings
- 3.1.3 At Point A, a vehicle barrier was authorised in 2013 to be closed between dusk and dawn. There is a gap at the side for pedestrians to pass through.
- 3.1.4 The land over which the Footpath proceeds is a Registered Park and Garden.
- 3.1.5 The total length of affected path is approximately 30 metres.
- 3.1.6 The affected footpath does egress onto the Wimpole Park Road. The egress is the same in both the current and proposed plans.

3.1.7 **Location A, adjacent to Wimpole Park Road entrance** **Proposed Route of Public Footpath No.5 (Plan A: A-C-D-B)**

- 3.1.8 The proposed route starts at Wimpole Park Road, (Point A) TL 34274 51095, and turns southwest (Point C) to then run parallel to the existing roadway on its southern side. The route then turns northwest (Point D) to re-join the current route at TL 34244 51089 (Point B). The total length of the proposed diversion is 32 metres.

3.1.9 Between Points C & D the Landowner proposes to construct and own two sets of gates, 3.5 metres wide, spaced 4.5 metres apart in a corral arrangement. These gates are to compliment the cattle grids in preventing livestock from leaving the pasture. It is not proposed that these gates will be recorded as legal limitations within the Order and subsequently the Definitive Statement. The Applicant will however be able to request a Barrier Authorisation from the Rights of Way Officer.

3.1.10 The proposed diversion route will have a metalled tarmac surface and be 3.5 metres wide, which would be recorded on the Definitive Statement.

3.2 **Location B. Stable Gate, adjacent to Old Stable Block**
Current Route of Public Footpath Wimpole No.5 (Plan B: E-F)

3.2.1 The current route starts at OSGR TL 33803 50948 (Point E) adjacent to the Old Stable Block, and proceeds south westwards to OSGR TL 33782 50931 (Point F)

3.2.2 There is no recorded width in the May 2016 Definitive Statement. The 1951 statement listed a width of 9 feet. The Footpath runs along a metalled tarmac roadway which is 4.8 metres wide.

3.2.3 The land over which the Footpath proceeds is a Registered Park and Garden.

3.2.4 The total length of affected path is approximately 27 metres.

3.2.5 The affected route does not egress onto any public highway at location B.

3.2.6 **Location B. Stable Gate, adjacent to Old Stable Block**
Proposed Route of Public Footpath Wimpole No.5 (Plan B: E-G-F)

3.2.7 The proposed route starts at OSGR TL 33803 50948 (Point E) and proceeds west-south-westwards on the north side of the existing roadway to OSGR TL 33794 50946 (Point G). The route then curves in a southern direction to re-join the original route at OSGR TL 33782 50931 (Point F). The total length of the proposed diversion is 29 metres.

3.2.8 At Point G, the Applicant proposes to construct and own two sets of gates, 3.5 metres wide, spaced 4.5 metres apart in a corral arrangement. These gates are to compliment the cattle grids in preventing livestock from leaving the pasture. It is not proposed that these gates will be recorded a legal limitations within the Order and subsequently the Definitive Statement. The Applicant will however be able to request a Barrier Authorisation from the Rights of Way Officer.

3.2.9 The proposed diversion route will have a metalled tarmac surface and be 3.5 metres wide, which would be recorded on the Definitive Statement.

4 Legal Framework

4.1 Section 257 of the Town and Country Planning Act 1990 allows that:

‘(1) Subject to section 259, a competent authority may by order authorise the stopping up or diversion of any footpath, bridleway or restricted byway if they are satisfied that it is necessary to do so in order to enable development to be carried out—

- (a) in accordance with planning permission granted under Part III, or
- (b) by a government department.

(2) An order under this section may, if the competent authority are satisfied that it should do so, provide—

- (a) for the creation of an alternative highway for use as a replacement for the one authorised by the order to be stopped up or diverted, or for the improvement of an existing highway for such use;
- (b) for authorising or requiring works to be carried out in relation to any footpath, for whose stopping up or diversion, creation or improvement provision is made by the order;
- (c) for the preservation of any rights of statutory undertakers in respect of any apparatus of theirs which immediately before the date of the order is under, in, on, over, along or across any such footpath;
- (d) for requiring any person named in the order to pay, or make contributions in respect of, the cost of carrying out any such works.’

4.2 An Order shall come into effect once the new route has been certified by either the order-making authority or the highway authority as being of a satisfactory standard for public use. The County Council as highway authority will undertake the certification.

4.3 The Equality Act 2010 consolidated previous disability legislation. There is currently little formal guidance on how the Act interacts with existing rights of way legislation. However, it is generally understood to require order-making authorities to take into account the reasonable needs of disabled people (using the term in its broadest sense) in considering changes to the rights of way network. The Act requires authorities to be more proactive in recording their thought-processes in making their decisions.

- 4.4 The Crime and Disorder Act 1998 states that the District Council as a relevant authority has a duty to consider the impact of all its functions and decisions on crime and disorder in its area with due regard to the need to all it can reasonably do to prevent crime and disorder (including anti-social behaviour and other behaviour adversely affecting the environment).

5 Cambridgeshire County Council Policy (including maintenance)

- 5.1 The County Council's own Non-Motorised User (NMU) policy (approved by Highways & Community Infrastructure Committee on 21st February 2017 and replacing the previous Public Path Order Policy) requires that certain criteria are met if a public path order is to be made.
- 5.2 The policy is applicable to any new or diverted NMU route which would become maintainable at public expense. The relevant criteria is made up of a numerically scored set of criteria which consider accessibility relating to the County Council's duty under the Equality Act 2010; the benefit to the Authority and communities from resolving long term maintenance problems; the benefit to the Public Rights of Way (PRoW) network; and the benefit to landowners from improved land management.
- 5.3 In this instance, the proposal is to divert a public right of way and the NMU acceptance criteria have been met. The route is in the interests of the landowner and the proposed alternative routes are substantially as convenient to the public as the original.
- 5.4 Within the Cambridgeshire Rights of Way Improvement Plan (ROWIP), several Statements of Action are listed which identify specific ways in which issues that the Rights of Way network face can be addressed now and in the future. It is not considered that this proposal is in conflict with the Statements of Action set out in the Cambridgeshire ROWIP.

6 Consultations

- 6.1 Pre-application consultations have been carried out by the Applicant. No objections were received during the pre-application consultation period.
- 6.1 The local Ramblers' Association, the British Horse Society, South Cambridgeshire District Council, Wimpole Parish Council, the prescribed user groups and the utility companies were all consulted about the proposals by the County Council. The following replies have been received (copies are attached as Appendix F):

- 6.2 The representative for the Ramblers' Association, Cambridge Group did not object to the proposal.
- 6.3 Cadent Gas, Vodaphone had no record of any apparatus in the area.
- 6.4 The Cyclists Touring Club representative initially objected on the grounds the route was leaving the metalled road. Following discussions with the Applicant, who confirmed that the diverted route would also have a metalled tarmacadam surface, this objection was withdrawn. It should be noted that as a footpath there is no right for cycling, though the landowner may permit such use.
- 6.5 No other responses were received.

7 Grounds for diversion: Town and County Planning Act and Equality Act 2010

- 7.1 The re-routing of the public footpath from its existing route to the proposed new route at the two locations is required to keep livestock from leaving the proposed open pasture. The diversions of Public Footpath No. 5, Wimpole is therefore considered necessary in order to implement a planning permission granted under part III of the Town and Country Planning Act 1990. Section 1 (a) of Section 257 TCPA 90 is therefore satisfied.
- 7.2 The applicant has agreed to undertake the necessary works to implement the proposed new route at their own expense. These works will be subject to certification by the County Council as the Local Highway Authority.
- 7.3 The rights of statutory undertakers will not be affected. It is therefore considered that Subsection 2 of Section 257 TCPA 90 is satisfied.
- 7.4 The proposal is not considered to be in conflict with the provisions of the Equality Act 2010: the diversion will allow the footpath to bypass two cattle grids, which will be constructed as part of the Planning Consent. The cattle grids are necessary to prevent livestock straying from the open pasture.

8 Grounds for diversion: Cambridgeshire County Council criteria as Highway Authority including Maintenance Liability

- 8.1 Pre-application consultations have been carried out by the applicant. No objections were received during the consultation period. Additionally, no objections were maintained during a four week period of consultation undertaken by the County Council.
- 8.2 Given the approved planning layout on this site, the proposed diversion of the footpath is considered the most suitable and appropriate alignment, meeting the criteria set out in the NMU policy.
- 8.3 Consideration should be given to the Cambridgeshire Rights of Way Improvement Plan (ROWIP). It supports the aims of the ROWIP under **SOA6: Better Land Management**, by allowing the land to return to a heritage status, through restoring the parkland through which the Footpath passes.
- 8.4 The proposed new route meets the Council's NMU criteria: the diversion is in the interests of the landowner. The proposed alternative route is substantially as convenient to the public as the original, the 4 metres of additional length is minimal, when considered against the total length of Wimpole Footpath 5. The width of 3.5 metres which is greater than the 2 metre requirement set out in the NMU adoption criteria. The applicants have also agreed to undertake the necessary works required to implement the proposed new route at their own expense.
- 8.5 The proposals have been assessed against the County Council's NMU Adoption Policy. The proposal scored 22 out of a possible 30 points, representing a score of 73%, exceeding the pass mark of 70%. The NMU diversion assessment can be found at Appendix G.
- 8.6 The proposal was presented to the County Council's Assistant Director: Highways on 28th May 2020 to consider whether the proposed diversions would be acceptable to the County Council, as Local Highway Authority. The Assistant Director confirmed the County Council's approval of this proposal in a memo dated 28th May 2020. The Memo can be seen in Appendix H.

9 Conclusions

- 9.1 It is considered that the application to divert two parts of Public Footpath No. 5 Wimpole meets the requirements of s.257 of the Town and Country Planning Act 1990.

9.2 Cambridgeshire County Council has no objection as it does not consider the application would have any detrimental impact on the connectivity of the surrounding highway network, or place any additional burden on alternative routes which may cause concern to the County Council, as Local Highways Authority.

