



Lewes District Council

RECEIVED 18 JUL 2017



FIRST CLASS POST

ESCC Rights of Way Officer,
County Hall,
St. Anne's Crescent,
LEWES,
East Sussex. BN7 1UE

Your reference:

Our reference: 003471-LDC-JCS

Telephone: [REDACTED]

Date: 17th July, 2017

Dear Sir,

The Newhaven Port Public Path Diversion Order 1/2017 - Notice of Confirmation under section 257 and paragraph 7 of Schedule 14 of the Town and Country Planning Act 1990

Further to my letter dated 24th January 2017, I write to advise that on 12th July 2017 Lewes District Council confirmed the above order as an unopposed order.

I enclose a copy of the confirmed order and a copy notice which sets out the effect of the order, where it can be viewed and details of when it comes into force.

It also sets out the statutory appeal process under s.287 of the Act.

Yours faithfully,

[REDACTED]
Joanne Stone
Solicitor

Enc.

Copy Confirmed Order
Copy Notice of Confirmation of Order

Please send all correspondence to **Lewes District Council**, address detailed in this letter.

Lewes & Eastbourne Legal Services
(Acting for Lewes District Council and Eastbourne Borough Council)

Lewes District Council
Southover House, Southover Road
Lewes BN7 1AB
www.lewes.gov.uk
01273 471600 [REDACTED]

Eastbourne Borough Council
1 Grove Road
Eastbourne BN21 4TW
www.eastbourne.gov.uk
01323 410000 [REDACTED]

*Working in partnership with Eastbourne
Homes Limited*

PUBLIC PATH DIVERSION ORDER

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

THE NEWHAVEN PORT PUBLIC PATH DIVERSION ORDER 1/2017

This order is made by LEWES DISTRICT COUNCIL under section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this order relates in order to enable development to be carried out in accordance with planning permission LW/15/0034 granted by Lewes District Council under Part III of the Town and Country Planning Act 1990 namely: The refurbishment of the existing multi-purpose berth at East Quay including the construction of a new multi-purpose berth and slipway at the southern end of the East Quay; Levelling the backshore area to the east of the new multi-purpose berth to create a new Land Development Area (LDA) and Establishment of a 3.5ha nature reserve above mean high water springs (MHWS) to the east of the LDA area. Capital dredging of the existing approach channel (deepening and localised widening and extension); Capital dredging of the berthing pocket alongside East Quay; Demolition of part of the East Pier structure; (Use of dredged material, where possible, as fill for levelling the LDA. Material not suitable for use as fill or for an alternative use would be disposed of at Newhaven Port & Properties Ltd (NPP)'s existing licensed offshore disposal ground)

BY THIS ORDER:

- 1 The footpath over the land shown by a bold black line on the attached map and described in Part I of the Schedule to this order ("the Schedule") shall be diverted as provided below.
- 2 There shall be created to the reasonable satisfaction of Lewes District Council an alternative highway for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map.
- 3 The diversion of the footpath shall have effect on the date on which Lewes District Council certify that the terms of Article 2 above have been complied with.
- 4 The following works shall be carried out in relation to the highway described in Part 2 of the Schedule: the provision of the footpath of a width of 2 metres running from point C in a southerly direction for approximately 110 metres to point D on the attached map and shown thereon by bold black dashes and the demarcation of the new footpath by the provision of a three way oak fingerpost at point C showing the new path and the continuation north and east.
- 5 Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

Made: 24th January 2017

The Common Seal of the Lewes District
Council

was hereto affixed
in the presence of:



....

Authorised Signatory



016/17

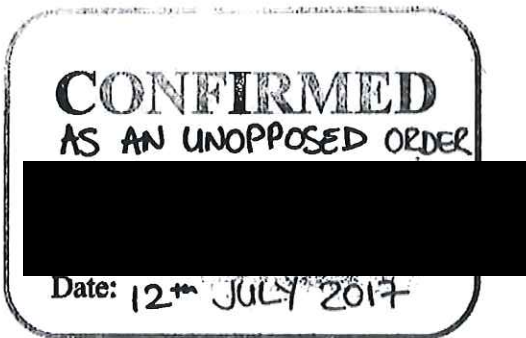
SCHEDULE

PART 1 - Description of site of existing path or way

Public footpath 40a shown by a continuous bold black line between points A and B on the attached map and measuring approximately 240 metres long and approximately 1.5 metres wide and currently running alongside the existing fence line of the Port at the north of the proposed land development area to where the old East Pier used to stand before it was demolished in the 1970's.

PART 2 - Description of site of alternative highway

The proposed footpath shown by bold black dashes between points C and D on the attached map which will measure 2 metres wide and approximately 110 metres long and will run south from the bottom of Public Footpath 7b to join the foreshore at Seaford Bay. To the west of the proposed footpath will be the new port fence with views of the land development area and port buildings. To the east will be views of the open scrubland with improved views of the sea and vegetated shingle. To the south will be the foreshore with improved views and access to the sea.



ORDER MAP



1:2,500 SV: 645400 100300
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Ordnance Survey 100019275.

THE NEWHAVEN PORT PUBLIC PATH
DIVERSION ORDER REFERENCE 1/2017





Lewes District Council

NOTICE OF CONFIRMATION OF PUBLIC PATH DIVERSION ORDER

**TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257
AND PARAGRAPH 7 OF SCHEDULE 14**

THE NEWHAVEN PORT PUBLIC PATH DIVERSION ORDER REF: 1/2017

On 12 July 2017 Lewes District Council confirmed the above order.

The effect of this order as confirmed is to stop up the existing Public Footpath 40a at Newhaven Port, for a distance of approximately 240 metres and to substitute a new footpath to run south from the bottom of Public Footpath 7b to join the foreshore at Seaford Bay measuring approximately 110 metres. A copy of the order and plan (reference 1/2017) may be inspected free of charge at the council offices at Southover House, Southover Road, Lewes, BN7 1AB between the hours of 9am and 5pm Monday to Friday or available to view on the council's website at www.lewes.gov.uk under planning application LW/15/0034. Copies may be purchased on payment of the photocopying charges of the council.

Any queries in relation to this order can be discussed with Steve Howe, at the above address, on telephone 01273 471600, or by e-mail to steve.howe@lewes.gov.uk

This order comes into force on the date Lewes District Council certifies that the terms of Article 2 of the order have been complied with, but if any person aggrieved by the order desires to question its validity or that of any provision contained in it, on the ground that it is not within the powers of the above Act, or on the ground that any requirement of that Act or any regulation made under it has not been complied with in relation to the confirmation of the order, he or she may apply to the High Court for any of these purposes under s.287 Town and Country Planning Act 1990 within 6 weeks from the date on which notice is first published as required by paragraph 7 of Schedule 14 to the Act.

[REDACTED]

Date 12 July 2017

Catherine Knight Assistant Director- Legal & Democratic Services