

PUBLIC PATH STOPPING UP ORDER

TOWN AND COUNTRY PLANNING ACT 1990 SECTION 257

The Easington District Council (Unnamed Footpaths at St John's Square, Seaham Stopping Up Order 2008)

This Order is made by the Easington District Council ("the Authority") under Section 257 of the Town and Country Planning Act 1990 ("the 1990 Act") because it is satisfied that it is necessary to stop up the footpaths described in Schedule 1 of this Order and hatched black on the attached Plan 1 to enable development to be carried out in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 by Easington District Council for the purpose of providing a multi-use public service centre, office space, residential, retail and health care provision and a public square by the Developer.

Planning Reference: 2007/0479

Approval Date: 8th October 2007

BY THIS ORDER:

- 1.** The footpaths over the land shown hatched black on the attached map (Plan 1) and described in Part 1 to the Schedule of this Order ("the Schedule") shall be stopped up as provided below.
- 2.** There shall be created to the reasonable satisfaction of the Highway Authority, namely Durham County Council ("the Highway Authority") alternative footpaths as provided in Part 2 of the Schedule and shown stippled on the attached map (Plan 2).
- 3.** The new footpaths shall be highways for the purposes of the Highways Act 1980 that is, highways maintainable at public expense and the Highway Authority, Durham County Council shall be the authority for them.
- 4.** Where immediately before the date on which the footpath is stopped up there is any apparatus under, in, on, over, along, across it belonging to statutory

undertakers for the purpose of carrying on their undertaking, then, subject to Section 261 (4) of the Act the undertakers shall continue to have the same rights as respect that apparatus after the highway is stopped up as they had immediately before-hand.

5. "Plan 1" means the Plan numbered 1 marked "Highways to be stopped up at St John's Square, Seaham, County Durham" signed by and deposited at Easington District Council Offices, Council Offices, Seaside Lane, Easington, County Durham.

"Plan 2" means the Plan numbered 2 marked "New Highways to be provided at St John's Square, Seaham, County Durham" signed by and deposited at Easington District Council Offices, Council Offices, Seaside Lane, Easington, County Durham.

"The Developer" means Easington District Council.

6. The stopping up of the footpaths in Part 1 of the Schedule shall have effect on the date on which the Corporate Director of Environment for Durham County Council certifies that the terms of Part 2 of the Schedule have been complied with.

Signed by

SCHEDULE

Part 1

Description of Highways to be Stopped Up

The unnamed highways contained within one square block known as St John's Square, Seaham in the County of Durham bounded by Sophia Street to the West, Viceroy Street to the South, Shelley Street to the East and Caroline Street to the North

Part 2

Description of Highways to be Provided

- 1.** The 2 metre wide footpath commencing at a point at the highway boundary on the east side of Sophia Street opposite number 35 Adolphus Street West, heading in an easterly direction for 72 metres, turning north for 12 metres, turning east for 37 metres and terminating at a point on the highway boundary on the west side of Shelley Street opposite the entrance to Shakespeare Street.
- 2.** The 2 metre wide footpath commencing at a point to the rear of number 33 Church Street, heading in a southerly direction for 112 metres and terminating at a point on the footpath described in paragraph 1.
- 3.** The 2 metre wide footpath commencing at a point at the highway boundary on the east side of Sophia Street to the north side of Church View House (The Job Centre) St John's Square, heading in an easterly direction for 52 metres, terminating at a point on the footpath described in paragraph 2.
- 4.** The 2 metre wide footpath commencing at a point at the highway boundary on the west side of Shelley Street opposite number 4 Shelley Street, heading in a westerly direction for 26 metres, turning south for 6 metres, turning west for 35 metres and terminating at a point on the footpath described in paragraph 2.

The new routes shall take effect on the date on which the Corporate Director of Environment for Durham County Council certifies that all work required to be done to bring the routes described herein into a fit condition for use by the public has been carried out.

THE COMMON SEAL of the)
DISTRICT COUNCIL OF EASINGTON)
was hereunto affixed and delivered)
on the date hereof in the presence)
of:-)

Chairman

Authorised and Proper Officer

This Order was made by the Council of the District of Easington on the
3rd day of July 2008

THE COMMON SEAL of the)
DISTRICT COUNCIL OF EASINGTON)
was hereunto affixed and delivered)
on the date hereof in the presence)
of:-)

Chairman

Authorised and Proper Officer

This Order was confirmed by the Council of the District of Easington on the

day of 2008