10 Recommendation

- 10.1 That South Cambridgeshire District Council, as Order Making Authority gives their approval that the proposed diversion of Public Footpath No. 5 Wimpole meets the legislative tests set out in S257 of the Town and Country Planning Act 1990.
- 10.2 That this approval is reported to Cambridgeshire County Council, as agents for South Cambridgeshire District Council and indicate that an order should be made.

APPENDICES

A	TCPA Diversion Order application form (Wimpole Hall)
B1	Plan A - Proposed Diversion at East Gate
B2	Plan B - Proposed diversion at Stable Gate
C	South Cambridgeshire Planning Permission (S/2214/17/FL)
D	Photographs of the area
E	Agreement of CCC processing South Cambs DC TCPA90 applications
F	Consultation Responses
G	NMU Adoption Matrix
H	CCC Assistant Director: Highways, Memo approving proposals

To: Cambridgeshire County Council acting as agent for the Local Planning Authority

**TOWN AND COUNTRY PLANNING ACT 1990
APPLICATION FOR AN ORDER TO PERMANENTLY DIVERT
A PUBLIC RIGHT OF WAY**

Name of applicant [Alison Williamson on behalf of the National Trust Wimpole](#)
Address [c/o Nettledown, Church St., Meysey Hampton, GLOS GL7 5JX](#)
Tel. (work) [01285 851850](#)..... Tel. (home) [N/A](#).....

I hereby apply for the diversion of the [footpath/bridleway*](#) known as [Wimpole 264/5](#) under s.257 of the Town and Country Planning Act 1990 and undertake, if an order for the diversion of the path is made, to carry out such work on the diverted route of the path as may be required to bring the path into a fit condition for public use to the satisfaction of the County Council (the Highway Authority), prior to the confirmation of the order.

(*Delete the term that does not apply.)



Signed

Date [14th November 2019](#)

Consent of other landowner/s and other requirements

Written consent of any other landowner/s affected by your proposed diversion (for both the existing line and proposed new line) must be obtained prior to submission.

A copy of the County Council's requirements for making diversion orders can be found at the end of this application form. The County Council will require all of these to be met. Please note in particular:

The requirement for pre-application consultations: The applicant must consult with the relevant Parish Council and local user groups, and must append copies of any correspondence to this application

The path to be diverted

Parish [Wimpole](#). No [264/5](#).

From [Entrance to Property E of access gate on current footpath and East Back Drive](#).
OS grid ref. [TL 34266 51089](#)

To [Entrance to Property W of access gate on current footpath and East Back Drive](#).
OS grid ref. [TL 34247 51089](#) (diverted length 19m)

AND

From [Footpath and access drive E of Stable Block OS grid ref. TL 33811 50953](#)

To [Footpath and access drive S of Stable Block OS grid ref. TL 33785 50936](#)
(diverted length 26m)

General description of path [Minor diversion of two short sections of footpath to accommodate cattle grids related to landscape management and visitor experience changes at NT Wimpole Hall in accordance with the planning permission granted.](#)

Landowner – please provide a map showing landownership/other interests

Name The National Trust (c/o Nigel Houghton, MCIOB, Building Surveyor (Projects), Chartered Construction Manager).

Address National Trust East of England Regional Office, Westley Bottom, Bury St Edmunds, Suffolk, IP33 3WD.

Lessee/tenant

Name N/A

Address N/A

Occupier

Name Landowner

Address (As above)

Reasons for the diversion

Local Planning Authority: South Cambridgeshire District Council

Planning application No: S/2214/17/FL

Date of Planning Permission: 22nd January 2018

Description of proposed development:

Change of use of agricultural land to car parking to enable the relocation of existing parking on Phase 1 (700 spaces), and provision of new parking in Phase 2 (660 spaces), making good the land to parkland together with the erection of 2no. buildings at the visitor entrance, provision of a connecting pathway between the new car park and the Wimpole Hall, creation of a new vehicle access together with associated landscaping and drainage works.

The proposed new route of the path

Please enclose a signed and dated plan, preferably at scale of not less than 1:2,500 and based on an Ordnance Survey map.

From Entrance to Property E of access gate on current footpath and main drive. OS grid ref. TL 34266 51089

To Entrance to Property W of access gate on current footpath and main drive. OS grid ref. TL 34247 51089 (diverted length 19m to south of drive gates)

AND

From Footpath and access drive E of Stable Block OS grid ref. TL 33811 50953

To Footpath and access drive S of Stable Block OS grid ref. TL 33785 50936 (diverted length 26m to north of existing road)

General description of new path Minor diversion of Footpath 264/5 at (current) main entrance gate to access Wimpole Hall (Gate 11) and adjacent to the existing Stable Block (Gate 7) along East Back Drive. The need for the diversions arises because the current main access to Wimpole is to be replaced with a new access from a new car park to the south-east. The existing access on East Back Drive is to be retained as a service road, and incorporated into a new Multi-User Trail (MUT), combined with the existing Public Footpath. As part of the overall plan of landscape improvements to restore the parkland setting, the railings alongside East Back Drive are to be removed, and as a consequence a cattle grid needs installing at the

entrance to the Service Road/ MUT/ Footpath from Old Wimpole Road, as well as near the Stable Block.

At Gate 11 adjacent to Old Wimpole Road, the footpath will be diverted immediately south of the existing 4.8m wide vehicular driveway (which is to have a cattle grid and electronic barrier installed) into a new corral arrangement, suitable for pedestrians of all abilities, together with prams, push bikes, and horse and carts (note this is not a bridleway, this is private horse and cart use by the NT). Gates will be iron and have a black metal finish to match the existing gates and complement adjacent railings on site. Latch & handles will be compatible with accessibility requirements to meet BS8300. And will be self-close under their own weight rather than utilizing a sprung hinge self-closer. The width of each new gate and the corral will be 3.5m, and the two sets of gates will be 4.5m apart. The total length of the Footpath Diversion will be 19m.

At Gate No.7 adjacent to the Old Stable Block: the footpath will be diverted immediately north of the existing access drive, the latter to be fitted with a new cattle grid in a new N-S orientated fence line. The pedestrian access/ gate will be 3m wide with other details as above. The total length of the Footpath Diversion will be 26m.

Landowner

Name The National Trust (c/o Nigel Houghton, MCIQB, Building Surveyor (Projects), Chartered Construction Manager).

Address National Trust East of England Regional Office, Westley Bottom, Bury St Edmunds, Suffolk, IP33 3WD.

Lessee/tenant

Name N/A

Address N/A

Occupier

Name Landowner

Address (As above)

Other Legal Interests

Please give details of any other person(s) having a legal interest in the land over which the right of way is to be diverted, for example other landowners, mortgagees or other persons having an easement over the land:

N/A

Has the written consent of all such persons been obtained?

Yes/no [Delete as applicable] N/A

The consents must accompany this application, together with a map showing all ownership and legal interests.

Pre-application consultations

Please append copies of all correspondence with user groups and the relevant Parish/Town/City Councils. Have any objections been raised?

As discussed and agreed, consultation has commenced today with Dr R. and Mrs J Moreton of the South Cambridgeshire Ramblers Group, as well as the two local parish councils.

Works

Following receipt of this application, if not already undertaken, the County Council's rights of way officer will contact you to arrange to meet you to inspect the proposed new route and to agree the works that will be needed to bring it into a fit condition for use as a public path. These works will be confirmed in writing following the site inspection. Please note that the Council will require a minimum width of 2m to be provided for the new route of a public footpath, and a minimum of 4m for the new route of a public bridleway. The new path will be signposted and/or waymarked to the extent deemed necessary by the Council.

Coming into operation of an alternative route

Please note that the existing route of the path to be stopped up will **not** be extinguished until an officer of the Rights of Way Team acting on behalf of the Highway Authority (Cambridgeshire County Council) has certified that the new route of the alternative path has been provided on the ground to a suitable standard for use by the public. It is the applicant's responsibility to ensure that works to provide the new route of the path are completed.

Recovery of fees and costs

Under the 'Local Authorities (Recovery of Costs for Public Path Orders) Regulations 1993 as amended by SI 1996 No 1978, the County Council may recover from the applicant the reasonable administrative costs of processing applications for, and making, public path orders. The County Council will invoice you for:

- the administrative costs of processing your application up to the making of a public path order, as set out in the Cambridgeshire Highway Records Guide which contains a Schedule of Charges that are available at www.cambridgeshire.gov.uk/highwaysearches;
- staff travelling expenses @ 45p per mile plus VAT;
- the cost of inserting one Public Notice in a local newspaper at the time of the making of the order, one Public Notice in a local newspaper at the time of the confirmation of the order and one Public Notice in a local newspaper at the time of the coming into operation of the order

The costs of taking an opposed order to a public inquiry will be met by the County Council or District Council, but the County Council will expect the applicant to provide their own legal representation at the inquiry. Please note that both Councils reserve the right to decline to proceed to a public inquiry for an opposed order.

For further information see the County Council's guidance:

- *Guidance and Check List for Public Path Order Applicants*
- *Public Rights of Way – A guide for planners and developers* available on our website at

<http://www.cambridgeshire.gov.uk/rightsofway>

Highways Service – Asset Information Definitive Map Team: Data Protection Privacy Notice

We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006.

Full details about how we use this data and the rights you have around this can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy. If you have any queries, please contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk. The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>

Statement

I hereby agree to put the new route(s) into a fit condition, as approved by the Council, for use by the public within 28 days of a request by the Council to do so.

I hereby undertake to defray any compensation which becomes payable in consequence of the coming into operation of the order, and to pay in full the County Council's administrative costs of making the order and the costs of the public notices.

I also undertake with Cambridgeshire County Council to meet in full the requirements of any statutory undertaker in respect of any apparatus which may be over, in or under the right of way in respect of which I am making this application. I understand that the consent of the statutory undertakers (i.e. gas, water, electricity, telecommunications, the Post Office and the Civil Aviation Authority) is required before the order can be confirmed by the council and that their consent may be conditional on my carrying out works to protect the statutory undertakers' apparatus and/or rerouting it. (The Council will consult with statutory undertakers on your behalf.)

I have read and understand this application and make my application acknowledging the conditions specified in it.



Signed

on behalf of the NT Wimpole.

