

## **Deposited Documents**

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Placed on deposit on Wednesday, 2 February 2022

### **Public Footpath No. 58 (part) Osterley – Public Path Extinguishment**

#### **Contents:**

- 1. Notice of Making dated 2 February 2022**
- 2. Order**
  - A. The London Borough Of Hounslow (Public Footpath No.58 (Part) Osterley) Public Path Extinguishment and Definitive Map and Statement Modification Order 2022**
- 3. Plan**
- 4. Statement of Reasons**

Any queries regarding these deposited documents should be sent by email to [traffic@hounslow.gov.uk](mailto:traffic@hounslow.gov.uk) or alternatively a voicemail can be left on extension 3322.

**LONDON BOROUGH OF HOUNSLOW**  
**HIGHWAYS ACT 1980**  
**WILDLIFE AND COUNTRYSIDE ACT 1981**

**THE LONDON BOROUGH OF HOUNSLOW**  
**(PUBLIC FOOTPATH NO.58 (PART) OSTERLEY ) PUBLIC PATH EXTINGUISHMENT**  
**AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2022**

The above Order, made on 27<sup>th</sup> January 2022 under Section 118 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981, will extinguish a 3.0m width and approximately 162.3m in length of Public Footpath No.58 (part) Osterley from Point A on the order map at Ordnance Survey Map Reference 514432,176536 to Point B at Ordnance Survey Map Reference 514431,176694, a 1.5m-2.0m width and approximately 93.5m in length of Public Footpath No.58 (part) Osterley from Point B at Ordnance Survey Map Reference 514431,176694 to Point C at Ordnance Survey Map Reference 514425,176785, a 2.0m-2.5m width and approximately 8m in length of Public Footpath No.58 (part) Osterley) from Point C at Ordnance Survey Map Reference 514425,176785 to Point D at Ordnance Survey Map Reference 514432,176787 and a 1.5m width and approximately 25.3m in length of Public Footpath No.58 (Part) Osterley from Point D at Ordnance Survey Map Reference 514432, 176787 to Point E at Ordnance Survey Map Reference 514455,176789 being a total distance of 289.1m as shown by a continuous bold black line on the order map.

A copy of the Order and the order map have been placed and may be seen free of charge at London Borough of Hounslow, Hounslow House, 7 Bath Road, Hounslow, TW3 3EB between 09.00 and 17.00 hours Monday to Friday. Any inspection will be by appointment only, please contact [traffic@hounslow.gov.uk](mailto:traffic@hounslow.gov.uk) or telephone 020 8583 3322 to arrange an appointment or for a copy of the Order to be sent by email. Copies of the order and map may be obtained from the London Borough of Hounslow at the address given below. You may also view the Order and map on the Council's website under traffic notices.

Any representations about or objections to the Order may be sent in writing to the Assistant Director Traffic, Transport & Parking, London Borough of Hounslow, Hounslow House, 7 Bath Road, Hounslow, TW3 3EB or email [traffic@hounslow.gov.uk](mailto:traffic@hounslow.gov.uk) by no later than 4th March 2022. Please state the grounds on which they are made.

If no such representations or objections are duly made, or if any so made are withdrawn, the London Borough of Hounslow may confirm the Order as an unopposed Order. If the Order is sent to the Secretary of State for Environment, Food and Rural Affairs for confirmation any objections which have not been withdrawn will be sent with the Order.

Dated 2nd February 2022  
Jefferson Nwokeoma  
Assistant Director for Traffic Transport & Parking  
London Borough of Hounslow



**PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP  
AND STATEMENT MODIFICATION ORDER**  
HIGHWAYS ACT 1980  
WILDLIFE AND COUNTRYSIDE ACT 1981

**THE LONDON BOROUGH OF HOUNSLOW**  
**(PUBLIC FOOTPATH NO.58 (PART) OSTERLEY) PUBLIC PATH EXTINGUISHMENT**  
**AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2022**

This Order is made by London Borough of Hounslow ("the Authority") under Section 118 of the Highways Act 1980 ("the 1980 Act") because it appears to the Authority that part of the public footpath described in paragraph 1 below is not needed for public use.

This Order is also made under Section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the Authority that the London Borough of Hounslow Definitive Map and Statement requires modification in consequence of the occurrence of an event specified in Section 53(3)(a)(i) of the 1981 Act, namely, the extinguishment (as authorised by this Order) of a highway hitherto shown or required to be shown in the map and statement.

No other Authority is required to be consulted in accordance with section 120(2) of the 1980 Act.

