

PUBLIC PATH DIVERSION ORDER

Summary of Information provided in the Order Document and associated Public Notices

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

Order Title, Preliminaries and Articles

Location and legislation

HIGHWAYS ACT 1980 SECTION 119
WILDLIFE AND COUNTRYSIDE ACT 1981 Section 53(A)2
WORCESTERSHIRE COUNTY COUNCIL
DIVERSION OF FOOTPATHS SY-573, SY-574 AND SY-575,
IN THE PARISH OF SHRAWLEY
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER (2) 2019

Order Preliminaries

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 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').

Malvern Hills 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 right of way over the land situated at Shrawley 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 situated in Shrawley described in Part 2 of the Schedule and shown by a bold

broken line on the map attached to 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 15th September 2022

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

Signed by Principal Solicitor

Confirmation

Worcestershire County Council in exercise of the powers conferred upon them in that behalf confirmed this Order on 7th March 2024

Signed by Principal Solicitor

Schedule

Part 1

Description of Site of Existing Footpaths

FOOTPATH SY-573 (FORMERLY FOOTPATH 21)

The length and entire width of footpath SY-573, in the parish of Shrawley, to be diverted commences at Ordnance Survey grid reference OSGR SO 7953 6423 (point A on the Order map). The path proceeds in an east-north-easterly direction, along a private driveway, for 97 metres to terminate at its junction with footpaths SY-574 and SY-575 at OSGR SO 7962 6426 (point B on the Order map).

The total distance of footpaths is 97 metres.

FOOTPATH SY-574 (PART) (FORMERLY FOOTPATH 21)

The length and entire width of footpath SY-574 (part) in the parish of Shrawley to be diverted commences at OSGR SO 7962 6426 (point B on the Order map). The path proceeds in a north-easterly direction across a paddock for 69 metres to OSGR SO 7967 6431 (Point C on the Order map), then turns in a north-north-easterly direction for 67 metres, through a gate, to terminate at OSGR SO 7969 6437 (Point D on the Order map).

The total distance of footpath is 136 metres.

FOOTPATH SY-575 (PART) (FORMERLY FOOTPATH 21)

The length and entire width of footpath SY-575 (part), in the parish of Shrawley, to be extinguished commences at OSGR SO 7962 6426 (point B on the Order map). The path proceeds in an easterly direction for 38 metres to terminate at OSGR SO 7966 6426 (Point E on the Order map).

The total distance of footpath to be extinguished is 38 metres.

Part 2

Description of Site of New Footpaths

FOOTPATH SY-573 (FORMERLY FOOTPATH 21)

The length of footpath SY-573 in the parish of Shrawley has a width of 2 metres and commences at its junction with footpath SY-571 at OSGR SO 7955 6418 (Point H on the Order map). The path proceeds in an east south-easterly direction, through a gate at OSGR SO 7955 6418 (Point G on the Order map) and passing through a wooded copse for 15 metres, then turns in an east by northerly direction for 84 metres across a field to a gate at OSGR SO 7964 6418 (Point F on the Order map).

Total distance of footpath to be diverted is 99 metres.

FOOTPATH SY-575 (FORMERLY FOOTPATH 21)

The length of footpath SY-575 in the parish of Shrawley has a width of 2 metres and commences at a gate at OSGR SO 7964 6418 (Point F on the Order map). The path then continues in a north by easterly direction for 74 metres, along the field edge, to its junction with footpath SY-574 at OSGR SO 7966 6426 (Point E on the Order map).

Total distance of footpath to be diverted is 74 metres.

FOOTPATH SY-574 (PART) (FORMERLY FOOTPATH 21)

The length of footpath SY-574 (part) in the parish of Shrawley has a width of 2 metres and commences at OSGR SO 7966 6426 (Point E on the Order map). The path proceeds in a north north-easterly direction for 119 metres, along the field edge, then turns west north-westerly for 12 metres to terminate at its junction with the existing footpath SY-574 at OSGR SO 7969 6437 (Point D on the Order map).

Total distance of footpath to be diverted is 131 metres.

