

PRE-ORDER INFORMAL CONSULTATION

Proposed Footpath Diversion Application - Maidenhead Footpath 19

1. PURPOSE OF REPORT

To consult the Forum about the proposal to divert a section of Maidenhead Footpath 19.

2. SUPPORTING INFORMATION

- 2.1 An informal consultation regarding the application for the proposed diversion of Maidenhead Footpath 19 is now being undertaken. As one of the consultees the RBWM Local Access Forum is being asked to consider the application documents provided below and respond with any comments and/or representations by the deadline of **Monday 17th July 2023**.
- 2.2 The application form associated map and path surface specification are provided in the papers. The application form states that the width of the diverted path will be 2.5m however this has been superseded and it is referenced in the path surface specification that the width of the proposed diverted path will be 3m.
- 2.3 Maidenhead Footpath 19 runs from North Town Moor in Maidenhead through to Widbrook Common and is part of the Green Way East. The route takes it across the access road to the Sports Club and northwards running alongside existing football pitches. The existing route is also a permissive cycleway.
- 2.4 Summerleaze, the landowner of the path, has applied to divert the section of the footpath which runs adjacent to the football pitches to the other side of the football pitches to run along their eastern boundary rather than on the western side. A map detailing the proposed diversion is included in Appendix A to this report.
- 2.5 The landowner states the reason for the diversion is to:
Facilitate provision of additional football facilities.
- 2.6 The East Berks Ramblers and the Maidenhead Civic Society have been consulted at the pre-application stage and did not agree to the original diversion route. They are both being consulted again at this stage and with the amended route.
- 2.7 The opinion of the Forum is being sought with regard to this proposed diversion. Please note that if a consensus cannot be reached through discussions at this meeting, then the Forum minutes will reflect all the opinions given and that a consensus was not reached.

3. LEGAL CRITERIA

- 3.1 Assessment: the proposed diversion must be considered under the criteria set out in Section 119 of the Highways Act 1980. This requires that before making

a Diversion Order the Council must be satisfied that the proposal would be in the interests of the owner of the land and/or in the interests of the public.

- 3.2 Before confirming an Order, the Council must also be satisfied that the proposed new route will not be substantially less convenient to the public than the existing route and must have regard to the effect that the diversion would have on public enjoyment of the path as a whole, and the effect that the coming into operation of the diversion would have on land served by the existing right of way. The Council must also have regard to the needs of agriculture and forestry, flora and fauna, and any relevant provisions within the current “Royal Borough of Windsor and Maidenhead Public Rights of Way improvement Plan 2016-2026”.