Date 14th November 2019

Public Path Diversion Orders – Cambridgeshire County Council requirements for making an order

Diversions

- Pre-application consultations have been carried out with the prescribed bodies
- Where possible, a suitable alternative path is provided for every path that is to be stopped up under s257 Town & Country Planning Act 1990
- The proposed new routes of paths are reasonably convenient to the public when compared with the original routes
- The Parish Council does not object to the proposals
- No objections are received to the proposals during the statutory consultation period prior to making an order. However, the County Council will review this criterion in individual cases in light of objections and potential public benefit of the proposal.
- The proposed new route is not less convenient for maintenance than the original
- The maintenance burden on the County Council of the new route is no greater than that of the original. If the maintenance burden is greater, the landowner may be required to enter into a maintenance agreement with the County Council as Highway Authority
- A minimum width of 2m is provided for the new route of a public footpath, and a minimum of 4m for the new route of a public bridleway. In exceptional cases, e.g. cross-field paths, it may, taking into account all the available facts, require such a width as it considers reasonable and appropriate.
- That all works needed to bring the new route of the path into a suitable condition for use by the public are carried out at the expense of the landowner and to the Highway Authority's specifications, unless otherwise agreed.

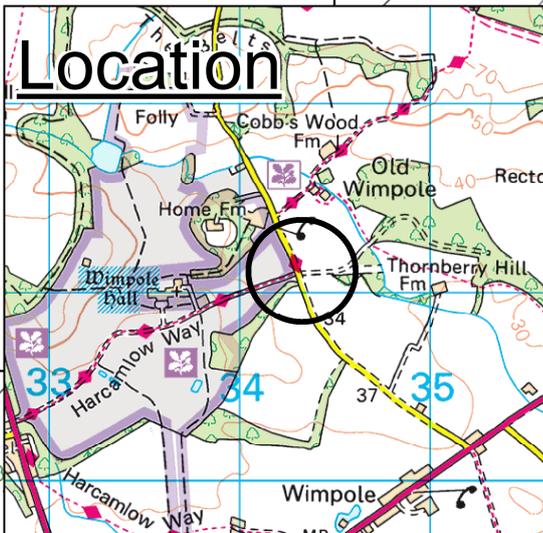
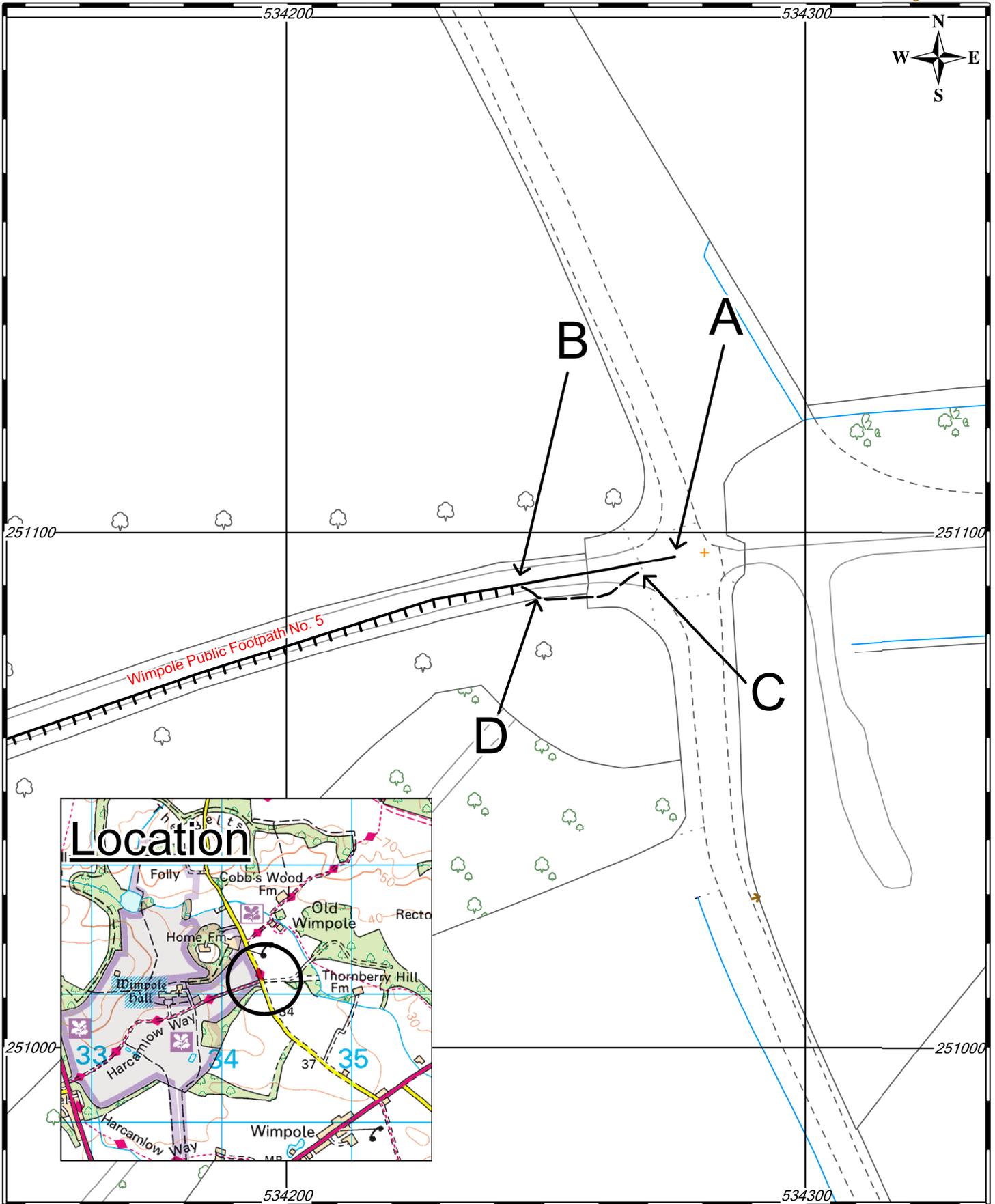
Pre-application consultations

Applicants are advised that prior to formally submitting their diversion or extinguishment application to the Rights of Way & Access Team, they must complete informal consultations with the prescribed bodies (list attached). This will identify at an early stage whether the proposal is likely to be accepted by the public, and all responses received should be attached to the application form.

List of Statutory Consultees

NB Please select the relevant Ramblers Association Group for your area. Be aware that it may be appropriate to consult more than one group if your location is near one or more RA-represented areas.

The relevant Parish Council	
Ramblers Association 2 nd Floor Camelford House 87-97 Albert Bank LONDON SE1 7TW	Mrs Alysoun Hodges East Cambridgeshire Ramblers Group 88 West Fen Road, Ely CB6 3AA e-mail: paul@paulhodges.wanadoo.co.uk NB <u>Except</u> for the parishes listed under <i>Newmarket Ramblers</i>
Auto-Cycle-Union Auto-Cycle-Union House Wood Street RUGBY CV21 2YX	Steve Rossin Huntingdonshire Ramblers Association 6 De Beche Close Papworth Everard CAMBRIDGE CB23 3UP Email: steve.hel@btinternet.com
Open Spaces Society – Cambridgeshire Mrs Alysoun Hodges 88 West Fen Road Ely CB6 3AA e-mail: paul@paulhodges.wanadoo.co.uk	Dr R & Mrs J Moreton Joint Footpath Secretaries South Cambridgeshire Ramblers Association Group 23 Emery Street CAMBRIDGE CB1 2AX
Open Spaces Society 25A Bell Street HENLEY-ON-THAMES RG9 2BA	Mr G Thomas Fenland Ramblers Association Coach House 6 Chapel Road WISBECH PE13 1RH
Byways and Bridleways Trust 57 Bowers Mill, Branch Road, Barkisland, HALIFAX HX4 0AD e-mail: notices@bywayandbridleway.net	Paul Cutmore Cambridge City Ramblers Group 12 Topcliffe Way CAMBRIDGE CB1 8SH e-mail: ptcutmore@cix.co.uk
British Horse Society Stoneleigh Deer Park KENILWORTH CV8 2XZ	Phil Prigg Newmarket Ramblers Group 1 Edgeborough Close Kentford NEWMARKET CB8 8QY
Lynda Warth British Horse Society Access and Bridleways Officer for Cambs 53 Bar Lane Stapleford Cambridge CB22 5BJ e-mail: lyndawarth@hotmail.co.uk	Newmarket RG covers the following parishes in Cambs: <i>Ashley, Brinkley, Burrough Green, Cheveley, Chippenham, Dullingham, Kennett, Kirtling, Snailwell, Stetchworth, Westley Waterless and Woodditton</i>

