

PUBLIC PATH DIVERSION ORDER

Summary of Information provided in the Order Document

This summary is provided for accessibility purposes only. The original Order Document is provided in full at the end of this document

Order Title, Preliminaries and Articles

Location and legislation

HIGHWAYS ACT 1980 WILDLIFE AND COUNTRYSIDE ACT 1981 WORCESTERSHIRE COUNTY COUNCIL DIVERSION OF FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No 1) AND FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No 2), IN THE PARISH OF THROCKMORTON PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2022
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Order Preliminaries

<p>This Order is made by Worcestershire County Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owners of the land crossed by the footpath it is expedient that the line of the footpath should be diverted.</p>
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<p>This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County of Worcestershire definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.</p>

<p>The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public ("the works to the new site").</p>

<p>Wychavon District Council have been consulted about the making of the Order as required by Section 120(2) of the 1980 Act.</p>

Articles

By this Order

1. The public rights of way over the land situate at Throckmorton and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up on the date of confirmation of this order, and thereupon the County of Worcestershire definitive map and statement shall be modified accordingly.
2. Notwithstanding this Order any statutory undertaker as shall for the time being have statutory powers in that respect shall have the right to open up the land referred to in paragraph 1 to install, maintain or alter their apparatus.
3. There shall on the date of confirmation of this order be public footpaths over the land situate in Throckmorton described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order, and thereupon the County of Worcestershire definitive map and statement shall be modified accordingly
4. The County of Worcestershire definitive statement shall be modified as described in Part 4 of the schedule of this Order.
5. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Signatory Details

Dated 28 July 2022
The Common Seal of Worcestershire County Council
was affixed hereto in the presence of:



Principal Solicitor

Part 1

Description of Site of Existing Footpath

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1)

The length and entire width of TH-501 (part) in the parish of Throckmorton, to be diverted, commences at Ordnance Survey Grid Reference (OSGR) SO 9747 5089 (point B on the order plan). The footpath proceeds in a south southeasterly direction for 247 metres to OSGR SO 9761 5069 (point C on the order plan).

Total distance of the section to be diverted is 247 metres.

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No. 2)

The length and entire width of HR-529, in the parish of Hartlebury, to be diverted, commences at a junction with footpaths HR-528 and HR-532 at OSGR SO 8464 7002 (point B on the order plan). The footpath proceeds in a southerly direction for 42 metres to terminate on Manor Lane (County Road No. U40011) at OSGR SO 8464 6998 (point C on the order plan).

The total distance of the section to be diverted is 414 metres

Part 2

Description of Site of New Footpath

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1)

The diverted length of TH-501 (part), in the parish of Throckmorton, has a width of 2 metres and commences at Ordnance Survey Grid Reference (OSGR) SO 9747 5089 (point B on the order plan). The footpath proceeds in a westerly direction for 257 metres to OSGR SO 9773 5086 (point E on the order plan). The path then turns in a southerly direction for 18 metres to OSGR SO 9773 5084 (point F on the order plan) before taking a south southwesterly course for 149 metres to a junction with footpath TH-500 and the new route of footpath TH-502 at OSGR SO 9764 5073 (point G on the order plan).

Total distance of the diverted section is 424 metres

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No. 2)

The diverted length of TH-502 (part), in the parish of Throckmorton, has a width of 2 metres and commences at a junction with footpath TH-500 and the new route of footpath TH-501 at OSGR SO 9764 5073 (point G on the order plan). The path commences in a generally south south westerly and south westerly direction for 339 metres to OSGR SO 9743 5049 (point D on the order plan).

