

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 WN-660 (PART), (FORMERLY FOOTPATH No 18) IN THE PARISH OF WARNDON PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2023

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 public and owners of the land crossed by the footpath it is expedient that the line of the footpath should be diverted.</p>

<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 footpaths into a fit condition for use by the public ("the works to the new site").</p>
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<p>Worcester City Council have been consulted about the making of the Order as required by Section 120(2) of the 1980 Act.</p>
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Articles

By this Order

1. The public right of way over the land situate at Warndon 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 a public footpath over the land situate at Warndon 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 to 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 order.

Signatory Details

Dated 6 April 2023
The Common Seal of Worcestershire County Council
was affixed hereto in the presence of:

Signed

Principal Solicitor

Part 1

Description of Site of Existing Footpath

FOOTPATH WN-660 (PART) (FORMERLY FOOTPATH No.18)

The length and entire width of WN-660 (part) in the parish of Warndon, to be diverted, commences at Ordnance Survey Grid Reference (OSGR) SO 8737 5523 (point A on the order plan). The footpath proceeds in a south easterly direction for 129 metres to OSGR SO 8748 5516 (point B on the order plan).

The total distance of the section to be diverted is 129 metres.

Part 2

Description of Site of New Footpath

FOOTPATH WN-660 (PART) (FORMERLY FOOTPATH No.18)

The diverted length of WN-660, in the parish of Warndon, has a width of 2 metres and commences at Ordnance Survey Grid Reference (OSGR) SO 8737 5523 (point A on the order plan). The footpath proceeds in a south south-westerly direction along a new footway for 6 metres to OSGR SO 8737 5523 (point C on the order plan) where it turns to follow the footway in an east south-easterly direction for 67 metres to OSGR SO 8743 5521 (point D on the order plan). The path then follows the footway in a south south-westerly direction for 28 metres to OSGR SO 8743 5518 (point E on the order plan) and then east south-easterly along path for 39 metres to a gap in the fence line to terminate at the highway limit at OSGR SO 8746 5517 (point F on the order plan).

The total distance of the diverted section is 140 metres.

Part 3

Limitations and Conditions

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 WN-660 (PART) (FORMERLY FOOTPATH No.18)

658, 659, 660, 661, 662 Formerly No 18 (Formerly part of St Martin County 5)

Map Reference 35 NE and 54 NE Definitive Map Grid 85-7

Classification Footpath

Location

Tolladine Road. Commencing on east side of road, west of Elbury House at the boundary of the City of Worcester at commencement of footpath 20, proceeding south-east across golf course **to Ordnance Survey Grid Reference (OSGR) SO 8737 5523. The footpath proceeds in a south south-westerly direction along new footway for 6 metres to OSGR SO 8737 5523 where it turns to follow the footway in an east south-easterly direction for 67 metres to OSGR SO 8743 5521. The path then follows the footway in a south south-westerly direction for 28 metres to OSGR SO 8743 5518 and then east south-easterly along path for 39 metres to a gap in the fence line to terminate at the highway limit at OSGR SO 87 46 5517.** ~~ending at the boundary of the City of Worcester, west of bridle road No. 1.4.~~

Part Worcester 506 (Formerly 418)

Length Miles ~~0.043~~ **0.404**

Description General

First and second fields (golf course) grass **then new estate footway (tarmac) east and south alongside Augusta Drive to gap in fence at Aconbury Close highway limit.**

Three stiles one gap

~~Tolladine Golf Club~~

DIVERTED UNDER HA 1980 SECTION 119 2023

Worcestershire County Council in exercise of the powers conferred upon them in that behalf confirmed this order on 24 June 2024 – Signed by head of Commercial Law.

PUBLIC PATH DIVERSION ORDER

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

WORCESTERSHIRE COUNTY COUNCIL

**DIVERSION OF FOOTPATH WN-660 (PART), (FORMERLY FOOTPATH No 18) IN THE
PARISH OF WARNDON**

PUBLIC PATH DIVERSION AND DEFINITIVE MAP MODIFICATION ORDER 2023

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 public and 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 footpaths into a fit condition for use by the public ("the works to the new site").

Worcester City 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 right of way over the land situate at Warndon 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 a public footpath over the land situate at Warndon 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 to 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 6 April 2023

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



Thomas Pollock
Head of Commercial Law
(Legal & Governance)



SCHEDULE

PART 1

Description of Site of Existing Footpath

FOOTPATH WN-660 (PART) (FORMERLY FOOTPATH No. 18)

The length and entire width of WN-660 (part) in the parish of Warndon, to be diverted, commences at Ordnance Survey Grid Reference (OSGR) SO 8737 5523 (point A on the order plan). The footpath proceeds in a south easterly direction for 129 metres to OSGR SO 8748 5516 (point B on the order plan).

The total distance of the section to be diverted is 129 metres.

PART 2

Description of Site of New Footpath

FOOTPATH WN-660 (PART) (FORMERLY FOOTPATH No. 18)

The diverted length of WN-660, in the parish of Warndon, has a width of 2 metres and commences at Ordnance Survey Grid Reference (OSGR) SO 8737 5523 (point A on the order plan). The footpath proceeds in a south south-westerly direction along a new footway for 6 metres to OSGR SO 8737 5523 (point C on the order plan) where it turns to follow the footway in an east south-easterly direction for 67 metres to OSGR SO 8743 5521 (point D on the order plan). The path then follows the footway in a south south-westerly direction for 28 metres to OSGR SO 8743 5518 (point E on the order plan) and then east south-easterly along path for 39 metres to a gap in the fence line to terminate at the highway limit at OSGR SO 8746 5517 (point F on the order plan).

The total distance of the diverted section is 140 metres.