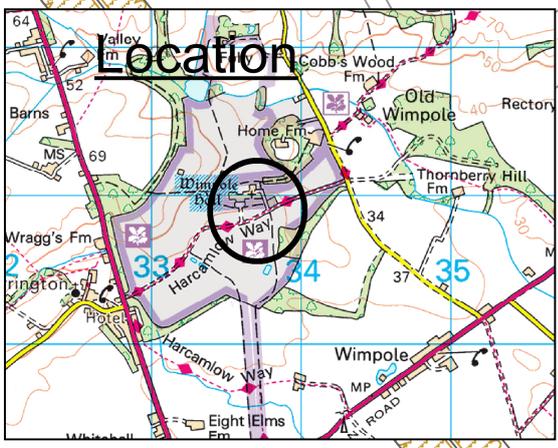
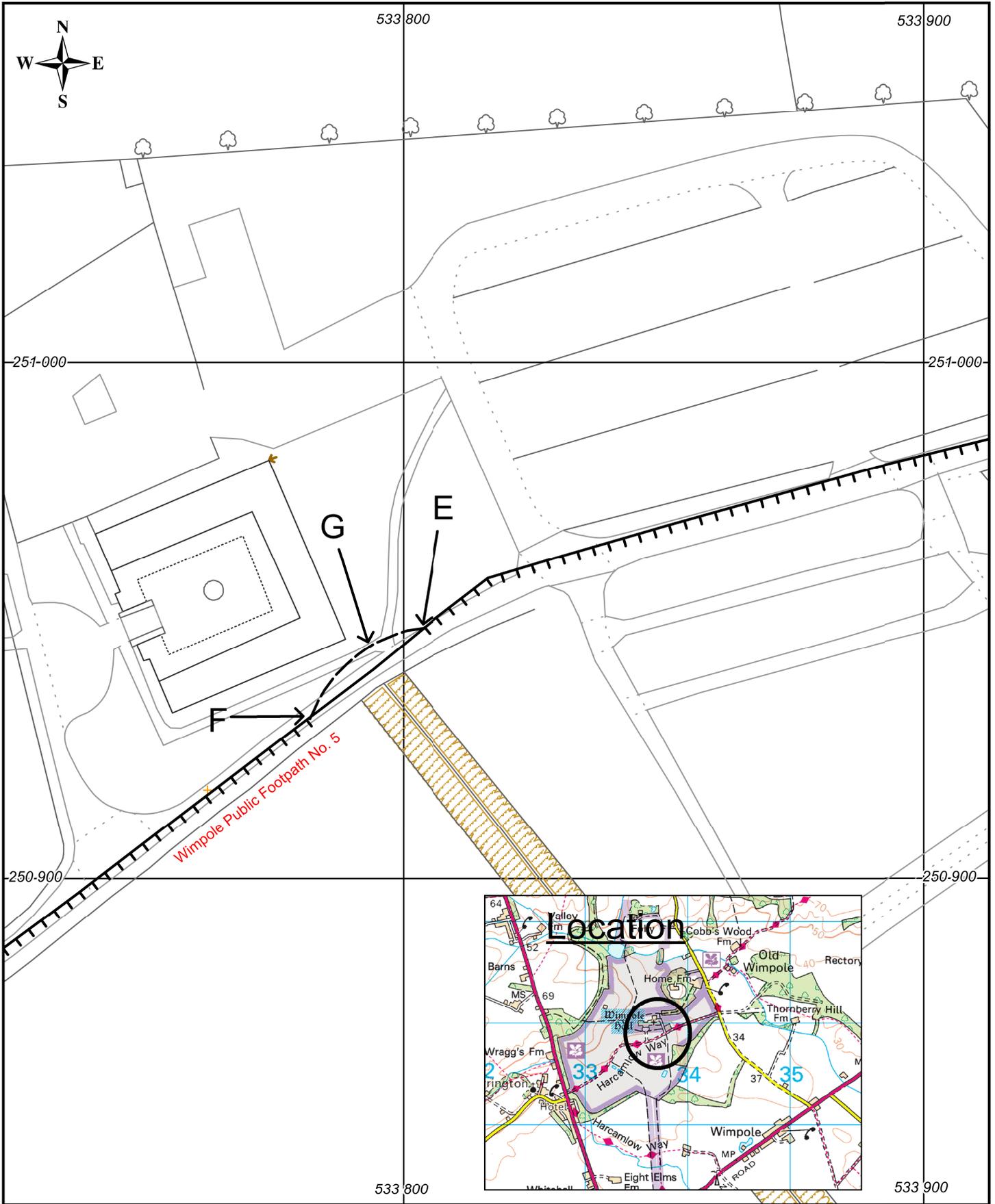


Scale: 1:1000
Date: 19/02/2020
By: fn312

Key - Drawn from the Definitive Map

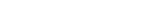
- Public Footpath to be Stopped Up 
- New Route of Public Footpath 
- Unaffected Public Footpath 

Plan A



Scale: 1:1000
Date: 17/02/2020
By: fn312

Key - Drawn from the Definitive Map

- Public Footpath to be Stopped Up 
- New Route of Public Footpath 
- Unaffected Public Footpath 

Plan B

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

Oliver Caroe,
Caroe Architecture Ltd
Office 5, Unit 8
23-25 Gwydir Street
Cambridge
CB1 2LG

The Council hereby grants permission for Change of use of agricultural land to car parking to enable the relocation of existing parking on Phase 1 (700 spaces), and provision of new parking in Phase 2 (660 spaces), making good the land to parkland together with the erection of 2no. buildings at the visitor entrance, provision of a connecting pathway between the new car park and the Wimpole Hall, creation of a new vehicle access together with associated landscaping and drainage works.

At: Tenanted Agricultural land within the Wi, Wimpole Estate, Wimpole Estate, Arrington, Royston, Cambridgeshire, SG8 0BW
For: The Regional Director, The National Trust (East of England Regi

In accordance with your application dated 14 June 2017 and the plans, drawings and documents which form part of the application, subject to conditions set out below.

1. The development hereby permitted shall be begun before the expiration of 3 years from the date of this permission.
(Reason - To ensure that consideration of any future application for development in the area will not be prejudiced by permissions for development, which have not been acted upon.)
2. The development hereby permitted shall be carried out in accordance with the following approved plans:
 - (EX)001.1rev0 Survey Site Plan sheet 1
 - (EX)001.2rev1 Survey Site Plan sheet 2
 - (EX)000.1.3rev0 Survey Site Plan sheet 3
 - (EX)004.2rev2 Overall Survey Site Plan Planning Boundary
 - (GA)0001.1.1rev2 Proposed Site Plan sheet 1
 - (GA)000.1.2rev1 Proposed Site Plan sheet 2- Revised Parking - Phase 1 and 2
 - (GA)000.1.3rev0 - Proposed Site Plan - Revised Parking - Phase 1 and 2 sheet 3
 - (GA)000.1.4 rev1 - Proposed Site Plan - Revised Parking - Phase 1 sheet 4
 - (GA)0003.1rev5 Proposed Site Plan Path Details and Potential Bat Roost Trees Sheet 1
 - (GA)211rev0 Proposed Welcome Ground Floor Plan
 - (GA)212rev0 Proposed Service Building Ground Floor Plan
 - (GA)221rev0 Proposed Block Plan Roof
 - (GA)222rev0 Proposed Block Plan Ground Conditions
 - (GA)400rev0 Proposed Elevations Visitor Welcome Building
 - (GA)401rev0 Proposed Elevations Service Building
 - (GA)402rev0 Proposed Elevations Visitor Welcome Building Bypass
 - (GA)403rev0 Proposed Elevations Visitor Welcome Building End and Colonnade
 - (GA)410rev0 Proposed Site Elevations Arrival and Departure
 - (GA)411rev0 Proposed Site Elevations Front and Back of Service Building

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

CL-101 P9 Surface Water Drainage Strategy Plan

(Reason - To facilitate any future application to the Local Planning Authority under Section 73 of the Town and Country Planning Act 1990.)

3. Prior to the implementation of any external lighting, details of the type/model of the lights identified in the approved drawings should be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the agreed details and retained as such thereafter.
(Reason - To minimise the effects of light pollution on the surrounding area and listed assets in accordance with Policy CH/3 and CH/4 and to ensure there are no significant impacts on bat populations in accordance with Policy NE/6 of the adopted Local Development Framework 2007.)
4. No demolition, site clearance or building operations shall commence until a tree protection plan and strategy has been submitted to and agreed in writing with the Local Planning Authority. The protection plan and strategy shall be undertaken in accordance with the BS 5837 standard. Any protection measures shall be maintained to the satisfaction of the Local Planning Authority during the course of development.
(Reason - To protect trees which are to be retained in order to enhance the development, biodiversity and the visual amenities of the area in accordance with Policies DP/1 and NE/6 of the adopted Local Development Framework 2007.)
5. Prior to the commencement of any development, a Badger survey shall be carried out within the site by a licensed ecologist. A report of the findings including a suitable mitigation strategy if required, should Badger be found, shall be submitted to the local planning authority and approved in writing. Thereafter the development shall be carried out in accordance with the approved details.
(Reason - To enhance ecological interests in accordance with Policies DP/1, DP/3 and NE/6 of the adopted Local Development Framework 2007.)
6. No development shall take place on a phase until, full details of both hard and soft landscape works for that phase has been submitted to and approved in writing by the Local Planning Authority. The landscape scheme should be based on the indicative scheme as set out in plans (GA)0001.1rev2, (GA)001.2rev1, (GA)000.1.3rev0 and (GA)000.1.4rev1. Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants, noting species, plant sizes and proposed numbers/densities and implementation programme.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
7. All hard and soft landscape works shall be carried out in accordance with the approved details. The works for each phase shall be carried out in accordance with a programme agreed in writing with the Local Planning Authority. If within a period of five years from the date of the planting, or replacement planting, any tree or plant is removed, uprooted or destroyed or dies, another tree or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
(Reason - To ensure the development is satisfactorily assimilated into the area and enhances biodiversity in accordance with Policies DP/2 and NE/6 of the adopted Local Development Framework 2007.)
8. The proposed development shall be carried out in accordance with the detailed surface water drainage scheme for the site, based on the agreed Flood Risk Assessment (FRA) prepared by

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

Rossi Long Consulting (ref: 161198) dated May 2017 and the updated surface water drainage strategy plan (ref CL-101, P9) dated 13th October 2017. The surface water drainage scheme shall be completed prior to the use of the parking area or the occupation of the building.

(Reasons - To prevent the increased risk of flooding, to improve and protect water quality, and improve habitat and amenity in accordance with policy NE/9 of the Local Development Framework and to ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework.)

9. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of phase 1. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.
(Reasons - To ensure the satisfactory maintenance of unadopted drainage systems in accordance with the requirements of paragraphs 103 and 109 of the National Planning Policy Framework)
10. Prior to the commencement of development of any phase, a written scheme of investigation (WSI) for an Archaeological Programme of Works shall be submitted to and approved in writing by the local planning authority. For land that is included within the WSI, no demolition/development shall take place other than in accordance with the agreed WSI. The WSI which shall include:
 - the statement of significance and research objectives;
 - the programme and methodology of site investigation and recording
 - the nomination of a competent person(s) or organisation to undertake the agreed works
 - the programme for post-excavation assessment and subsequent analysis, reporting, publication & dissemination, and deposition of the resulting archive.The proposed development shall be carried out in accordance with the agreed details.
(Reasons - To protect archaeological sites in accordance with policy CH/2 of the Local Development Framework and the National Planning Policy Framework.)
11. No development above ground level of the buildings on phase 1 shall take place until details of the materials to be used in the construction of the external surfaces of the buildings hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
(Reason - To ensure the appearance of the development is satisfactory in accordance with Policy DP/2 of the adopted Local Development Framework 2007.)
12. During the period of demolition and construction, no power operated machinery shall be operated on the site before 0800 hours and after 1800 hours on weekdays or before 0800 hours and after 1300 hours on Saturdays, nor at any time on Sundays and Bank Holidays, unless otherwise previously agreed in writing with the Local Planning Authority.
(Reason - To minimise noise disturbance for adjoining residents in accordance with Policy NE/15 of the adopted Local Development Framework 2007.)
13. Prior to the commencement of development of the Phase 2 parking layout as identified on drawing no. (GA)000.1.1rev2, (GA)000.1.4rev1, an updated Travel Plan for both staff and visitors shall be submitted to and approved in writing by the Local Planning Authority. Prior to the use of Phase 2, the Travel Plan shall be implemented in accordance with the approved

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

details.