Total distance of the diverted section is 339 metres

Part 3

Limitations and Conditions

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1)

Position on path to which Limitations and Conditions apply

Limitations and Conditions

None

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No. 2)

Position on path to which Limitations and Conditions apply

Limitations and Conditions

None

Part 4

Modification of Definitive Statement

Variations of Particulars of Paths

(Variations to definitive statement shown in bold, text to be removed struck through)

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1) IN THE PARISH OF THROCKMORTON

Location

Commencing at parish boundary at junction of start of footpath 2, 670 yards south-east of Dean Lodge Farm, being a continuation of Footpath 13 in Bishampton Parish. Proceeding ~~in a south-easterly direction~~ **with a width of 2 metres at Ordnance Survey Grid Reference (OSGR) SO 9747 5089. The footpath proceeds in a westerly direction for 257 metres to OSGR SO 9773 5086. The path then turns in a southerly direction for 18 metres to OSGR SO 9773 5084 before taking a south south-westerly course for 149 metres to a junction with footpath TH-500 and the new route of footpath TH-502 at OSGR SO 9764 5073.** ~~to meet perimeter fence of Throckmorton Aerodrome to O.S. Grid Ref: 9764 - 5072,~~ running in a generally south-easterly direction for approximately 500 metres to O.S. Grid Ref: 9807 - 5049, then in a generally south-westerly direction for approximately 335 metres to O.S. Grid Ref: 9792 - 5018, and finally in a south-south-easterly direction for approximately 250 metres to meet Footpath No 5 at O.S. Grid Ref: 9800 - 4995.

Length ~~1400 metres 1.40 kilometres~~ **1580 metres 1.58 kilometres**

Description General

Barbed wire fence across gap in hedge (W), **with a width of 2 metres around edge of field between bund and field boundary to the east, south and south west to south-east across pasture field (O.S. Plot No 8) to meet Throckmorton aerodrome boundary** at field gate at end of concertina wire fence (D) running in a generally south-easterly direction for approximately 500 metres to O.S. Grid Ref: 9807 - 5049, then in a generally south-westerly direction for approximately 335 metres to O.S. Grid Ref: 9792 - 5018, and finally in a south-south-easterly direction for approximately 250 metres to meet Footpath No 5 at O.S. Grid Ref: 9800 - 4995.

Remarks

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No. 2)

Location

~~Commencing at parish boundary at junction of start of footpath 1 - 670 yards southeast of Dean Lodge Farm,~~ **Proceeding with a width of 2 metres from a junction with footpath TH-500 and the new route of footpath TH-501 at OSGR SO 9764 5073. The path commences in a generally south south westerly and south westerly direction for 339 metres to OSGR SO 9743 5049.** Then in a southerly direction for 500 yards to meet perimeter fence of Throckmorton aerodrome. Then westwards for 100 yards before continuing south to end at perimeter of aerodrome, 200 yards north of right-angled bend in Long Lane.

Length Miles 0.5 875 Metres

Description General

~~Junction with footpath 1, (W), across pasture field (O.S. Plot No. 8) to meet line of hedge, 40 yards over small pasture plot to end~~ **from footpath TH-500 southwest around edge of field with a width of 2 metres between bund and field boundary to point north of footbridge at concertina barbed wire fence (H).** Path proceeds westwards for 100 yards along inside perimeter fence of aerodrome then southwards across ploughed field (O.S. Plot No. 18), no track to end at perimeter fence of aerodrome (I).

DIVERTED UNDER HA 1980 SECTION 119 2022

Worcestershire County Council in exercise of the powers conferred upon them in that behalf confirmed this order on: 20 June 2024

Signed by the principal Solicitor

Scans of original documents

PUBLIC PATH DIVERSION ORDER

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

WORCESTERSHIRE COUNTY COUNCIL

**DIVERSION OF FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No 1) AND
FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No 2), IN THE PARISH OF
THROCKMORTON**

PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2022

This Order is made by Worcestershire County Council ("the authority") under Section 119 of the Highways Act 1980 ("the 1980 Act") because it appears to the authority that in the interests of the owners of the land crossed by the footpath it is expedient that the line of the footpath should be diverted.

This Order is also made under section 53A(2) of the Wildlife and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the County of Worcestershire definitive map and statement require modification in consequence of the occurrence of an event specified in section 53(3)(a)(i) of the 1981 Act, namely, the diversion (as authorised by this Order) of a highway shown or required to be shown in the map and statement.

