

DATED 4th August 2017

TARMAC AGGREGATES LTD
and
HERTFORDSHIRE COUNTY COUNCIL

The Frogmore Lake Public Path Creation Agreement 2017
pursuant to Section 25 of the Highways Act 1980
relating to a footpath in the Parish of St Stephen

Kathryn Pettitt, Chief Legal Officer
Hertfordshire County Council
Chief Legal Officer
County Hall
HERTFORD
Herts SG13 8DE

This Agreement is made the 4th day of August 2017

BETWEEN

- (1) **TARMAC AGGREGATES LTD** Company Registration No. 00297905 of Portland House, Bickenhill Lane, Solihull, Birmingham, B37 7BQ ("**the Owner**")
- (2) **HERTFORDSHIRE COUNTY COUNCIL** of County Hall, Pegs Lane, Hertford, Hertfordshire SG13 8DN ("**the County Council**")

1. PRELIMINARY

- 1.1 The Owner previously known as Lafarge Aggregates Limited is the registered proprietor of land at Frogmore, St Albans in the county of Hertfordshire which is registered at the Land Registry under title number HD 450580 and which for the purposes of identification only is shown **edged red** on the Plan
- 1.2 The County Council is the highway authority for Hertfordshire
- 1.3 The County Council has consulted with St Albans City & District Council and St Stephen Parish Council in whose area the Footpath is situated
- 1.4 The Owner is willing to dedicate the Footpath for use by the public

2. DEFINITIONS

In this Agreement unless the context otherwise requires the following expressions shall have the following meanings attributed to them:

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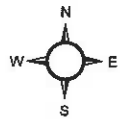
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This Plan Forms Part Of The Frogmore Lake Public Footpath Creation Agreement 2017



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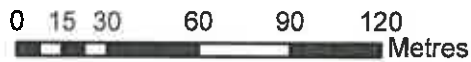
Footpath to be created



Footpath currently shown on the Definitive Map



Restricted Byway currently shown on the Definitive Map



Scale 1:2500 Appears on DM Sheets 76 & 77

Extent of Tarmac Aggregates Ltd
land ownership

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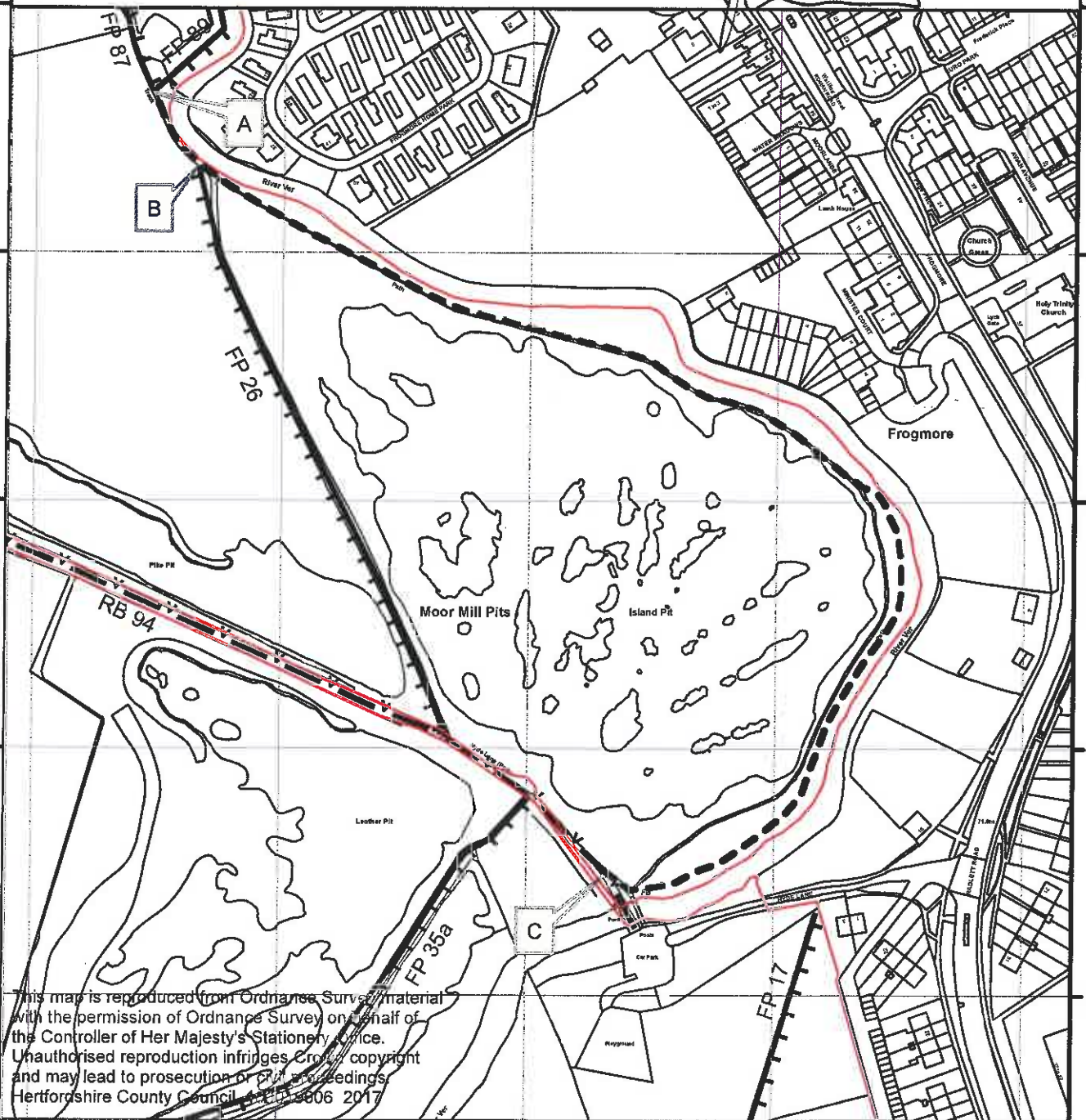
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K.P. Pettitt

