

# Birchill Access Consultancy

I have been heavily involved with casework on the All Wales Coast Path recently that has resulted in ensuring some key strategic links. A few of these are highlighted below:-

## A Diverting the All Wales Coast Path under Section 119, Highways Act 1980, between Gwbert & Mwnt, Ceredigion:-

- Processing diversion at 3 separate locations from start to finish along stretch of All Wales Coast Path from start to finish between Gwbert & Mwnt.
- Extensive site visit using GPS to accurately locate coastal diversion.
- Conducting pre-order consultation, production of council report, drafting legal orders /plans.
- Dealt with one particular high volume written objection amounting to boxes which had to be read, analysed and referred case to Planning Inspectorate. Produced Statement of Case and Proof of evidence for a public inquiry
- Representing council as key witness at 2 day Public Inquiry with intense cross examination.
- Diversion was successful further to additional High Court proceedings and route was opened on ground after several years of closure.

## B. Diverting the All Wales Coast Path under Section 119, Highways Act 1980, Treddol, Ceredigion:-

- Processing diversion in the interests of landowner and public to manage land management issues
- Conducting pre-order consultation, council report and drafting of legal order & plan. Also involved several site visits beforehand with user groups and councillors as a particularly difficult case in balancing all needs.
- Managing all contract works to bring new route into being including fencing, surfacing and significant timber Bridleway bridge.

## C Assessment of Creation Order under Section 26, Highways Act 1980 for All Wales Coast Path, Y Felinhelli, Gwynedd

- Analysing all existing paperwork on a Creation Order to form part of a potentially better route for the All Wales Coast Path including examining landowners concerns.
- Conducting a site visit to investigate all possible options.
- Producing a detailed written report for the council with an analysis of findings including legal context and recommendation
- Result was Creation Order was abandoned as landowner agreed to enter into an agreement.

The above is just a few of many cases I have dealt with more recently. Over the last 12 years I have dealt with over 100 diversion cases and at least 30 creation cases.