



## **HIGHWAYS ACT 1980 – Section 119**

### **SOUTH GLOUCESTERSHIRE COUNCIL**

#### **STATEMENT OF REASONS**

Mr Andrew Hendy seeks to stop up part of public footpaths OAN 72 and OAN 73 which cross land at Pear Tree Farm, Earthcott Green (formerly Angers Farm) and provide a new path across fields to the east.

A permissive path was provided to the east of the farm by the previous owner, so that people did not need to walk through the farm buildings, cow collecting areas or close to the house. This path has been in place for a number of years and the current owner of the farm wishes to formalise this. Planning permission has recently been granted for the conversion of some of the existing agricultural buildings to residential and the farm continues to be a working farm with associated animal and vehicle movements. The diversion of the footpath will provide privacy and greater security for the house and converted buildings and there will be less potential conflict with both residential and farm vehicle movements. The permissive path is a more attractive cross field route and has been well used over the years which illustrates a preference by the public.

With regard to the legal tests to be satisfied under the Act: -

- In the interests of the landowners it is expedient that part of footpath OAN72 is diverted and footpath OAN 73 shortened to move them away from the farm buildings onto the existing permissive route;
- The proposed diversion will be substantially as convenient in that it will provide a shorter route for connection to paths to the east and, although longer by approximately 250 metres to connect to paths to the west, the proposed new route will be easier to follow without having to negotiate the farm yard and buildings;
- It would be expedient to confirm the order having regard to the effect it will have on public enjoyment of the route, as the public are likely to feel more comfortable with a path not running through the farm buildings – as illustrated by their preference to use the existing permissive path;
- The applicant has agreed to pay the Council's administrative costs, and costs associated with advertising the order, any compensation that the Council may become liable for as a consequence of the order and any expenses incurred in making the proposed route ready for use by the public.