**BY THIS ORDER**

1. The public right of way over land situated between Spring Grove Road and Spencer Road, Osterley and shown by a continuous bold line on the map attached to this Order and described in Part 1 of the Schedule to this Order shall be extinguished after 14 days from the date of confirmation of this Order and thereupon the London Borough of Hounslow Definitive Map shall be modified by deleting from it that public right of way
2. Notwithstanding anything contained in paragraph 1 of this Order, where, immediately before the date on which the footpath is extinguished in pursuance of this Order, there is apparatus in, under or across that footpath belonging to the statutory undertakers for the purpose of carrying on their undertaking, the undertakers continue to have the same rights in respect of the apparatus which they then had.
3. The London Borough of Hounslow Definitive Statement shall be modified as described in part 2 of the Schedule to this Order.

Dated: 27<sup>th</sup> January 2022

THE COMMON SEAL OF THE MAYOR AND  
BURGESSES OF THE LONDON BOROUGH  
OF HOUNSLOW was hereunto affixed in the  
presence of: - )  
)  
)  
)

Seal Rec No. 1510662

*V. Chamber Ald*

~~The Mayor:~~

*Richard Segur*

Head of Governance:

## SCHEDULE

### PART 1

#### DESCRIPTION OF PUBLIC RIGHT OF WAY TO BE EXTINGUISHED

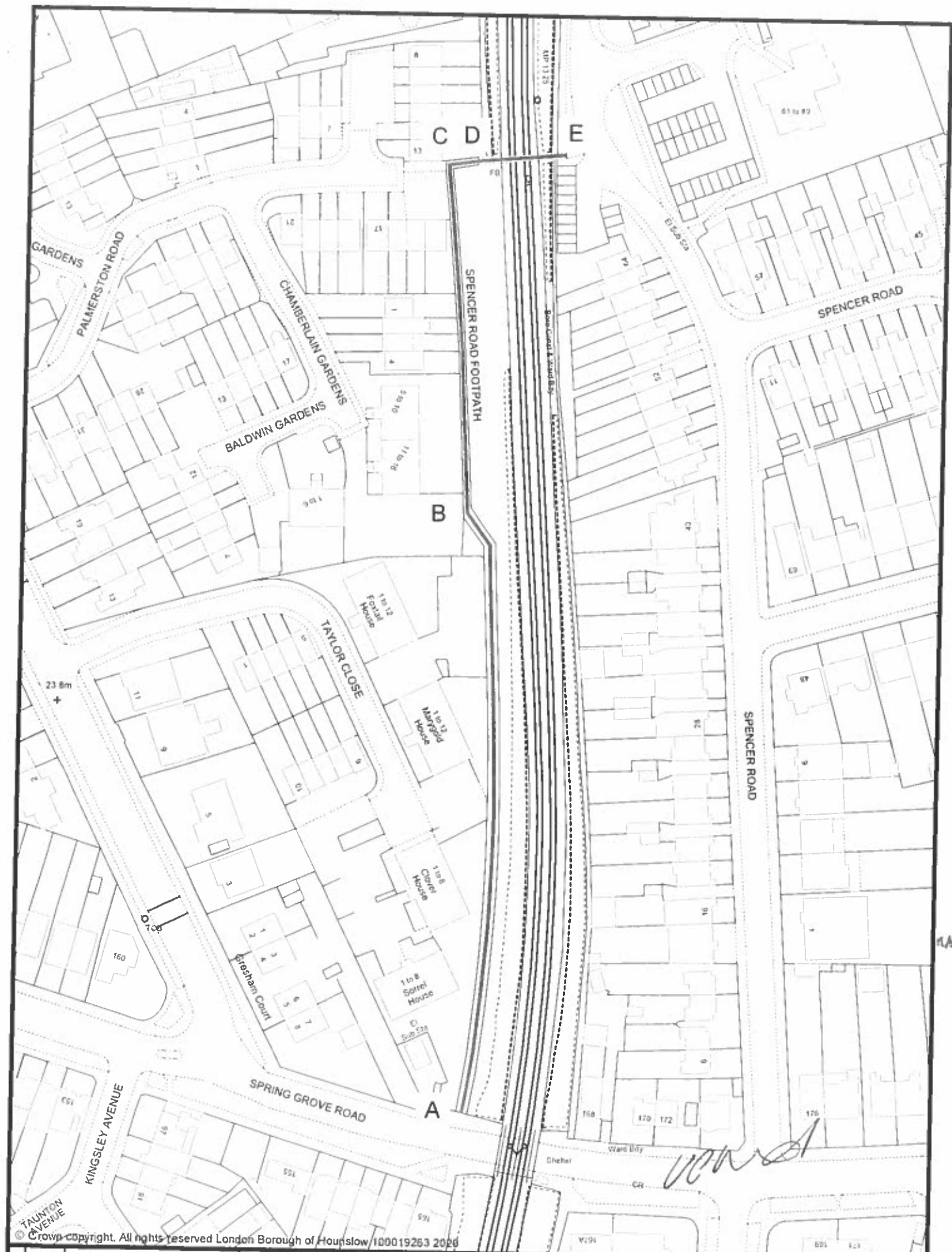
Section of path	Position and length	Width
A - B	Public Footpath No.58 (part) Osterley from Point A on the order map at Ordnance Survey Map Reference 514432,176536 to Point B at Ordnance Survey Map Reference 514431,176694 measuring approximately 162.3m in length.	3.0m
B - C	from Point B at Ordnance Survey Map Reference 514431,176694 to Point C at Ordnance Survey Map Reference 514424,176784 measuring approximately 93.5m in length.	Varying between 1.5m – 2.0m
C - D	from Point C at Ordnance Survey Map Reference 514424,176784 to Point D at Ordnance Survey Map Reference 514432,176787 measuring approximately 8.0m in length.	varying between 2.0m – 2.5m
D - E	From Point D at Ordnance Survey Map Reference 514432,176787 to Point E at Ordnance Survey Map Reference Point 514455,176789 measuring approximately 25.3m in length.	1.5m