(Reason - To reduce car dependency and to promote alternative modes of travel in accordance with Policy TR/3 of the adopted Local Development Framework 2007.)

14. The existing parking areas as identified on drawing no.(EX)001.2rev1 as car parking, overspill car parking (including associated hardstanding, fencing, signage and ticket machines) shall be removed and land restored back to soft landscaping within 6 months of the first occupation of the Phase 1. The restored land should remain as such thereafter.
(Reasons - To offset the impact to the Heritage Assets in accordance with paragraph 134 and 137 of the National Planning Policy Framework)
15. Prior to the commencement of phase 2 parking as detailed on (GA)000.1.1rev2 and (GA)000.1.4rev1, details of the highway improvements to the junction of Old Wimpole Road with A603 to increase capacity for vehicles exiting from Old Wimpole Road, shall be submitted to and approved in writing by the Local Planning Authority. These works should be agreed with the Local Highway Authority and implemented prior to the commencement of Phase 2 of the development.
(Reason - To ensure safe and efficient operation of the junction of Old Wimpole Road with A603 in accordance with policy DP/3 of the Local Development Framework)
16. Prior to the first occupation of phase 1 details of covered and secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details prior to the first occupation of phase 1 and thereafter maintained.
(Reasons – To ensure the provision of covered and secure cycle parking in accordance with policy TR/2 of the adopted Local Development Framework 2007)
17. Prior to the first occupation of each phase, an Electric Vehicle (EV) Charging Plan (which can be integrated into the landscape scheme) shall be submitted to and approved in writing by the Local Planning Authority. The plan should include the details of the number, location, installation, and cabling infrastructure of the EV points. The development shall be carried out in accordance with the agreed details prior the first occupation of each phase and maintained as such thereafter.
(Reasons – In the interest of reducing carbon emissions in accordance with policies NE/1, NE/2, DP/1 and TR/1-4 of the adopted Local Development Framework 2007)
18. No development shall take place, until a Construction Environmental Management Statement (CEMP) has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:
- i) measures to control noise and vibration;
 - ii) measures to control the emission of dust and dirt during construction;
 - iii) a scheme for recycling/disposing of waste resulting from the construction works;
 - iiii) construction and site workers parking
 - iv) material storage areas
- The approved CEMP shall be adhered to throughout the construction period for the development.
(Reasons – To protect residential amenity and limit the impact on the natureenvironment in accordance with policies DP/1 and DP/2 of the Local Development Framework 2007).

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

Informatives

1. A wheel washing facility might be required at the request of the Local Highways Authority if mud and debris is spreading onto the adopted roads.

General

1. **Statement as to how the Local Planning Authority (LPA) has worked with the applicant in a positive and proactive manner on seeking solutions**

The LPA positively encourages pre-application discussions. Details of this advice service can be found on the Planning pages of the Council's website www.scamb.gov.uk. If a proposed development requires revisions to make it acceptable the LPA will provide an opinion as to how this might be achieved. The LPA will work with the applicant to advise on what information is necessary for the submission of an application and what additional information might help to minimise the need for planning conditions. When an application is acceptable, but requires further details, conditions will be used to make a development acceptable. Joint Listed Building and Planning decisions will be issued together. Where applications are refused clear reasons for refusal will identify why a development is unacceptable and will help the applicant to determine whether and how the proposal might be revised to make it acceptable.

In relation to this application, it was considered and the process managed in accordance with paragraphs 186 and 187 of the National Planning Policy Framework.

2. Circular 04/2008 (Planning Related Fees) states that where an application is made under Article 21 of the Town and Country Planning (General Development Procedure) Order 1995 [now superseded by Article 30 of the Town and Country Planning (Development Management Procedure)(England) Order 2010], a fee will be payable for any consent, agreement or approval required by condition or limitation attached to the grant of planning permission (or reserved matter consent).

The fee is £116 per request or £34 where the permission relates to an extension or alteration to a dwellinghouse or other development in the curtilage of a dwellinghouse. The request can be informal through the submission of a letter or plans, or formal through the completion of an application form and the submission of plans. Any number of conditions may be included on a single request. The form is available on the Council's website www.scamb.gov.uk (application forms - 1app forms-application for the approval of details - pack 25.)

3. It is important that all conditions, particularly pre-commencement conditions, are fully complied with, and where appropriate, discharged prior to the implementation of the development. Failure to discharge such conditions may invalidate the planning permission granted. The development must be carried out fully in accordance with the requirements of any details approved by condition.

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

-
4. All new buildings that are to be used by the public must, where reasonable and practicable, be accessible to disabled persons and provide facilities for them. The applicant's attention is therefore drawn to the requirements of Section 76 of the Town and Country Planning Act 1990 and the Building Regulations 2000 (as amended) with respect to access for disabled people.
 5. In order to obtain an official postal address, any new buildings should be formally registered with South Cambridgeshire District Council. Unregistered addresses cannot be passed to Royal Mail for allocation of postcodes. Applicants can find additional information, a scale of charges and an application form at www.scambs.gov.uk/snn. Alternatively, applicants can contact the Address Management Team: call 08450 450 500 or email address.management@scambs.gov.uk. Please note new addresses cannot be assigned by the Council until the footings of any new buildings are in place.
 6. The applicant's attention is drawn to the requirements of the Party Wall etc. Act 1996 if works are proposed to a party wall.
 7. If you wish to amend the permitted scheme, and you consider the revisions raise no material issues, you should make an application for a Non Material Amendment. If agreed, the development can go ahead in accordance with this amendment although the revised details will not replace the original plans and any conditions attached to the originally approved development will still apply. If, however, you or the Council consider the revisions raise material issues you may be able to make an application for a Minor Material Amendment. If approved, this will result in a new planning permission and new conditions as necessary may be applied. Details for both procedures are available on the Council's website or on request.
 8. If this development involves any works of a building or engineering nature, please note that before any such works are commenced it is the applicant's responsibility to ensure that, in addition to planning permission, any necessary consent under the Building Regulations is also obtained. Advice in respect of Buildings Regulations can be obtained from Building Control Services at South Cambridgeshire District Council. Their contact details are: tel. 03450 450 500 or building.control@scambs.gov.uk or via the website www.scambs.gov.uk.
 9. A delegation report or committee report, setting out the basis of this decision, is available on the Council's website.

To help us enhance our service to you please click on the link and complete the customer service questionnaire: www.surveymonkey.com/s/2S522FZ

SJ Kelly

Stephen Kelly

Joint Director for Planning and Economic Development for Cambridge and South Cambridgeshire

South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL
CAMBRIDGESHIRE

Form 4
Ref. S/2214/17/FL

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

THIS PERMISSION DOES NOT CONSTITUTE APPROVAL UNDER BUILDING REGULATIONS AND IS NOT A LISTED BUILDING CONSENT OR CONSERVATION AREA CONSENT. IT DOES NOT CONVEY ANY APPROVAL OR CONSENT WHICH MAY BE REQUIRED UNDER ANY ENACTMENT, BYE-LAW, ORDER OR REGULATION OTHER THAN SECTION 57 OF THE TOWN AND COUNTRY PLANNING ACT 1990.

SEE NOTES OVERLEAF

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

NOTES

Appeals to the Secretary of State

If you are aggrieved by the decision of your Local Planning Authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State for the Environment under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so using a form which you can get from the Customer Support Unit, Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol BS1 6PN.

Alternatively, an online appeals service is available through the Appeals area of the Planning Portal - see www.planningportal.gov.uk/pcs. The Planning Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information you are happy will be made available to others in this way, including personal information belonging to you. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Fully completed appeal forms must be received by the Planning Inspectorate within six months of the date of this decision notice except where the property is subject to an enforcement notice, where an appeal must be received within 28 days.

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving the notice of appeal.

The Secretary of State need not consider an appeal if it seems to him that the Local Planning Authority could not have granted planning permission for the proposed development or could not have granted it without the conditions it imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by him.

Purchase Notices

If either the Local Planning Authority or the Secretary of State for the Environment refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonable beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the District Council in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

TOWN AND COUNTRY PLANNING ACT 1990

PLANNING PERMISSION
SUBJECT TO CONDITIONS

Decision Date: 22 January 2018

IMPORTANT INFORMATION REGARDING CONDITIONS

If you have been granted Planning Permission and/or Listed Building Consent you may wish to get started immediately, however it is always important to carefully read the decision notice in full before any work begins.

The majority of Planning Permissions and Listed Building Consents have conditions attached. Some conditions request further information that requires approval by the Local Planning Authority before any development takes place ('pre-commencement'). All conditions are set out on the decision notice.

Under Section 7 of the Planning (Listed Buildings and Conservation Areas) Act 1990, it is a criminal offence to carry out unauthorised works to a listed building. Under Section 9 of the Act, a person shall be guilty of an offence should they fail to comply with any condition attached to the consent.

HOW DO I DISCHARGE THE CONDITIONS

Please note that the process takes up to eight weeks from the date the Local Planning Authority receives a valid application. Therefore it is important to plan ahead and allow plenty of time before work is due to commence.

You need to fill in a form to submit your request to discharge conditions, and accompany the relevant details/samples. You can download the necessary form by using the following link: <https://www.scambs.gov.uk/content/apply-planning-permission>. This form can be emailed directly to planning@scambs.gov.uk or submitted by post to South Cambridgeshire Hall, Cambourne Business Park, Cambourne, Cambridge, CB23 6EA

Alternatively you can submit an application to discharge the conditions through the Government's Planning Portal website: <https://www.planningportal.co.uk/applications>. Please note, The Planning Portal refers to it as 'Approval of details reserved by a condition'.