Part 3

Limitations and Conditions

Position on path to which Limitations and Conditions apply

OS grid reference SO 7955 6418 (Point G)

OS grid reference SO 7964 6418 (Point F)

Limitations and Conditions

Gate (conforming to British Standard)

Gate (conforming to British Standard)

Part 4

Modification of Definitive Statement

Variations of Particulars of Paths

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

Parish of Shrawley

District of Martley (now **Malvern Hills District**)

573, 574 and 575 (formerly No. 21)

Variations of Particulars of Paths

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

Parish of Shrawley

District of Martley (now **Malvern Hills District**)

573, 574 and 575 (formerly No. 21)

CLASSIFICATION

Footpath

LOCATION

Junction with footpath 20, ~~35 yards~~ **90 metres** south of end of Sankyn's Green Road at East Grove Farm, ~~east for 100 yards,~~ **at OSGR SO 7955 6418, the 2 metre wide path proceeds in an east south-easterly direction, through a gate at OSGR SO 7955 6418 and passing through a wooded copse for 15 metres, then turns in an east by northerly direction for 84 metres across a field to a gate at OSGR SO 7964 6418. The path then continues in a north by easterly direction for 74 metres, along the field edge, to its junction with footpath SY-574 at OSGR SO 7966 6426. Then either north, in a north north-easterly direction for 119 metres, along the field edge, then turns west north-westerly for 12 metres maintaining the 2 metre path width to OSGR SO 7969 6437, and continuing north to join Hillhampton - Shrawley Road, or east again to join footpath 22, 75 yards north west of Cook's House.**

LENGTH Miles ~~910 yards;~~ .52 mile. 818 metres (0.82 kilometres)

DESCRIPTION

General:

Field gate ~~35 yards~~ **90 metres** south of (N) **at OSGR SO 7955 6418, drive in front of farm, field gate (P), then either, up through orchard, field gate (Q), copse, field, gate at OSGR SO 7964 6418, field edge, then either north along field edge** cart track alongside hay to field gate (R), or across orchard, field gate (S) cart track over second orchard, field gate (T), causeway through coppice to field gate (B).

Stiles, Gates:

1 x gate at OSGR SO 7955 6418, 1 x gate OSGR SO 7964 6418

PUBLIC PATH DIVERSION ORDER

HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981

WORCESTERSHIRE COUNTY COUNCIL

DIVERSION OF FOOTPATHS SY-573, SY-574 AND SY-575, (FORMERLY FOOTPATH 21)
IN THE PARISH OF SHRAWLEY

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 public 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').

Malvern Hills 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 right of way over the land situated at Shrawley 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 situated in Shrawley described in Part 2 of the Schedule and shown by a bold broken line on the map attached to 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: 15 September 2022

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 Footpaths

FOOTPATH SY-573 (FORMERLY FOOTPATH 21)

The length and entire width of footpath SY-573, in the parish of Shrawley, to be diverted commences at Ordnance Survey grid reference OSGR SO 7953 6423 (point A on the Order map). The path proceeds in an east-north-easterly direction, along a private driveway, for 97 metres to terminate at its junction with footpaths SY-574 and SY-575 at OSGR SO 7962 6426 (point B on the Order map).

The total distance of footpaths is 97 metres.

FOOTPATH SY-574 (PART) (FORMERLY FOOTPATH 21)

The length and entire width of footpath SY-574 (part) in the parish of Shrawley to be diverted commences at OSGR SO 7962 6426 (point B on the Order map). The path proceeds in a north-easterly direction across a paddock for 69 metres to OSGR SO 7967 6431 (Point C on the Order map), then turns in a north-north-easterly direction for 67 metres, through a gate, to terminate at OSGR SO 7969 6437 (Point D on the Order map).

The total distance of footpath is 136 metres.

FOOTPATH SY-575 (PART) (FORMERLY FOOTPATH 21)

The length and entire width of footpath SY-575 (part), in the parish of Shrawley, to be extinguished commences at OSGR SO 7962 6426 (point B on the Order map). The path proceeds in an easterly direction for 38 metres to terminate at OSGR SO 7966 6426 (Point E on the Order map).

