Council July 2022
Item 12. RIGHTS OF WAY DIVERSIONS – to consider responses to 3 consultations

ESCC Rights of Way team has sent WPC consultations relating to applications to divert three public footpaths in Withyham Parish. They would welcome any comments on these proposals by 1 August 2022.

The Clerk has circulated the consultations to the WPC Rights of Way Committee members; those who have responded are in favour of these proposals, with their observations recorded below.
Council is asked to confirm WPCs support for the diversions.

FP27 Sherlocks Farm, Motts Down, Groombridge TN3 9PB
The recorded line of Footpath 27a has clearly been unavailable for a long time. A ramshackle complex of open-sided sheds of considerable age and previously used as pig housing, obstruct the path between 2 points. The route is further obstructed by fences and dense overgrowth.

> Observation from WPC Rights of Way Committee members:
> The Chair of the WPC Rights of Way Committee raised FP 27 with ESCC in relation to a planning application at Sherlocks Farm that required building over the definitive route. The diversion simply rationalises the existing walked route.

FP51 Summerford Barn to Forest Way, TN7 4DA
Along a section of the path the path descends a steep bank that is being undermined by erosion. There is a significant risk that the footpath would ultimately need to be closed due to this problem. The diversion bypasses the affected section and would serve to protect the future of the path.

> Observation from WPC Rights of Way Committee members:
> The Chair of the WPC Rights of Way Committee instigated this proposal and members of that Committee have already approved it.

FP57a Highfields Farm, Beech Green Lane, Withyham TN7 4BD
The recorded route of Footpath 57a differs to the currently available route. At its western end, the footpath passes through a working yard area which is in frequent use for farming operations. The diversion is sought by the landowner to achieve separation between those operations and the public footpath and they have agreed to meet the Council's costs in making the Order. The diversion would also have the benefit of improving the connection between Footpath 57a and Footpath 78 on Beech Green Lane, as the nearest connecting and most obvious onward route.

> Observation from WPC Rights of Way Committee members:
> - FP 57a was inspected and considered a while ago by members of the WPC Rights of Way Committee and they agreed it was an improvement
> - All the stiles were supposed to be replaced with gates as a condition of planning permission for the new farm track. WPC should therefore raise with ESCC as a condition of the diversion, as it will then make the path stile-free from Beech Green Lane to past Lodgefield.