

Samantha Ireson

From: malcolm ball [REDACTED]
Sent: 29 August 2025 13:10
To: Samantha Ireson
Subject: Re: 116 Butt Lane

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Dear Samantha

As part of our submission opposing the Public Footpath Diversion of Footpath P12 (Part), I would like to make the following comments.

The attached documents from my appointed surveyors, Platt White, raises question about the validity of this application and need to be considered, a subject I will return to. (to be sent under separate cover).

I also have some additional comments to make in regards to the application and will begin with your note to me of 4th July 25.

In this you have informed me of the application under Section 119 Highways Act 1980 to divert Footpath P12.

In this your referral to the adjoining housing development is noted.

However, this it appears is in part suggesting that because the new path has been constructed on the new development then it should adjoin the diverted path and I would challenge such an implication.

It is the case I believe that when new estates are designed, it is sometimes beneficial to move existing footpaths to provide integrated development with good access.

Weight in favour of these types of changes is added to an application in those circumstances provided they follow the prescribed route. This process has not been adhered to in this case because:

1. Footpath P12 was obstructed in its passage along the definitive line sometime before 2nd March 2017 (see attached photo).



1. It is also noted from this photograph and others provided previously that way markers and a stile have been directing walkers onto this route which I believe has and is misleading.
2. No steps have been taken as far as I can see to have the footpath restored to its previous location on the definitive line.
3. Rather, efforts appear to have been focussed on ensuring that the new estate adjoins the route that has been created by the very people that carried out the act of obstructing the right of way in the first place and whom are now the applicants. (Refer to various exchanges in your possession. Hannah Exley, Planning County Footpath response February 27th and 28th, March 1st, 5th, 7th 2019.

3.

I would also like to discuss the issue of the land ownerships.

The declaration on the application from 14th July 2020 at 10 asks the applicant if they own all of the land affected by the proposal and agreement to this assertion was given.

We have had recent communications on this subject and I have, through the submission to you of original transfer documents etc, demonstrated that we own land across which the proposed diversion will run and have therefore evidenced this position.

It is however noted that no evidence or claim to the land in question has been provided by the applicant.

You have also previously held the diversion application because of this issue and I do not understand why suddenly the application is being brought forwards, this issue is still clearly to be resolved.

To conclude and returning to my earlier point, the Platt White report provides compelling evidence that the basis for the proposal diversion is substantially flawed.

My own comments also challenge the basis of the application.

As such the application should not be considered viable and refused.

I have however previously expressed my wish to see an end to this issue. To this end I am prepared to give some ground in order to try to resolve this situation.

I had hoped to reach an acceptable agreement with Peter Jarvis from No. 20 Butt Lane and I believe we do have an accord. However, Peter tells me that he has had a serious family illness issue which has left him unwilling to focus on this issue at this time which is regrettable.

You have however previously offered a visit to site by a Right of Way Officer to assist in us setting our out boundary in order for us to erect a fence down the line of the footpath.

I would therefore suggest that we arrange this visit at a mutually agreeable time for the stakeholders at which point we can all agree an acceptable outcome and prevent further delays in reaching an agreeable outcome.

I would be most grateful if you could confirm receipt of this submission.

Yours sincerely

Malcolm Ball

Samantha Ireson

From: Samantha Ireson
Sent: 04 July 2025 15:57
Subject: Preliminary Consultations - Proposed Diversion of Public Footpath P12 (Part) at Butt Lane, Blackfordby
Attachments: 2575P - Preliminary Consultations Plan - Public Footpath P12 Blackfordby.pdf

Good afternoon,

SECTION 119 – HIGHWAYS ACT 1980
PROPOSED DIVERSION OF PUBLIC FOOTPATH P12 (PART) AT BUTT LANE, BLACKFORDBY
PROPOSED PUBLIC PATH DIVERSION ORDER 2025

An application has been received for the diversion of Public Footpath P12 (part) at Butt Lane, Blackfordby as shown on Plan No.2575 (P) attached.

The diversion has been requested to resolve a long-standing obstruction of the legal line of the footpath by diverting it onto the route being walked by the public and to also divert the Public Footpath onto the constructed routes of the adjoining new housing development off Butt Lane. Should the proposal be approved, the alternative footpath will be subject to the following condition:

1. The alternative route for Public Footpath P12 should have a width of 2 metres and kept free from obstruction.

I would be grateful if you could let me have your observations on this proposal by the 15th August 2025. If I do not hear from you by this date, I will assume that you have no observations to make.