The total distance of footpath to be extinguished is 38 metres.

PART 2

Description of Site of New Footpaths

FOOTPATH SY-573 (FORMERLY FOOTPATH 21)

The length of footpath SY-573 in the parish of Shrawley has a width of 2 metres and commences at its junction with footpath SY-571 at OSGR SO 7955 6418 (Point H on the Order map). The path proceeds in an east south-easterly direction, through a gate at OSGR SO 7955 6418 (Point G on the Order map) and passing through a wooded copse for 15 metres, then turns in an east by northerly direction for 84 metres across a field to a gate at OSGR SO 7964 6418 (Point F on the Order map).

Total distance of footpath to be diverted is 99 metres.

FOOTPATH SY-575 (FORMERLY FOOTPATH 21)

The length of footpath SY-575 in the parish of Shrawley has a width of 2 metres and commences at a gate at OSGR SO 7964 6418 (Point F on the Order map). The path then continues in a north by easterly direction for 74 metres, along the field edge, to its junction with footpath SY-574 at OSGR SO 7966 6426 (Point E on the Order map).

Total distance of footpath to be diverted is 74 metres.

FOOTPATH SY-574 (PART) (FORMERLY FOOTPATH 21)

The length of footpath SY-574 (part) in the parish of Shrawley has a width of 2 metres and commences at OSGR SO 7966 6426 (Point E on the Order map). The path proceeds in a north north-easterly direction for 119 metres, along the field edge, then turns west north-westerly for 12 metres to terminate at its junction with the existing footpath SY-574 at OSGR SO 7969 6437 (Point D on the Order map).

Total distance of footpath to be diverted is 131 metres.

PART 3

Limitations and Conditions

Position on path to which Limitations and Conditions apply	Limitations and Conditions
OS grid reference SO 7955 6418 (Point G)	Gate (conforming to British Standard)
OS grid reference SO 7964 6418 (Point F)	Gate (conforming to British Standard)

PART 4

Modification of Definitive Statement

Variations of Particulars of Paths

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

Parish of Shrawley

District of Martley (now **Malvern Hills District**)

573, 574 and 575 (formerly No. 21)

CLASSIFICATION

Footpath

LOCATION

Junction with footpath 20, 35-yards 90 metres south of end of Sankyn's Green Road at East Grove Farm, ~~east-40-100-yards~~, at OSGR SO 7955 6418, the 2 metre wide path proceeds in an east south-easterly direction, through a gate at OSGR SO 7955 6418 and passing through a wooded copse for 15 metres, then turns in an east by northerly direction for 84 metres across a field to a gate at OSGR SO 7964 6418. The path then continues in a north by easterly direction for 74 metres, along the field edge, to its junction with footpath SY-574 at OSGR SO 7966 6426. Then either north, in a north north-easterly direction for 119 metres, along the field edge, then turns west north-westerly for 12 metres maintaining the 2 metre path width to OSGR SO 7969 6437, and continuing north to join Hillhampton - Shrawley Road, or east again to join footpath 22, 75 yards north west of Cook's House.

LENGTH Miles 0+0-yards; ~~52-miles~~ 818 metres (0.82 kilometres)

DESCRIPTION

General:

Field gate 35-yards 90 metres south of (N) at OSGR SO 7955 6418, ~~drive-in-front-of-farm,~~ field-gate (P), then either, up through orchard, field-gate (Q), copse, field, gate at OSGR SO 7964 6418, field edge, then either north along field edge cart track alongside hay to field gate (R), or across orchard, field gate (S) cart track over second orchard, field gate (T), causeway through coppice to field gate (B).

Stiles, Gates:

1 x gate at OSGR SO 7955 6418, 1 x gate OSGR SO 7964 6418

Worcestershire County Council in
exercise of the powers conferred
upon them in that behalf confirmed
this Order on 17.3.2014


Principal Solicitor C. A. E. TYNLER