The applicant has agreed to defray any compensation which becomes payable in consequence of the coming into force of this Order and any expenses which are incurred in bringing the new site of the footpath into a fit condition for use by the public ("the works to the new site").

Wychavon District Council have been consulted about the making of the Order as required by Section 120(2) of the 1980 Act.

BY THIS ORDER:

1. The public rights of way over the land situate at Throckmorton and shown by a bold continuous line on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up on the date of confirmation of this order, and thereupon the County of Worcestershire definitive map and statement shall be modified accordingly.
2. Notwithstanding this Order any statutory undertaker as shall for the time being have statutory powers in that respect shall have the right to open up the land referred to in paragraph 1 to install, maintain or alter their apparatus.
3. There shall on the date of confirmation of this order be public footpaths over the land situate in Throckmorton described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order, and thereupon the County of Worcestershire definitive map and statement shall be modified accordingly.
4. The County of Worcestershire definitive statement shall be modified as described in Part 4 of the schedule of this Order.
5. The rights conferred on the public under this Order shall be subject to the limitations and conditions set out in Part 3 of the Schedule.

Dated

28/7/22

The Common Seal of
Worcestershire County Council
was affixed hereto in the presence of:-



A handwritten signature in blue ink, appearing to read 'T Pollock'.

Thomas Pollock
Head of Commercial Law
(Legal & Governance)

SCHEDULE

PART 1

Description of Site of Existing Footpath

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1)

The length and entire width of TH-501 (part) in the parish of Throckmorton, to be diverted, commences at Ordnance Survey Grid Reference (OSGR) SO 9747 5089 (point B on the order plan). The footpath proceeds in a south southeasterly direction for 247 metres to OSGR SO 9761 5069 (point C on the order plan).

The total distance of the section to be diverted is 247 metres.

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No. 2)

The length and entire width of TH-502 (part) in the parish of Throckmorton, to be diverted, commences at Ordnance Survey Grid Reference (OSGR) SO 9747 5090 (point A on the order plan). The footpath proceeds in a southerly direction for 414 metres to OSGR SO 9743 5049 (point D on the order plan).

The total distance of the section to be diverted is 414 metres.

PART 2

Description of Site of New Footpath

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1)

The diverted length of TH-501 (part), in the parish of Throckmorton, has a width of 2 metres and commences at Ordnance Survey Grid Reference (OSGR) SO 9747 5089 (point B on the order plan). The footpath proceeds in a westerly direction for 257 metres to OSGR SO 9773 5086 (point E on the order plan). The path then turns in a southerly direction for 18 metres to OSGR SO 9773 5084 (point F on the order plan) before taking a south southwesterly course for 149 metres to a junction with footpath TH-500 and the new route of footpath TH-502 at OSGR SO 9764 5073 (point G on the order plan).

The total distance of the diverted section is 424 metres.

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No. 2)

The diverted length of TH-502 (part), in the parish of Throckmorton, has a width of 2 metres and commences at a junction with footpath TH-500 and the new route of footpath TH-501 at OSGR SO 9764 5073 (point G on the order plan). The path commences in a generally south south westerly and south westerly direction for 339 metres to OSGR SO 9743 5049 (point D on the order plan).

The total distance of the diverted section is 339 metres.

PART 3

Limitations and Conditions

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No 1) IN THE PARISH OF THROCKMORTON

Position on path to which Limitations and Conditions apply

Limitations and Conditions

None

FOOTPATH TH-502 (PART) (FORMERLY FOOTPATH No 2), IN THE PARISH OF THROCKMORTON

Position on path to which Limitations and Conditions apply

Limitations and Conditions

None

PART 4

Modification of Definitive Statement

Variations of Particulars of Paths

(Variations to definitive statement shown in bold, text to be removed struck through)

