

**PUBLIC PATH CREATION AGREEMENT  
SECTION 25 HIGHWAYS ACT 1980**

THIS PUBLIC PATH CREATION AGREEMENT is made on this <sup>24<sup>th</sup></sup> day of <sup>June</sup> 2016 BETWEEN CAMBRIDGESHIRE COUNTY COUNCIL (hereinafter referred to as 'the County Council') of the first part, and POSTREALM LIMITED of the second part (hereinafter referred to as 'the Owner')

**WHEREAS**

- (a) The Owner is seised in fee simple in possession free from encumbrances of all that piece or parcel of land situated in the County of Cambridgeshire between the A142 Mepal Road, Sutton and Witcham Road, Mepal.
- (b) The Owner is seised in fee simple in possession free from encumbrances a strip of land which is shown by a bold dashed line between points A and E on the annexed plan having a width of 3 metres and a total distance of approximately 185 metres (hereinafter called 'the land').
- (c) It is intended to dedicate a public footpath across the land and such right of way proposed is shown on the annexed plan by a bold dashed line between points A and E.
- (d) Pursuant to the Highways Act 1980 the County Council is the highway authority for the area in which the footpath is situated and upon this Deed coming into effect the footpath shall be maintainable at the public expense as specified in clauses 1 and 5 below.
- (e) The County Council has consulted East Cambridgeshire District Council and Sutton Parish Council in whose area the land is situated in accordance with s25(3) Highways Act 1980.
- (e) In the making of this Agreement, the County Council has had due regard for:
  - the needs of agriculture and forestry, and
  - the desirability of conserving flora, fauna and geological and physiographical features

in accordance with section 29(1) of the Highways Act 1980.

- (f) This Agreement is made in pursuance of the Highways Act 1980 Section 25 and all other enabling powers.

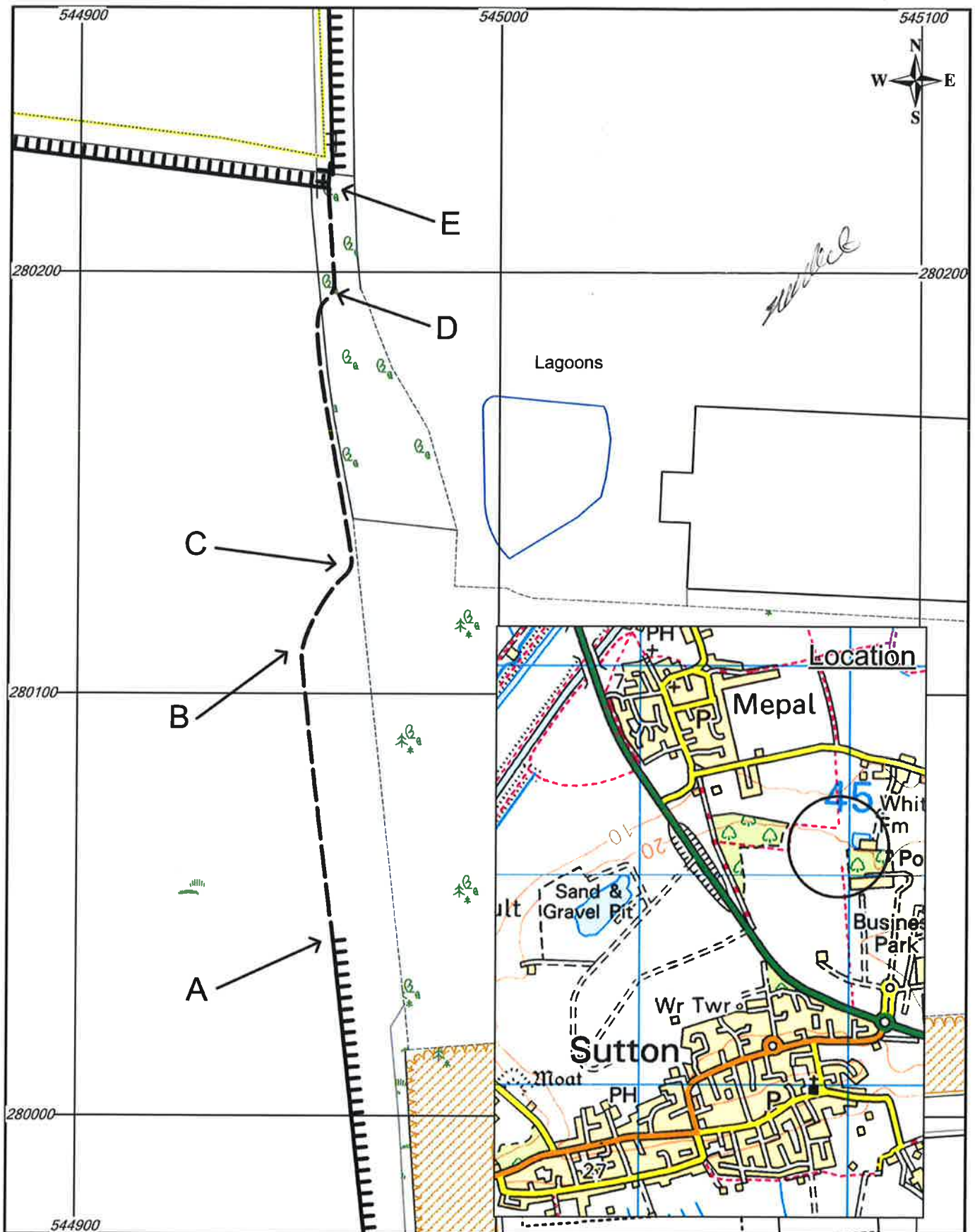
NOW IT IS HEREBY AGREED as follows:

1. In consideration of the agreements and conditions hereinafter contained and under the provisions of section 25 of the Highways Act 1980 the Owner hereby dedicates for immediate use by the public for the purpose of a footpath ALL THAT land in the parish of Sutton shown by a dashed line on the annexed plan from Point A Ordnance Survey Grid Reference (OSGR) TL 4496 8004 to Point F OSGR TL 4496 8022.
2. The Owner shall if called upon by the County Council prove its Title to the land as beneficial owner in fee simple at the expense of the Owner.
3. It is hereby agreed that no compensation of whatever nature shall be payable by the Owner or County Council as a result of this Agreement.
4. For the avoidance of all doubt the surface of the Public Footpath shall be maintainable at public expense; any boundary fence (or any form of delineation) and all structures shall be maintainable by the landowner and their successors in title.
5. This Footpath A – B – C – D – E shall be known as Public Footpath No.4 Sutton.

**DETAILED DESCRIPTION OF NEW PATH**

<b>Position of path as shown on Agreement map</b>	<b>Description of path</b>	<b>Width</b>
A-B-C-D-E	Starts at current end of Sutton Public Footpath No. 4 at OSGR TL 4496 8004 (Point A) and proceeds in an approximately north-north-westerly direction for 78 metres to OSGR TL 4495 8011 (Point B) then proceeds in an approximately north-easterly direction for 20 metres to OSGR TL 4497 8013 (Point C). The path then continues in an approximately north-north-westerly direction offset 1 metre to the west of the boundary fence for 62 metres to OSGR TL 4496 8019 (Point D) then proceeds in an approximately northerly direction for 25 metres through woodland to OSGR TL 4496 8022 (Point E).	3 metres
	Total length approximately 185 metres.	

# Public Footpath Creation, Sutton



**Key - Drawn from the Definitive Map**

Public Footpath to be Created  
Unaffected Public Footpath

Parish boundary (yellow)  
[Symbol: hatched line]



Scale: 1:1250  
Date: 24/03/2016



IN WITNESS thereof the County Council has caused its common seal to be hereunto affixed and the Owner has set their hand on the day and year first before written.

THE COMMON SEAL of CAMBRIDGESHIRE COUNTY COUNCIL was hereunto affixed in the presence of :-

*AD White*  
Soleitor



*[Handwritten signature]*

SIGNED AS A DEED ON BEHALF OF:-

Postrealm Limited  
68 Grafton Way  
London  
W1T 5DS

WITNESSED BY:-

*Hannah England*

Date 20/6/16.....

Dated 24<sup>th</sup> June 2016

Section 25 Highways Act 1980

The Cambridgeshire County Council.  
Public Footpath No.4 Sutton Creation Agreement 2016