“the 1980 Act”	The Highways Act 1980
“the County Council”	Hertfordshire County Council and any successors to its statutory functions as local highway authority
“the Chief Legal Officer”	The County Council’s Chief Legal Officer for the time being and her Officers and agents
“the Director”	The County Council’s Chief Executive and Director of Environment for the time being and his Officers and agents
“the Footpath”	The route shown by a bold broken line and labelled A - B - C on the Plan such route being more particularly described in Part 1 of the Schedule
“the Land”	The land referred to in recital 1.1 above
“the Owner”	Tarmac Aggregates Ltd and their successors in title
“the Plan”	The plan marked “This Plan Forms Part Of The Frogmore Lake Public Footpath Creation Agreement 2016” and attached hereto
“the Schedule”	The schedule attached hereto

2.2 In this Agreement where the context so admits the singular number shall include the plural number and the masculine and neutral genders shall include the feminine gender and vice-versa

2.3 Where a party includes more than one person any obligations of that party shall be joint and several

2.4 This Agreement is governed by and interpreted in accordance with the law of England and Wales

3 STATUTORY AUTHORITY AND EFFECT

3.1 This Agreement is made pursuant to the powers contained in section 25 of the 1980 Act and section 111 of the Local Government Act 1972 and section 1 of the Localism Act 2011 and all other powers enabling the County Council thereunto

4 NOW IT IS HEREBY AGREED BY THE PARTIES HERETO

4.1 On the date hereof the Owner for itself and its successors in title hereby unconditionally and irrevocably dedicates the Footpath as public highway

4.2 The County Council shall be deemed to have accepted the dedication of the Footpath as public highway on the date hereof subject to the limitations set out in Part 2 of the Schedule and the Footpath shall immediately and automatically from the date hereof become and remain highway maintainable at public expense without the need for any further documentation or act by or on behalf of the County Council

4.3 On the date hereof the Owner shall make the Footpath freely available at all times for use by the general public on foot

4.4 The Owner shall on the date of this Agreement pay to the County Council the whole of the costs incurred by the Chief Legal Officer and the Director in the preparation of this Agreement and in advertising this Agreement as required under the 1980 Act being a total of £611

THE SCHEDULE

Part 1

A continuation of footpath St Stephen 87 from a junction with St Stephen 89 at TL 1484 0346 (Point A on the Plan) running generally south east for approximately 35 metres to a junction with St Stephen 26 at TL 1486 0343 (Point B on the Plan) then generally south east and then south west between the eastern shore of the fishing lake and the western bank of the River Ver for approximately 565 metres to a junction with Hyde Lane at TL 1503 0314 (Point C on the Plan)

Width: 2 metres between TL 1484 0346 (Point A on the Plan) and TL 1503 0314 (Point C on the Plan) not to include the western bank of the River Ver

Part 2

Limitations: mature trees between TL 1484 0346 (Point A on the Plan) and TL 1503 0314 (Point C on the Plan)

IN WITNESS WHEREOF the Owner and the County Council have hereunto executed this instrument as a deed in the manner hereinafter appearing but not delivered until the date and year first above written

Executed as a **DEED** by
TARMAC AGGREGATES
LIMITED acting by a director, in
the presence of:


.....
SIGNATURE OF DIRECTOR

 JEREMY GREENWOOD
.....
Print Name

Witness signature: S. Woodfield
Print Name (in BLOCK SANDRA WOODFIELD
CAPITALS):

Address: Portland House, Bickenhill Lane
 Solihull, Birmingham B37 7BQ

Occupation: PA

The Common Seal of
HERTFORDSHIRE
COUNTY COUNCIL
was hereunto affixed
in the presence of

Full name: K Pettitt

Kathryn Pettitt
Chief Legal Officer

Signature:

Chief Legal Officer/~~Assistant Chief Legal Officer~~