When the required information has been submitted you will receive a reference and an acknowledgement letter. Once the Local Planning Authority is satisfied that the requirement of the condition have been met you will receive a formal notification that the conditions have been discharged.

FEES

£0 – for all Listed Building Consent 'Discharge of Conditions' applications;

£34 – for all householder 'Discharge of Conditions' applications;

£116 – for all other types 'Discharge of Conditions' applications.

Please contact your Case Officer with any queries.



Wimpole Footpath 5 at East Gate, looking westwards



Wimpole Footpath 5 at Stable Gate location, looking westwards.

Memorandum of Agreement for the processing of Public Path Orders between Cambridgeshire County Council and South Cambridgeshire District Council.

This Memorandum outlines agreement reached between Cambridgeshire County Council [The County Council] and South Cambridgeshire District Council [The District Council] concerning the processing of Public Path Orders under the Town & Country Planning Act 1990 in Cambridgeshire.

In this Memorandum 'Public Path Orders' refers to all orders that effectively divert, create or extinguish a public right of way.

Legislative Framework

The Highways Act 1980 and the Town and Country Planning Act 1990 enable both District and County Councils to undertake and process Public Path Orders. Orders made under the Highways Act 1980 can be made by either authority. Orders made under the Town and Country Planning Act 1990 can only be made by the appropriate planning authority. However, the planning authority may contract out the processing of such orders to suitably qualified contractors. The County Council has a statutory duty under the Wildlife and Countryside Act 1981 to modify the Definitive Map in order to show any changes to the route of a path effected by a public path order under either Act. The two authorities already have an Agreement regarding public path orders made under the Highways Act 1980 whereby the County Council undertakes to assess and make all orders requested under that Act through to confirmation if the applications meet the legal tests.

Public Path Orders under the Town and Country Planning Act 1990

The County Council will make all orders under the Town and Country Planning Act 1990 where they are the Planning Authority. The District Council will be consulted on these orders due to their status as a statutory consultee.

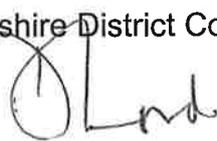
The County Council will receive applications from the public for public path orders which are required under the Town and Country Planning Act 1990 on behalf of the District Council. The County Council will process the order according to the procedure set out in the Appendix. The County Council will recover its costs from the applicant direct. No charges shall be made by the County Council to the District Council or by the District Council to the County Council for any aspect of making or confirming the order.

Signed on behalf of Cambridgeshire County Council by:-

Name..... *C. H. Kemp*
Job Title..... *DIRECTOR OF HIGHWAYS + ACCESS*
Date..... *26th JAN 2007*

Signed on behalf of South Cambridgeshire District Council by:-

Name..... *DAVID LORD*
Job Title..... *ASST. SOLICITOR*
Date..... *20th February 2007*



Memorandum of Agreement –Cambridgeshire County Council and South Cambridgeshire District Council - Public Path Orders

Appendix – Procedure for public path orders under the Town and Country Planning Act 1990 where Cambridgeshire County Council acts as agent for South Cambridgeshire District Council

- Application made direct to Cambridgeshire County Council
- Cambridgeshire County Council formally notifies South Cambridgeshire District Council of application and timescale for processing application
- South Cambridgeshire District Council arranges slot on relevant committee agenda for consideration of report
- Cambridgeshire County Council carries out formal consultations on the proposed diversion, writes report and prepares a draft order and order map
- South Cambridgeshire District Council Planning Committee considers the report and determines whether the order should or should not be made
- South Cambridgeshire District Council seals the draft order and order map if order is to be made
- Cambridgeshire County Council processes the publication of the order
- If no objections, South Cambridgeshire District Council confirms the order and Cambridgeshire County Council processes the publication of the confirmation
- If objections, South Cambridgeshire District Council and Cambridgeshire County Council jointly agree whether or not to submit order to Planning Inspectorate (Secretary of State) for determination

Costs

Cambridgeshire County Council will recoup the costs of making the order direct from the applicant.

The local authority is not permitted to recharge to the applicant the costs of sending an opposed order to the Planning Inspectorate. Therefore, if South Cambridgeshire District Council wishes to submit an order to the Planning Inspectorate, it will meet the Cambridgeshire County Council's costs in doing so or submit the order itself and meet its own costs.

The risk of having to meet these costs should mean that South Cambridgeshire District Council only resolves to make orders where it was reasonably confident that the order would not attract objections. The onus lies with the applicant to provide a diverted route that is acceptable to all parties (including reviewing the proposed diverted route if, after consultations, their original suggestion is not acceptable).

Payne Roger

From: .box.PPRSTeam <PPRSTeam@cadentgas.com>
Sent: 19 March 2020 15:42
To: Payne Roger
Subject: FW: Cadent and National Grid Plant Enquiry Response - Your Ref: P101 (JP) Our Ref: EA_GE3A_3FWP_052950
Attachments: NATIONAL_GRID_EA_GE3A_3FWP_052950_1_2256.pdf

****DO NOT REPLY TO THIS MAILBOX AS IT IS NOT MONITORED****

If you need to contact Plant Protection e-mail plantprotection@cadentgas.com Call 0800 688 588

Did you know you can do your own search by logging on and registering at www.beforeyoudig.cadentgas.com

From: Cadent EAGLES System <noreply.eagles@dnvgl.com>
Sent: 19 March 2020 10:48
To: .box.PPRSTeam <PPRSTeam@cadentgas.com>
Subject: Cadent and National Grid Plant Enquiry Response - Your Ref: P101 (JP) Our Ref: EA_GE3A_3FWP_052950

Formal Enquiry - Your Ref: P101 (JP) Our Ref: EA_GE3A_3FWP_052950

Thank you for your enquiry which was received on 17/03/2020.

Please refer to the attached documentation for Cadent and National Grid's response.

Self-service for Plant Enquiries: www.beforeyoudig.cadentgas.com

If you need to contact the Plant Protection Team regarding your enquiry, please use the following details:

Email: plantprotection@cadentgas.com
Address: Plant Protection
Cadent
Block 1; Floor 1;
Brick Kiln Street
Hinckley
LE10 0NA
Telephone: +44 (0)800 688 588

National Gas Emergency Number:

0800 111 999*

National Grid Electricity Emergency Number:

0800 40 40 90*

* Available 24 hours, 7 days/week. Calls may be recorded and monitored.

This e-mail and any attachments thereto may contain confidential information and/or information protected by intellectual property rights for the exclusive attention of the intended addressees named above. If you have received this transmission in error, please immediately notify the sender by return e-mail and delete this message and its attachments. Unauthorized use, copying or further full or partial distribution of this e-mail or its contents is prohibited.

This e-mail, and any attachments are strictly confidential and intended for the addressee(s) only. The content may also contain legal, professional or other privileged information. If you are not the intended recipient, please notify the sender immediately and then delete the e-mail and any attachments. You should not disclose, copy or take any action in reliance on this transmission.

Please ensure you have adequate virus protection before you open or detach any documents from this transmission. Cadent Gas Limited does not accept any liability for viruses. An e-mail reply to this address may be subject to monitoring for operational reasons or lawful business practices.

Cadent Gas Limited is a limited liability company, registered in England and Wales (registered no. 10080864) with its registered office at Ashbrook Court, Prologis Park, Central Boulevard, Coventry CV7 8PE.

Payne Roger

From: [REDACTED]
Sent: 20 March 2020 08:49
To: Payne Roger
Subject: NO OBJECTION: Application to divert Public Footpath Wimpole 5
Attachments: TCPA90 Stat undertakers Wimpole FP5.pdf; 2020-02-19 Plan A.pdf; 2020-02-19 Plan B.pdf

Dear Sirs,

New Roads and Street Works Act 1991
Stopping Up Order / Footpath Diversion / Extinguishment / Gating Order

No Objection

We refer to the below or attached order and confirm that we have no objections

Please email Stopping Ups to osm.enquiries@atkinglobal.com

To enable us to process your application as quickly as possible, please ensure you include Grid References.

A copy of the Cable and Wireless process 4461 'Special Requirements relating to the external plant network of Cable and Wireless UK Services Ltd' is available on request. The process provides guidance on working in the vicinity of Cable and Wireless's apparatus.

IMPORTANT - PLEASE READ = Your Next Step?:

Where apparatus is affected and requires diversion, please send all the scheme related proposals that affects the Vodafone Network to c3requests@vodafone.com with a request for a 'C3 Budget Estimate'. Please ensure you include a plan showing proposed works. (A location plan is insufficient for Vodafone to provide a costing). These estimates will be provided by Vodafone directly, normally within 20 working days from receipt of your request. Please include proof of this C2 response when requesting a C3 (using the 'forward' option). Diversionary works may be necessary if the existing line of the highway/railway or its levels are altered.

Plant Enquiries Team
T: +44 (0)1454 662881
E: osm.enquiries@atkinglobal.com

ATKINS working on behalf of Vodafone: Fixed 

This response is made only in respect to electronic communications apparatus forming part of the Vodafone Limited electronic communications network formerly being part of the electronic communications networks of Cable & Wireless UK (now re-named Vodafone Enterprise UK), Energis Communications Limited, Thus Group Holdings Limited and Your Communications Limited.

PLEASE NOTE:

The information given is indicative only. No warranty is made as to its accuracy. This information must not be solely relied upon in the event of excavation or other works carried out in the vicinity of Vodafone plant. No liability of any kind whatsoever is accepted by Vodafone, its servants, or agents, for any error or omission in respect of information contained on this information. The actual position of underground services must be verified and established on site before any mechanical plant is used. Authorities and contractors will be held liable for the full cost of repairs to Vodafone's apparatus and all claims made against them by Third parties as a result of any interference or damage.

 Please consider the environment before printing this e-mail

From: Payne Roger <Roger.Payne@cambridgeshire.gov.uk>
Sent: 16 March 2020 21:21
Subject: Application to divert Public Footpath Wimpole 5

Dear Sir or Madam,

Cambridgeshire County Council has received an application to divert two sections of Public Footpath Wimpole No. 5. Please find attached a consultation letter and proposal plans.

Please let me know any comments by **15th April 2020**. If this timescale causes you difficulty then please contact me.