FOOTPATH TH-501 (PART) (FORMERLY FOOTPATH No. 1) IN THE PARISH OF THROCKMORTON

Location

Commencing at parish boundary at junction of start of footpath 2, 670 yards south-east of Dean Lodge Farm, being a continuation of Footpath 13 in Bishampton Parish. Proceeding ~~in a south-easterly direction~~ with a width of 2 metres at Ordnance Survey Grid Reference (OSGR) SO 9747 5089. The footpath proceeds in a westerly direction for 257 metres to OSGR SO 9773 5086. The path then turns in a southerly direction for 18 metres to OSGR SO 9773 5084 before taking a south south-westerly course for 149 metres to a junction with footpath TH-500 and the new route of footpath TH-502 at OSGR SO 9764 5073. ~~to meet perimeter fence of Throckmorton Aerodrome to O.S. Grid Ref: 9764 5072,~~ running in a generally south-easterly direction for approximately 500 metres to O.S. Grid Ref: 9807 - 5049, then in a generally south-westerly direction for approximately 335 metres to O.S. Grid Ref: 9792 - 5018, and finally in a south-south-easterly direction for approximately 250 metres to meet Footpath No 5 at O.S. Grid Ref: 9800 - 4995.

Length ~~1400 metres~~ ~~1.40 kilometres~~ **1580 metres** **1.58 kilometres**

Dedicated 22nd September 1988

Diverted under HA 1980 section 119 2022

Description General

Barbed wire fence across gap in hedge (W), with a width of 2 metres around edge of field between bund and field boundary to the east, south and south west to south-east across pasture field (O.S. Plot No 8) to meet Throckmorton aerodrome boundary at field gate at end of concertina wire fence (D) running in a generally south-easterly direction for approximately 500 metres to O.S. Grid Ref: 9807 - 5049, then in a generally south-westerly direction for approximately 335 metres to O.S. Grid Ref: 9792 - 5018, and finally in a south-south-easterly direction for approximately 250 metres to meet Footpath No 5 at O.S. Grid Ref: 9800 - 4995.

FOOTPATH TH-502 (FORMERLY FOOTPATH No. 2) IN THE PARISH OF THROCKMORTON

Location

~~Commencing at parish boundary at junction of start of footpath 1~~ 670 yards southeast of Dean Lodge Farm, **Proceeding with a width of 2 metres from a junction with footpath TH-500 and the new route of footpath TH-501 at OSGR SO 9764 5073.** The path commences in a generally south south westerly and south westerly direction for 339 metres to OSGR SO 9743 5049. Then in a southerly direction for 500 yards to meet perimeter fence of Throckmorton aerodrome. Then westwards for 100 yards before continuing south to end at perimeter of aerodrome, 200 yards north of right-angled bend in Long Lane.