a total distance of 289.1m as shown by a continuous bold black line on the attached plan


**PART 2**  
**MODIFICATION OF DEFINITIVE STATEMENT**  
Variation of particulars of paths or ways

The entry for Public Footpath No.58 is modified by the addition of the following:-



Part extinguished between Spring Grove Road and Spencer Road Osterley, in consequence of The London Borough of Hounslow (Public Footpath No.58 (part), Osterley) Public Path Extinguishment and Definitive Map and Statement Modification Order 2022.



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Draw: g Status		Draft		Project		Stopping-Up Order		Client	
Drawn	PRK	Approved	RH	Date	25 09 2020	Scale	1:1250	Sheet	A4
TQ1476NW		Drawing Title		Spencer Road Footpath		London Borough of Hounslow			



			Drawing Status					Project		Mark Frost Assistant Director Transport, Parking & Environmental Strategy Hounslow House Hounslow, TW3 3EB		
			Draft					Stopping-Up Order				
			Drawn PRK	Approved RH	Date 25.08.2020	Scale 1:1250	Size A4	Drawing Title		Client  <b>London Borough of Hounslow</b>		
			O.S.  TQ1476NW									
-	-	-										
Rev	Date	Description										



## **STATEMENT OF REASONS**

### **HIGHWAYS ACT 1980**

### **WILDLIFE AND COUNTRYSIDE ACT 1981**

### **THE LONDON BOROUGH OF HOUNSLOW (PUBLIC PATH No.58 (PART) OSTERLEY) PUBLIC PATH EXTINGUISHMENT AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2022**

Under the Highways Act 1980, the Council as the Highway Authority for Hounslow has the power to make orders to create, extinguish (close) or divert public rights of way. Under the Wildlife and Countryside Act 1981, the Council also has the power to provide for the required consequential amendment of the Hounslow Definitive Map and Statement. A notice that such an Order has been made has to be advertised on the site of the path in question and in the local press. This provides an opportunity for objections or representations to be made to the proposed change.

**The London Borough of Hounslow has made an Order to extinguish Footpath No.58 (part) Osterley. This Statement has been prepared to explain various aspects of the Order.**

### **THIS STATEMENT DOES NOT FORM PART OF THE ORDER AND IS PURELY FOR INFORMATION ONLY**

The London Borough of Hounslow has made the Order under Section 118 of the Highways Act 1980 and Section 53A(2) of the Wildlife and Countryside Act 1981 in order to extinguish footpath No.58 (part) Osterley as that part between Spring Grove Road and Spencer Road is used for anti-social behaviour that affects health and safety of users. This part of the footpath is parallel to Spencer Road, to the east of the Piccadilly Line, which provides a safe and accessible alternative route.

The London Borough of Hounslow is satisfied that the Order complies with the following legal grounds and tests laid down in the Highways Act and the Wildlife and Countryside Act, namely that the footpath in question is not needed for public use, and it is therefore expedient that it be stopped up and that the Definitive Map and Statement need to be modified in consequence of the extinguishment of a highway.

**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 4<sup>th</sup> March 2022 to the Assistant Director, Traffic Transport & Parking team at the address in the Notice.

The London Borough of Hounslow 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 the Traffic Transport & Parking team using the contact details in the Notice.

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 and objections to the Secretary of State for the Environment, Food and Rural Affairs for determination. An Inspector from the Planning Inspectorate will then either take written representations or hear the objections at a Public Inquiry or Hearing. 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.

This Order will come into effect after 14 days from the date of confirmation.