

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 FOOTPATH HR-526 AND FOOTPATH HR-525 (PART), DISTRICT OF WYCHAVON,
PARISH OF HARTLEBURY.
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2023

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').

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

Articles - By this Order

1. The public right of way over the land situated at Hartlebury and shown by a continuous bold 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 Hartlebury 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 3 AUGUST 2023

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

Signed by Principal Solicitor

Confirmation

**Worcestershire County Council in exercise of the powers conferred upon them in that behalf confirmed this Order on 29 August 2024,
Signed by CLARE TAYLOR
Principal Solicitor**

Schedule

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING FOOTPATHS

FOOTPATH HR-526 (Formerly footpath number 13)

The entire length and entire width of footpath HR-526 commencing on Whitlenge Lane at OSGR SO 8585 7176 (point A on the order plan) proceeding in an easterly direction for a distance of 98 metres (m) to the junction with HR-524 and HR-525 at OSGR SO 8594 7176 (point B on the order plan).

The total distance of the footpath to be diverted is 98m.

FOOTPATH HR-525 (PART) (Formerly footpath number 13)

The length and entire width of footpath HR-525, in the parish of Hartlebury, to be diverted commencing at its junction with HR-524 and HR-526 at OSGR SO 8594 7176 (point B on the order plan). The path continues in a southerly direction for a distance of 123m to OSGR SO 8594 7163 (point C on the order plan). The path then continues downhill in a southerly direction for a distance of 155m to the pedestrian bridge stream crossing at OSGR SO 8598 7148 (point D on the order plan), then in a south-easterly direction for a distance of 120m to the field boundary hedge at OSGR SO 8608 7142 (point E on the order plan).

The total distance of the footpath to be diverted is 398m.

PART 2

Description of Site of New Footpaths

FOOTPATH HR-526 (Formerly footpath number 13)

The footpath HR-526, with a width of 2m, commencing on Whitlenge Lane to the north of the entrance gate to Whitlenge Gardens at OSGR SO 8584 7178 (point F on the order plan).

Continuing in an easterly direction for a distance of 110m to meet HR-524 at SO 8595 7177 (point G on the order plan).

The total distance of the diverted footpath is 110m.

FOOTPATH HR-525 (PART) (Formerly footpath number 13)

A 2m wide footpath HR-525, commencing at its junction with HR-524 and HR-526 at OSGR SO 8595 7177 (point G on the order plan) proceeding in an easterly direction following the field boundary for a distance of 170m to its eastern boundary at OSGR SO 8612 7175 (point H on the order plan), then turns southerly for a distance of 229m to the top of the bank at OSGR SO 8612 7153 (point I on the order plan), from where it turns west for a distance of 47m to OSGR SO 8607 7153 (point J on the order plan). The path then continues downhill in a southerly direction for a distance of 5m to the pedestrian bridge stream crossing at OSGR SO 8607 7152 (point K on the order plan). The path continues for a distance of 62m up the incline in a south-easterly direction following the field boundary to OSGR SO 8611 7147 (point L on the order plan), then it turns south-westerly following the hedge for a distance of 58m to meet the existing route at OSGR SO 8608 7142 (point E on the order plan).

The total distance of the diverted footpath is 570m.

Part 3

Limitations and Conditions

Position on path to which Limitations
and Conditions apply.
OSGR SO 8606, 7152

Limitations and Conditions

Footbridge

PART 4

MODIFICATION OF DEFINITIVE STATEMENT 526, 525 (FORMERLY PATH NUMBER 13)

Variations of Particulars of Path

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

Parish of HARTLEBURY

District of **WYCHAVON (formerly Droitwich)**

524, 526, 525 Formerly No. 13

6-inch ORDNANCE MAP REFERENCE WORCS. XIV S.E.

Definitive Grid 87-15

CLASSIFICATION

Footpaths ~~(Two)~~

LOCATION

Kidderminster – Droitwich Road. Commencing on south side of road at Podmoor, opposite footpath No. 12 proceeding in a south westerly direction, then. Then from the south side of the field boundary at OSGR SO 8595 7177 with a width of 2m proceeds in an easterly direction following the field boundary for a distance of 170m to the boundary at OSGR SO 8612 7175, then turns southerly for a distance of 229m to the top of the bank before the field boundary at OSGR SO 8612 7153, from where it turns west for a distance of 47m to OSGR SO 8607 7153. The path then continues downhill in a southerly direction for a distance of 5m to the pedestrian bridge stream crossing at OSGR SO 8607 7152. The path continues for a distance of 62m up the incline in a south-easterly direction following the field boundary to OSGR SO 8611 7147, where it turns south-westerly following the hedge for a distance of 58m to meet the existing route at OSGR SO 8608 7142 southerly, east of Whitleng House, crossing stream, proceeding south easterly to the boundary with the Parish of Elmley Lovett, and continuing along the Parish boundary to join Bridle Road No. 1. Elmley Lovett Parish.

Branch footpath HR-526. Commencing on the east side of Whitleng Lane at OSGR SO 8585 7176, with a width of 2m, proceeding in an easterly direction for a distance of 98m to join main footpath HR-524 at OSGR SO 8593 7177.

Diverted under HA 1980 Section 119 in 2023.

Extinguished under HA 1980 Section 118 in 2023

LENGTH Miles .719 1,314 metres (1.314 km)

DESCRIPTION

General First field grass, no track; second and third fields ploughed, no tracks; third and fourth field grass, no track; crossing stream; fifth, sixth and seventh fields grass, no tracks.