Best regards,

Roger

Roger Payne
Asset Information Definitive Map Manager
Cambridgeshire County Council
Direct Dial: 01480 379421
Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

Highways Service – Asset Information: Data Protection Privacy Notice

We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006.

Full details about how we use this data and the rights you have around this can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy. If you have any queries, please contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk. The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>

The information in this email could be confidential and legally privileged. It is intended solely for the addressee and they will decide who to share this email with (if appropriate). If you receive this email by mistake please notify the sender and delete it immediately. Opinions expressed are those of the individual and do not necessarily represent the opinion of Cambridgeshire County Council. All sent and received email from Cambridgeshire County Council is automatically scanned for the presence of computer viruses and security issues. Any personal data will be processed in line with the Data Protection legislation, further details at www.cambridgeshire.gov.uk/privacy Visit www.cambridgeshire.gov.uk

This email and any attached files are confidential and copyright protected. If you are not the addressee, any dissemination of this communication is strictly prohibited. Unless otherwise expressly agreed in writing, nothing stated in this communication shall be legally binding. The ultimate parent company of the Atkins Group is SNC-Lavalin Group Inc. Registered in Québec, Canada No. 059041-0. Registered Office 455 boul. René-Lévesque Ouest, Montréal, Québec, Canada, H2Z 1Z3. A list of Atkins Group companies registered in the United Kingdom and locations around the world can be found at <http://www.atkinsglobal.com/site-services/group-company-registration-details>

Consider the environment. Please don't print this e-mail unless you really need to.

Payne Roger

From: Payne Roger
Sent: 24 March 2020 09:52
To: 'Roger Moreton'
Subject: RE: Application to divert Public Footpath Wimpole 5

Dear Mr & Mrs Moreton,

Thank you for your email. The proposals may well be identical to the ones you had agreed to, but I am required by the statutory process to formally consult on the application that was submitted to Cambridgeshire County Council. I note that there are no objections from the Cambridge RA, and thank you for taking the time to confirm this.

Yours sincerely,

Roger

Roger Payne
Asset Information Definitive Map Manager
Highways Service, Cambridgeshire County Council
Tel: 01480 379421

From: Roger Moreton [REDACTED]
Sent: 23 March 2020 21:26
To: Payne Roger <Roger.Payne@cambridgeshire.gov.uk>
Subject: Re: Application to divert Public Footpath Wimpole 5

Dear Mr Payne,

Thank you for your consultation dated 16 March 2020, regarding the proposed minor diversions affecting Wimpole Public Footpath 5. I note the enclosed plans and attachments.

Our Committee of The Ramblers' Association, Cambridge Group has been approached already on this matter, on behalf of the landowner, The National Trust.

A consultation, dated 14 November 2019 from Alison Williamson, (rights of way consultancy service acting for the NT) was considered by our committee at its meeting of 21 November 2019. The Committee considered that the two minor diversions needed to install cattle grids, and amendments to fencing were not detrimental to the use of Wimpole footpath 5. The decision was recorded in the Minutes of the meeting, and the National Trust representative informed.

In present circumstances, a further committee meeting of RA Cambridge Group is unlikely in the near future, and so we are moving matters forward via e-mail. There have been no objections to my agreeing to the proposed diversions on behalf of the Ramblers' Association Cambridge Group. Your proposals appear identical to those discussed previously.

With thanks for your consultation,

Yours sincerely,

Janet Moreton
Roger and Janet Moreton
Footpath Secretaries for South Cambridgeshire
Ramblers' Association, Cambridge Group

From: Payne Roger <Roger.Payne@cambridgeshire.gov.uk>
Sent: 16 March 2020 15:46
Subject: Application to divert Public Footpath Wimpole 5

Dear Sir or Madam,

Cambridgeshire County Council has received an application to divert two sections of Public Footpath Wimpole No. 5. Please find attached a consultation letter and proposal plans.

Please let me know any comments by **15th April 2020**. If this timescale causes you difficulty then please contact me.

Best regards,

Roger

Roger Payne

Asset Information Definitive Map Manager

Cambridgeshire County Council

Direct Dial: 01480 379421

Contact Centre 0345 045 5212

Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon, PE29 6PY

Highways Service – Asset Information: Data Protection Privacy Notice

We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006.

Full details about how we use this data and the rights you have around this can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy. If you have any queries, please contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk. The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>

The information in this email could be confidential and legally privileged. It is intended solely for the addressee and they will decide who to share this email with (if appropriate). If you receive this email by mistake please notify the sender and delete it immediately. Opinions expressed are those of the individual and do not necessarily represent the opinion of Cambridgeshire County Council. All sent and received email from Cambridgeshire County Council is automatically scanned for the presence of computer viruses and security issues. Any personal data will be processed in line with the Data Protection legislation, further details at www.cambridgeshire.gov.uk/privacy Visit www.cambridgeshire.gov.uk

From: Rupert Goodings (CTC)
To: [Payne Roger](#)
Subject: Re: Application to divert Public Footpath Wimpole 5
Date: 03 April 2020 09:17:47

Dear Mr Payne,

Ref: Application to divert Public Footpath 5 Wimpole (SG8 0BW – TL 34244 51090 & TL 33803 50948)

I would like to register a formal objection to this proposed diversion of Public Footpath No. 5.

The current route follows the line of the private road and as such has a good tarmac surface. This route, while classified as a footpath, is commonly used by cyclists and the landowner (National Trust) clearly accept this use.

Both of the proposed diversions would divert the route onto unsurfaced land and would therefore render the route less usable by cyclists.

I can see no compensating benefit for both of the proposed diversions. I therefore object to both of these proposed diversions.

I would appreciate confirmation of receipt of this email. Thankyou.

Rupert Goodings

Campaigning Officer; CTC Cambridge

On 16/03/2020 15:46, Payne Roger wrote:

>
> Dear Sir or Madam,
>
> Cambridgeshire County Council has received an application to divert two
> sections of Public Footpath Wimpole No. 5. Please find attached a consultation
> letter and proposal plans.
>
> Please let me know any comments by *15th April 2020*. If this timescale
> causes you difficulty then please contact me.
>
> Best regards,
>
> Roger
>
> **
>
> **
>
> *Roger Payne*
>
> *Asset Information Definitive Map Manager*
>
> *Cambridgeshire County Council*
>
> *Direct Dial: 01480 379421*
>
> /Contact Centre 0345 045 5212/
>
> Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way

> Depot, Huntingdon, PE29 6PY
>
> Highways Service – Asset Information: Data Protection Privacy Notice
> We collect and use information about you - such as your name, address, email
> address, telephone number, and payment details - so that we can provide you
> with our services acting in our capacity as the Highway Authority and Commons
> Registration Authority under the Commons Registration Act 1965, Highways Act
> 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990,
> Freedom of Information Act 2000, Environmental Information Regulations 2004
> and the Commons Act 2006.
> Full details about how we use this data and the rights you have around this
> can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy
> <<http://www.cambridgeshire.gov.uk/privacy>>. If you have any queries, please
> contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk
> <<mailto:data.protection@cambridgeshire.gov.uk>>. The national regulator for
> Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>
>
> The information in this email could be confidential and legally privileged. It
> is intended solely for the addressee and they will decide who to share this
> email with (if appropriate). If you receive this email by mistake please
> notify the sender and delete it immediately. Opinions expressed are those of
> the individual and do not necessarily represent the opinion of Cambridgeshire
> County Council. All sent and received email from Cambridgeshire County Council
> is automatically scanned for the presence of computer viruses and security
> issues. Any personal data will be processed in line with the Data Protection
> legislation, further details at www.cambridgeshire.gov.uk/privacy Visit
> www.cambridgeshire.gov.uk <<http://www.cambridgeshire.gov.uk>>

Rupert Goodings

CTC Cambridge.

On 20/04/2020 15:26, Alison Williamson wrote:

>
> Dear Mr Goodings
>
> I am instructed on behalf of the National Trust (NT) to progress the
> S257 Town and County Planning Act minor footpath diversions at Wimpole
> Hall, required in order to enable the NT to implement their planning
> permission. I have been advised by Roger Payne at Cambridgeshire
> County Council (CCC) that the formal consultation period closed on
> 15th April, and that your organisation is the only one which has
> lodged a formal objection to our application (as attached), with all
> the Parish Councils, the Ramblers and all other consultees content
> with the proposals. Mr Payne has therefore asked me to follow up this objection with you directly.
>
> I was slightly surprised to hear of your objection since this is a
> public footpath, and of course there is no right to cycle on a
> footpath - although of course it is generally accepted that one can
> walk pushing a bicycle along a footpath, as well as cycle with the
> landowner's permission. Therefore, whilst as you note, the route is
> commonly used by cyclists and the landowner permits this use, there is no right to such use.
>
> Nonetheless, setting aside the actual rights related to this use, I
> note that in fact the reason for your objection relates to concern
> that ".../Both of the proposed diversions would divert the route onto
> unsurfaced land and would therefore render the route less usable by
> cyclists/." There is a misunderstanding in this regard, and I would
> like to reassure you that both the proposed footpath diversions will
> have a tarmac surface as on the existing route, not least as this
> is needed in order for the NT to operate their private horse and
> carriage operations around the Estate. The carriage driving use is on
> pre-determined routes which includes the footpath in question. I
> realise of course that the information you were sent with CCC's
> consultation did not include the detailed planning drawings, although
> I can assure you that we are fully committed to a tarmac surface which will be delivered in line with the detailed
> design specification provided to CCC.
>
> I trust that this information now supplied will enable CTC to withdraw
> its formal objection to this proposal (or to withdraw its objection
> conditional on the provision of a tarmac surface on the diversion
> routes), and I apologise for any lack of clarity which caused you to raise your concerns.
>
> Please do not hesitate to contact me on the landline number below if
> you have any outstanding questions, and I look forward to hearing from you.
>
> Yours sincerely
>
> Alison Williamson
>

> /For and on behalf of the National Trust/
>
> *Alison Williamson*/BSc., MSc., MCIEEM., MIPROW., CEnv./
>
> */EIA Project Management, Ecology, Recreation and Rights of Way
> Consultancy
> Services/*
>

[REDACTED]

>
> This message is intended only for the use of the individual or entity
> to whom it is addressed and contains information that may be
> privileged and/ or confidential. If you have received it in error, you
> should not disseminate, distribute or copy this communication. Please
> notify me immediately by return email and delete the original message and any attachments from your system(s).
>
> Every endeavour is made to ensure there is no virus infection with
> this email and any attachments. However, please virus scan this
> communication upon receipt, as the recipient remains responsible for
> the integrity of this email and any attachments.
>

The information in this email could be confidential and legally privileged. It is intended solely for the addressee and they will decide who to share this email with (if appropriate). If you receive this email by mistake please notify the sender and delete it immediately. Opinions expressed are those of the individual and do not necessarily represent the opinion of Cambridgeshire County Council. All sent and received email from Cambridgeshire County Council is automatically scanned for the presence of computer viruses and security issues. Any personal data will be processed in line with the Data Protection legislation, further details at www.cambridgeshire.gov.uk/privacy Visit www.cambridgeshire.gov.uk

Payne Roger

From: [REDACTED]
Sent: 21 April 2020 09:37
To: Payne Roger; Rupert Goodings (CTC)
Cc: Houghton, Nigel
Subject: RE: Wimpole FP5 consultation

Dear Mr Goodings

Thank you for your prompt response below, as well as your confirmation that the CTC has now withdrawn its formal objection to the proposed diversions on the basis that the minor diversion routes will be tarmac as on the existing.

