

STATEMENT OF REASONS

HIGHWAYS ACT 1980

NOTTINGHAMSHIRE COUNTY COUNCIL (ORSTON FP NO.16) PUBLIC PATH DIVERSION ORDER 2026

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

The Nottinghamshire County Council has made an Order to divert ORSTON FOOTPATH FP16.

Nottinghamshire County Council initiated this order in the interest of the Landowner. The proposal seeks to divert a section of Orston Footpath No. 16 away from its current alignment, which currently runs across the vehicle access area serving Vale Cottage and passes directly in front of the dwelling, presenting potential safety concerns for both users and visitors.

The new route would reposition the footpath so that it avoids the vehicle access area entirely and provides a clearly defined pedestrian route separate from residential use. The applicants intend to install a traditional gate and appropriate fencing to guide users along the revised line. They assert that the diverted path would improve public safety by eliminating conflict with vehicles, make the route more intuitive and comfortable for walkers, and avoid the need for users to pass across private frontage. They also state that the diverted alignment would remain convenient for the public and maintain continuity with the existing footpath network. The diverted section would be 2 metres wide, and any overhanging vegetation would be cut back to maintain a clear and unobstructed path.

This Statement has been prepared to explain various aspects of the Order.

THIS STATEMENT DOES NOT FORM PART OF THE ORDER

The Nottinghamshire County Council has made the Diversion Order in the interests of the landowner.

The Nottinghamshire County Council is satisfied that the Order complies with the following legal grounds and tests laid down in the Highways Act, namely that the diversion is not substantially less convenient to the public and in the interest of the landowners to enable better land management and/or in the interest of the public and it is therefore expedient that the paths be diverted.

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

Objections or representations relating to the Order must be made in writing by **14th May 2026** to the Countryside Access Team at the address which is given in the Notice or sent by e-mail to Countryside.Access@nottscc.gov.uk Please include your name and contact information.

The Nottinghamshire County Council will be willing to discuss the concerns of those considering objecting or making representations relating to the Order. Anyone wishing to do so may contact Cecilia Chum in the Countryside Access Team on 01159774422 between 9.00 am and 4.30 pm, Mondays to Fridays inclusive.

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

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

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