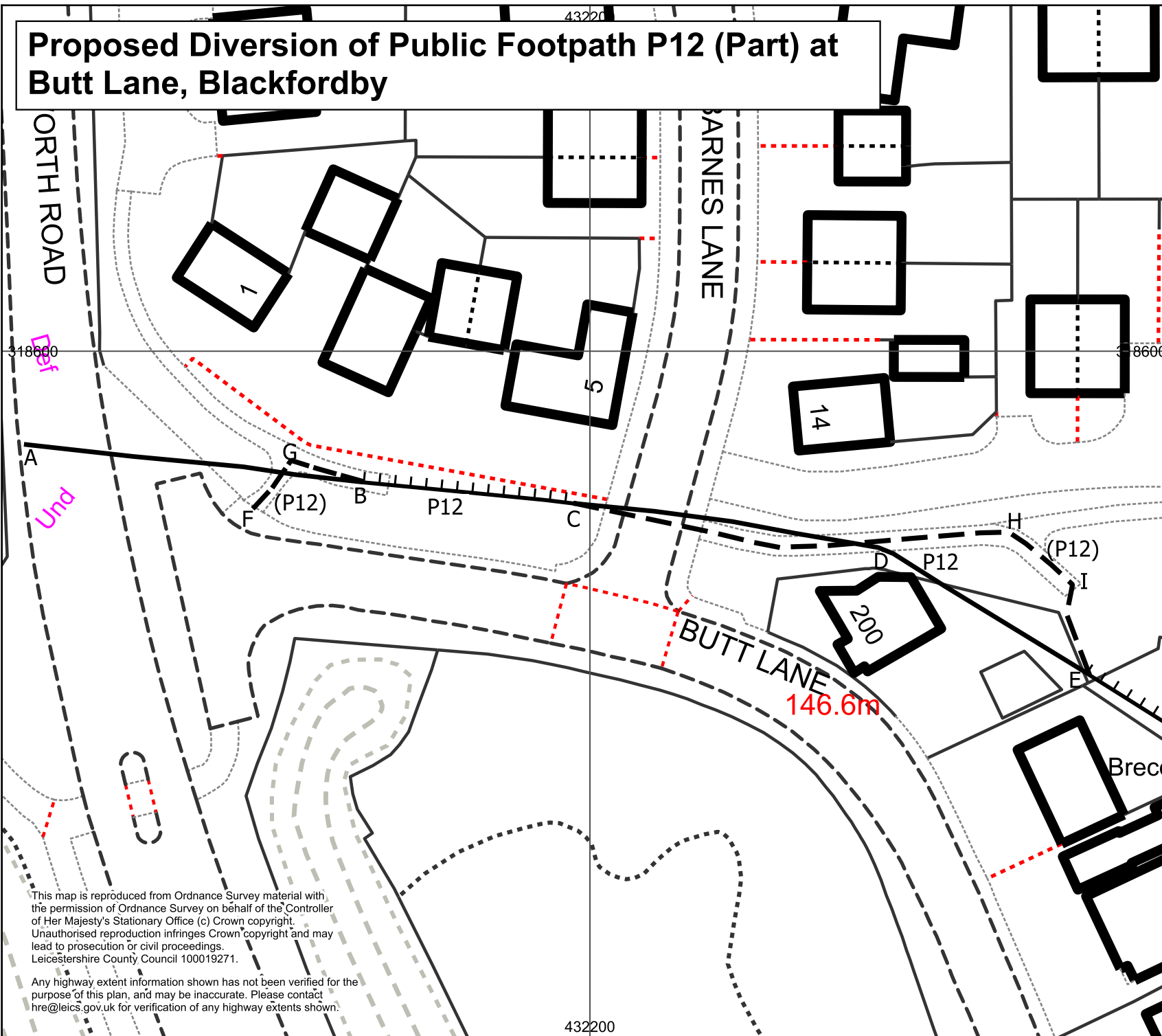
Kind Regards,

Samantha Ireson
Senior Access and Development Officer
Public Rights of Way
Sustainable Travel Team
Leicestershire County Council

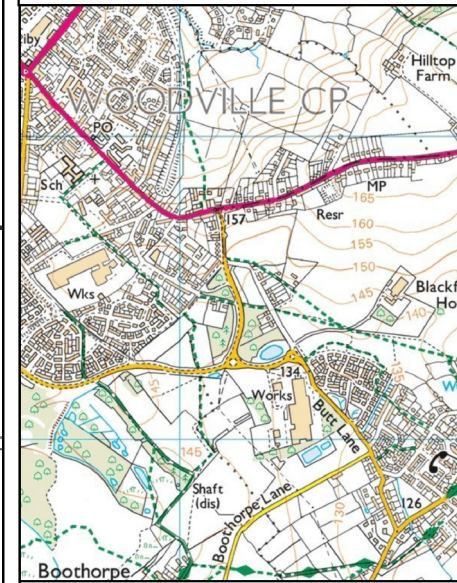
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Proposed Diversion of Public Footpath P12 (Part) at Butt Lane, Blackfordby



Location Plan



Key

-  Public Footpath to be Diverted (A-B) and (C-D-E)
-  Alternative Public Footpath (F-G-B) and (C-H-I-E)
-  Unaffected Public Footpaths

Environment & Transport Dept,
County Hall, Glenfield,
Leicestershire LE3 8RJ
Email footpaths@leics.gov.uk
Director Ann Carruthers



Plan No.2575 (P)

Scale 1:500

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