With regards to the further points you raise, you are quite correct that the rationale relates to the need to prevent public visitor access (in vehicles) from using this road in future.

Thank you again for your prompt reply.

With kind regards

Alison

Alison Williamson *BSc., MSc., MCIEEM., MIPROW., CEnv.*

EIA Project Management, Ecology, Recreation and Rights of Way Consultancy Services

[REDACTED]

This message is intended only for the use of the individual or entity to whom it is addressed and contains information that may be privileged and/ or confidential. If you have received it in error, you should not disseminate, distribute or copy this communication. Please notify me immediately by return email and delete the original message and any attachments from your system(s).

Every endeavour is made to ensure there is no virus infection with this email and any attachments. However, please virus scan this communication upon receipt, as the recipient remains responsible for the integrity of this email and any attachments.

-----Original Message-----

From: Payne Roger <Roger.Payne@cambridgeshire.gov.uk>

Sent: 21 April 2020 08:50

To: Rupert Goodings (CTC) [REDACTED] Alison Williamson [REDACTED]

Cc: Houghton, Nigel [REDACTED]

Subject: RE: Wimpole FP5 consultation

Dear Mr Goodings,

I have now noted that your objection is withdrawn.

Best regards,

Roger

Roger Payne

Asset Information Definitive Map Manager Cambridgeshire County Council Direct Dial: 01480 379421 Contact Centre
0345 045 5212 Highways Service, Box No. STA2101, Cambridgeshire County Council, Stanton Way Depot, Huntingdon,
PE29 6PY

Highways Service - Asset Information: Data Protection Privacy Notice We collect and use information about you - such as your name, address, email address, telephone number, and payment details - so that we can provide you with our services acting in our capacity as the Highway Authority and Commons Registration Authority under the Commons Registration Act 1965, Highways Act 1980, Wildlife & Countryside Act 1981, Town & Country Planning Act 1990, Freedom of Information Act 2000, Environmental Information Regulations 2004 and the Commons Act 2006. Full details about how we use this data and the rights you have around this can be found in our privacy notice at www.cambridgeshire.gov.uk/privacy. If you have any queries, please contact the Data Protection Officer at data.protection@cambridgeshire.gov.uk. The national regulator for Data Protection is the Information Commissioner's Office: <https://ico.org.uk/>

-----Original Message-----

From: Rupert Goodings (CTC) [REDACTED]
Sent: 21 April 2020 08:18
To: Alison Williamson [REDACTED]
Cc: Houghton, Nigel [REDACTED] Payne Roger <Roger.Payne@cambridgeshire.gov.uk>
Subject: Re: Wimpole FP5 consultation

Dear Ms Williamson,

Thanks for this detailed reply.

On the core issue: yes I am happy to withdraw my objection based on this new information. I have copied Mr Payne into this reply.

On the details, I did look at the planning application documents and I was unable to find any details of these new paths.

And I was - and still am - puzzled by the design choices. I did not find any rationale for these changes. Let me explain.

I would argue there are many simple options for providing filtered permeability by modifying the existing gates . I struggle to understand why you need to divert the existing right of way route given that the existing road is not being removed. I am assuming here that the main issue is to block motor cars - i.e. to prevent visitors motor vehicles from using this route (hence the need for filtered permeability).

I also note that the second diversion diverts the route close to the stable block. This is already a congested area during busy weekends, with visitors and carriages all sharing this limited space. It seems perverse to divert a public right of way into this more congested area and it is hard to understand the logic in this design choice.

But if both of the diverted paths will have a good tarmac surface, I accept that the core reason for my objection is resolved.

regards

**Non-Motorised User Routes Adoption Criteria -
Public Path Order Applications and Proactive Cases under the Highways Act 1980 (except s118A and 119A), the Town and County Planning Act 1990, and other Acts as appropriate**

Subject area	Criteria		Maximum available score	Scheme	Notes
	No.	Item (SOA = Statement of Action in ROWIP)			
Consultations	1	Pre-application consultations have been carried out with the prescribed bodies.	Pass or Fail	Pass	Ramblers' Association Cambridge Group raised no objections
Consultations	2	The existing route is available for use and any 'temporary' obstructions have been removed, in order to allow a comparison to be made. Any request for exemption will be decided by the Director Highways & Access as to whether or not that is appropriate.	Pass or Fail	Pass	
Consultations	3	No objections are received to the proposals during the statutory consultation period prior to making an order. However, the County Council will review this criterion in individual cases in light of objections and potential public benefit of the proposal. If the County Council consider the objection to be irrelevant, this will class as a pass.	Pass or Fail	Pass	
Width	4	A minimum width of 2m is provided for a diverted footpath, and a minimum width of 4m for a diverted bridleway. In exceptional cases, e.g. cross-field paths, the County Council may, taking into account all the available facts, require such a width as it considers reasonable and appropriate.	Pass or Fail	Pass	
Maintenance & Financial	5	If maintenance liability is significantly greater than existing, the landowner has agreed to undertake or fund future maintenance.	Pass or Fail	Pass	
Equalities impact - Gaps & Gates	6	The proposed route would have no stiles or gates, or allows for access for people with mobility issues.	Pass or Fail	Pass	Whilst gates are proposed, the county council is not intending to propose them as part of the order and they may be introduced via other legislation.
Equalities impact	7	Significant negative impact on a class of user - Equalities Act	-2	0	
Equalities impact	8	Significant increase in accessibility - Equalities Act	2	0	
Maintenance & Financial	9	Proposal would enable financial savings for Authority, e.g. obviates need for new bridge, resolves long-standing maintenance problems	4	0	
Maintenance & Financial	10	The proposed alternative route or routes are not less convenient for maintenance than the original route(s).	2	2	
Use of Land	11	The effect the order would have on the land served by the existing path and the land across which the alternative path would run, or on the land across which the new path will run if a creation package.	2	2	
Connectivity	12	The proposed alternative route or routes are substantially as convenient to the public as the original.	3	3	
Connectivity	13	User enjoyment	3	3	Taking users off the road for two short sections, and vehicular traffic will be reduced as part of the wider planned development
Connectivity	14	There are no other reasonable or viable alternatives	2	2	
Connectivity & Enjoyment	15	A suitable alternative path is provided or is available for every path that is to be diverted or entirely stopped up, which maintains or improves the usefulness of the Rights of Way network	2	2	
Consultation	16	Support from local communities	3	3	
Biodiversity Duty	17	Significant negative impact on biodiversity	-2	0	
Promoted route	18	Route will be on a promoted way eg. National Cycle Network, Ouse Valley Way	1	0	
Consolidation of data	19	Proposal would enable consolidation of records to provide accurate asset data and facilitate enhanced service delivery e.g. connectivity with other highways	1	0	
Determination of widths	20	Proposal will enable the definition and recording of path widths, particularly where there is currently no recorded width	3	2	
Limited time	21	Limited window of opportunity E.g. landowner goodwill or S106 Agreement	3	3	
Route at risk of development on urban fringe	22	Route is on fringe of a built-up area and therefore at risk from development, e.g. being used as an access way.	3	0	
		Total Score /30 (Pass mark 70% ie 21)	30	22	

Scoring notes: A scheme must reach the threshold of 70% of maximum score in order to be adopted. However, schemes will still have to undergo their relevant legal process e.g. Public Path Orders through the formal consultation process, and may later be abandoned in accordance with the Council's Public Path Order Policy.

There are six Pass/Fail criteria relating to County Council requirements that must be met in order for an application to be considered. If an application fails one of these criteria, it fails regardless of its numerical score. Officers will then revert to the applicant to discuss their options.

For the numerically scored criteria, a 70% threshold must be met in order for an application to be taken forward. If an application passes the Pass/Fail criteria but fails the 70% numerical threshold, it will not proceed and officers will revert to the applicant to discuss their options.

If the maintenance liability incurred would be significantly greater than the existing, an application may still pass if a solution is agreed, such as a commuted sum or an agreement for a third party to maintain the route instead.

**HIGHWAYS
MEMORANDUM**

To : Roger Payne
Asset Information Definitive Map Manager

From : Richard Lumley
Assistant Director, Highways

Date : 28th May 2020

Reference : P101

SUBJECT : Report on the proposed diversion of Public Footpath Wimpole No. 5

With reference to your report of 7th May, I agree with your recommendation that the proposed diversion of Public Footpath Wimpole No. 5 is acceptable to Cambridgeshire County Council as Local Highway Authority. On completion of the works and certification of the confirmed order, become highway maintainable at public expense.

It is acknowledged that if the Landowner decides under separate legislation to apply for gates on the diversion route, then if approved, they would be constructed at the Landowners expense: they would not be maintainable at public expense and will remain the responsibility of the Landowner.

This approval should be reported to South Cambridgeshire District Council as Local Planning Authority to allow them to make a formal decision on whether or not to make a diversion order under Section 257 of the Town and County Planning Act 1990.



Richard Lumley
Assistant Director, Highways