PART 3

Limitations and Conditions

FOOTPATH WN-660 (PART) (FORMERLY FOOTPATH No. 18)

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 WN-660 (PART) (FORMERLY FOOTPATH No. 18)

658, 659, 660, 661, 662 Formerly No 18 (Formerly part of St Martin County 5)

Map Reference 35 NE and 54 NE Definitive Map Grid 85-7

Classification Footpath

Location

Tolladine Road. Commencing on east side of road, west of Elbury House at the boundary of the City of Worcester at commencement of footpath 20, proceeding south-east across golf course to **Ordnance Survey Grid Reference (OSGR) SO 8737 5523. The footpath proceeds in a south south-westerly direction along new footway for 6 metres to OSGR SO 8737 5523 where it turns to follow the footway in an east south-easterly direction for 67 metres to OSGR SO 8743 5521. The path then follows the footway in a south south-westerly direction for 28 metres to OSGR SO 8743 5518 and then east south-easterly along path for 39 metres to a gap in the fence line to terminate at the highway limit at OSGR SO 8746 5517.** ~~ending at the boundary of the City of Worcester, west of bridle road No. 14.~~

Part Worcester 506 (Formerly 418)

Length Miles 0.403 **0.404**

Diverted under HA 1980 section 119 2023

Description General

First and second fields (golf course) grass then **new estate footway (tarmac) east and south alongside Augusta Drive to gap in fence at Aconbury Close highway limit.**

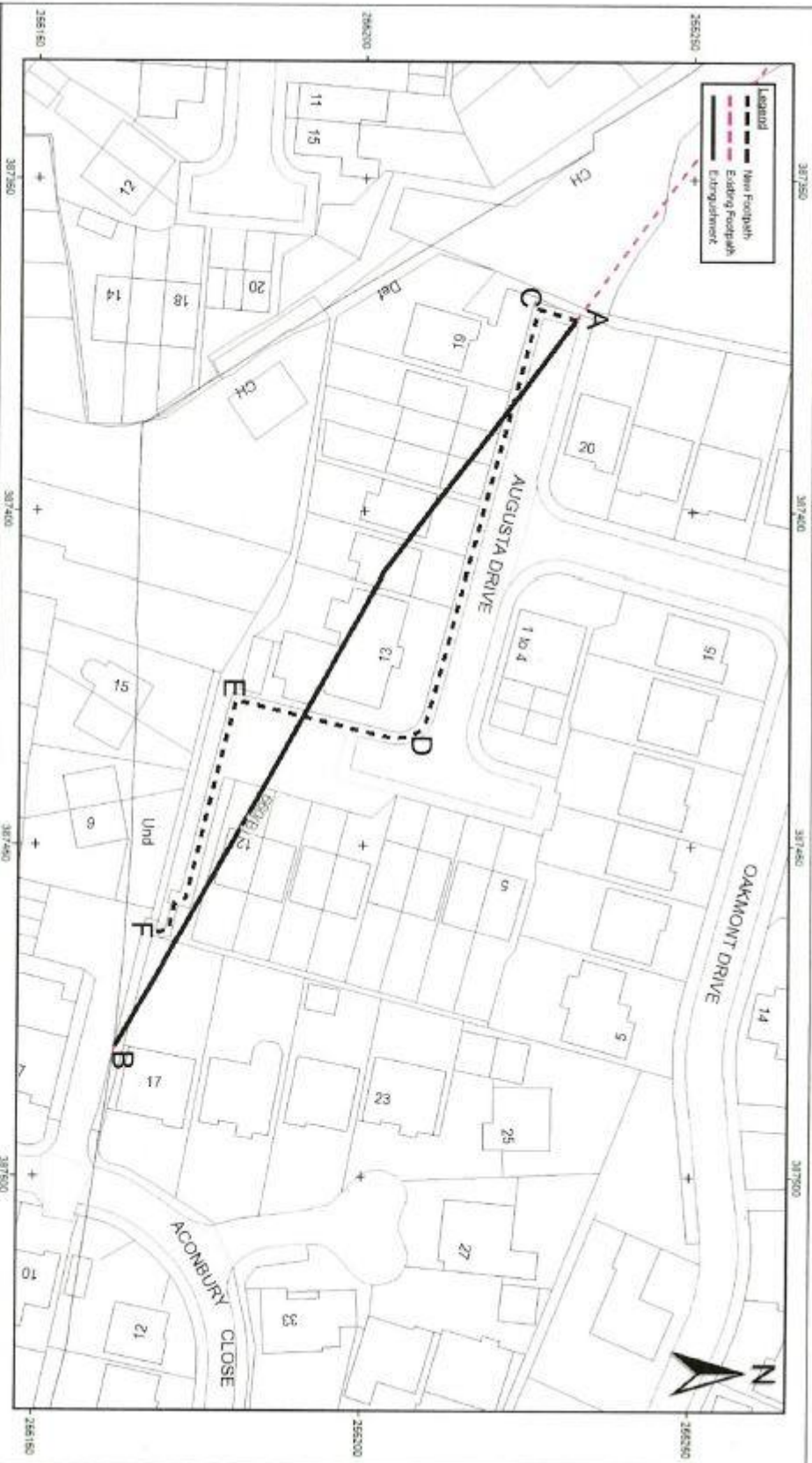
Three stiles one gap

Tolladine Golf Club

Worcestershire County Council in
exercise of the powers conferred
upon them in that behalf confirmed
this Order on *24 June 2024*

Head of Commercial Law

Tom Pollock




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 Ordnance Survey 100024230

Indicative Scale: 1:800

Date Printed: 14/12/2022

0 5 25 50 metres

Diversion of Footpath WN-660 in the Parish of Warndon Under Section 119 of the Highways Act 1980


worcestershire
 county council

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