Length Miles 0.5 875 Metres

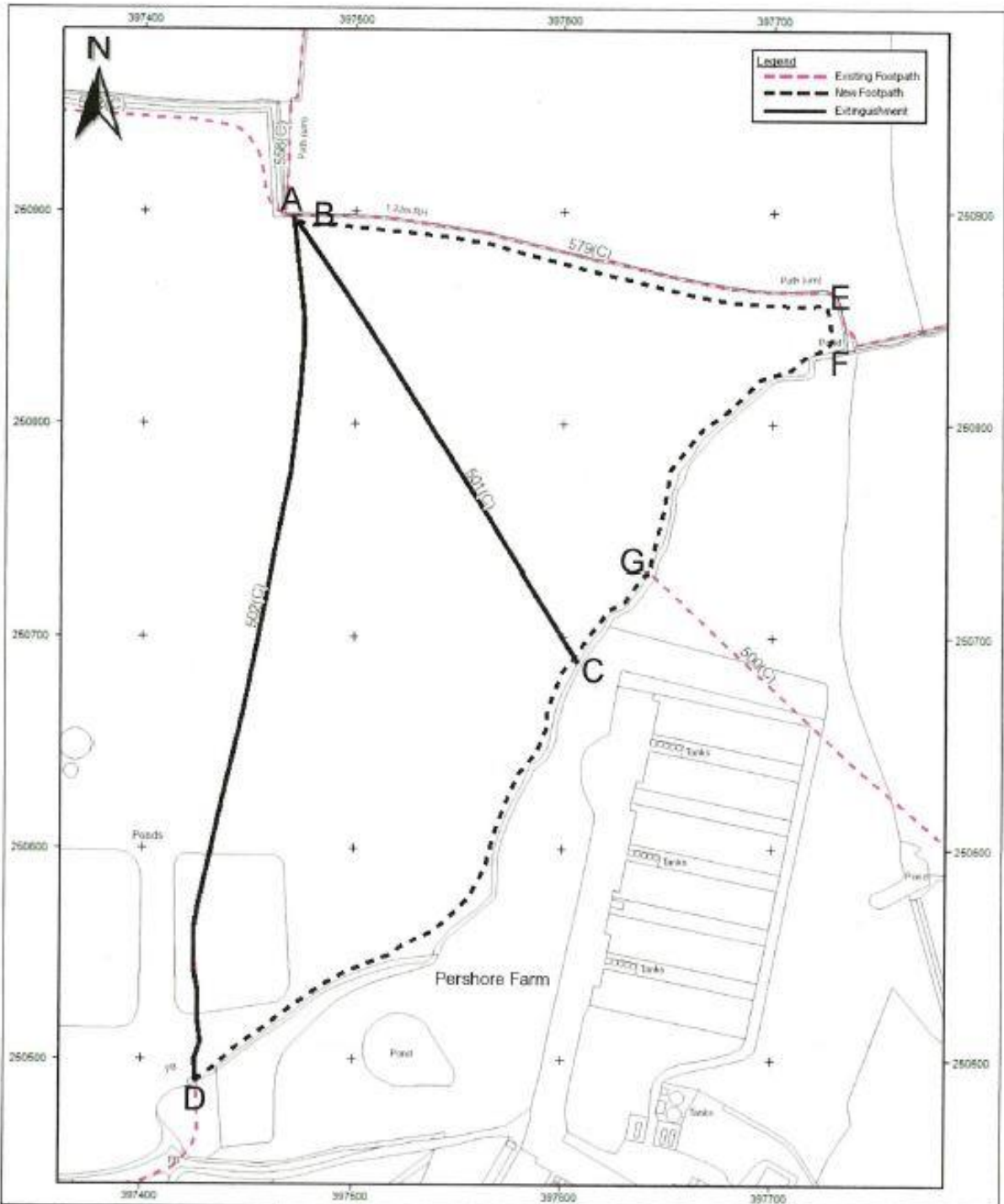
Description General

~~Junction with footpath 1, (W), across pasture field (O.S. Plot No. 8) to meet line of hedge, 40 yards over small pasture plot to end from footpath TH-500 southwest around edge of field with a width of 2 metres between bund and field boundary to point north of footbridge at concertina barbed wire fence (H).~~ Path proceeds westwards for 100 yards along inside perimeter fence of aerodrome then southwards across ploughed field (O.S. Plot No. 18), no track to end at perimeter fence of aerodrome (I).

Diverted under HA 1980 section 119 2022

Worcestershire County Council in exercise of the powers conferred upon them in that behalf confirmed this order on:.....20 June 2024


Principal Solicitor



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 Ordnance Survey 100024230.

Indicative Scale: 1:2,500

Date Printed: 16/11/2021

0 10 50 100 metres

HIGHWAYS ACT 1980, SECTION 119 DISTRICT OF WYCHAVON, PARISH OF THROCKMORTON
 DIVERSION OF FOOTPATH TH-501 (PART) (FORMERLY PATH NO 1) AND TH-502 (PART) (FORMERLY PATH NO 2)

 **worcestershire**
 county council

Countryside Service
 Worcester Woods Country Park
 Wildwood Drive
 Worcester
 WR5 2LG