Stiles, Gates Fence at three stile positions one field gate, two gaps, two stiles.

Stream Crossings No footbridge. Footbridge OSGR SO 8607 7152

PUBLIC PATH DIVERSION ORDER

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

WORCESTERSHIRE COUNTY COUNCIL

**DIVERSION OF FOOTPATH HR-526 AND FOOTPATH HR-525 (PART), DISTRICT OF
WYCHAVON, PARISH OF HARTLEBURY.**

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT 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 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 right of way over the land situated at Hartlebury and shown by a continuous bold 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 Hartlebury 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 3 AUGUST 2023

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

L Williams

Laura Williams
Principal Solicitor



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING FOOTPATHS

FOOTPATH HR-526 (Formerly footpath number 13)

The entire length and entire width of footpath HR-526 commencing on Whillenge Lane at OSGR SO 8585 7176 (point A on the order plan) proceeding in an easterly direction for a distance of 96 metres (m) to the junction with HR-524 and HR-525 at OSGR SO 8594 7176 (point B on the order plan).

The total distance of the footpath to be diverted is 98m.

FOOTPATH HR-525 (PART) (Formerly footpath number 13)

The length and entire width of footpath HR-525, in the parish of Hartlebury, to be diverted commencing at its junction with HR-524 and HR-526 at OSGR SO 8594 7176 (point B on the order plan). The path continues in a southerly direction for a distance of 123m to OSGR SO 8594 7163 (point C on the order plan). The path then continues downhill in a southerly direction for a distance of 155m to the pedestrian bridge stream crossing at OSGR SO 8598 7146 (point D on the order plan), then in a south-easterly direction for a distance of 120m to the field boundary hedge at OSGR SO 8608 7142 (point E on the order plan).

The total distance of the footpath to be diverted is 398m.

PART 2
DESCRIPTION OF SITE OF NEW FOOTPATHS

FOOTPATH HR-526 (Formerly footpath number 13)

The footpath HR-526, with a width of 2m, commencing on Whitlence Lane to the north of the entrance gate to Whitlence Gardens at OSGR SO 8584 7178 (point F on the order plan).

Continuing in an easterly direction for a distance of 110m to meet HR-524 at SO 8595 7177 (point G on the order plan).

The total distance of the diverted footpath is 110m.

FOOTPATH HR-525 (PART) (Formerly footpath number 13)

A 2m wide footpath HR-525, commencing at its junction with HR-524 and HR-526 at OSGR SO 8595 7177 (point G on the order plan) proceeding in an easterly direction following the field boundary for a distance of 170m to its eastern boundary at OSGR SO 8612 7175 (point H on the order plan), then turns southerly for a distance of 229m to the top of the bank at OSGR SO 8612 7153 (point I on the order plan), from where it turns west for a distance of 47m to OSGR SO 8607 7153 (point J on the order plan). The path then continues downhill in a southerly direction for a distance of 5m to the pedestrian bridge stream crossing at OSGR SO 8607 7152 (point K on the order plan). The path continues for a distance of 62m up the incline in a south-easterly direction following the field boundary to OSGR SO 8611 7147 (point L on the order plan), then it turns south-westerly following the hedge for a distance of 58m to meet the existing route at OSGR SO 8608 7142 (point E on the order plan).

The total distance of the diverted footpath is 570m.

PART 3
LIMITATIONS AND CONDITIONS

Position on path to which Limitations
and Conditions apply.
OSGR SO 8606, 7152

Limitations and Conditions
Footbridge

PART 4
MODIFICATION OF DEFINITIVE STATEMENT 526, 525 (FORMERLY PATH
NUMBER 13)

Variations of Particulars of Path

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

Parish of HARTLEBURY District of WYCHAVON (formerly Droitwich)

524, 526, 525 Formerly No. 13 6-inch ORDNANCE MAP REFERENCE WORCS. XIV S.E.
Definitive Grid 87-15

CLASSIFICATION Footpaths-(Two)

LOCATION Kidderminster – Droitwich Road. Commencing on south side of road at Podmoor, opposite footpath No. 12 proceeding in a south westerly direction, ~~then.~~ **Then from the south side of the field boundary at OSGR SO 8595 7177 with a width of 2m proceeds in an easterly direction following the field boundary for a distance of 170m to the boundary at OSGR SO 8612 7175, then turns southerly for a distance of 229m to the top of the bank before the field boundary at OSGR SO 8612 7153, from where it turns west for a distance of 47m to OSGR SO 8607 7153. The path then continues downhill in a southerly direction for a distance of 5m to the pedestrian bridge stream crossing at OSGR SO 8607 7152. The path continues for a distance of 62m up the incline in a south-easterly direction following the field boundary to OSGR SO 8611 7147, where it turns south-westerly following the hedge for a distance of 58m to meet the existing route at OSGR SO 8608 7142 southerly, east of Whitlengs House, crossing stream, proceeding south-easterly to the boundary with the Parish of Elmley Lovett, and continuing along the Parish boundary to join Bridle Road No. 1, Elmley Lovett Parish.** Branch footpath HR-526. Commencing on the east side of Whitlengs Lane at OSGR SO 8585 7176, with a width of 2m, proceeding in an easterly direction for a distance of 98m to join main footpath HR-524 at OSGR SO 8593 7177.

Diverted under HA 1980 Section 119 in 2023.
Extinguished under HA 1980 Section 118 in 2023

LENGTH Miles ~~7.10~~ 1,314 metres (1,314 km)

DESCRIPTION

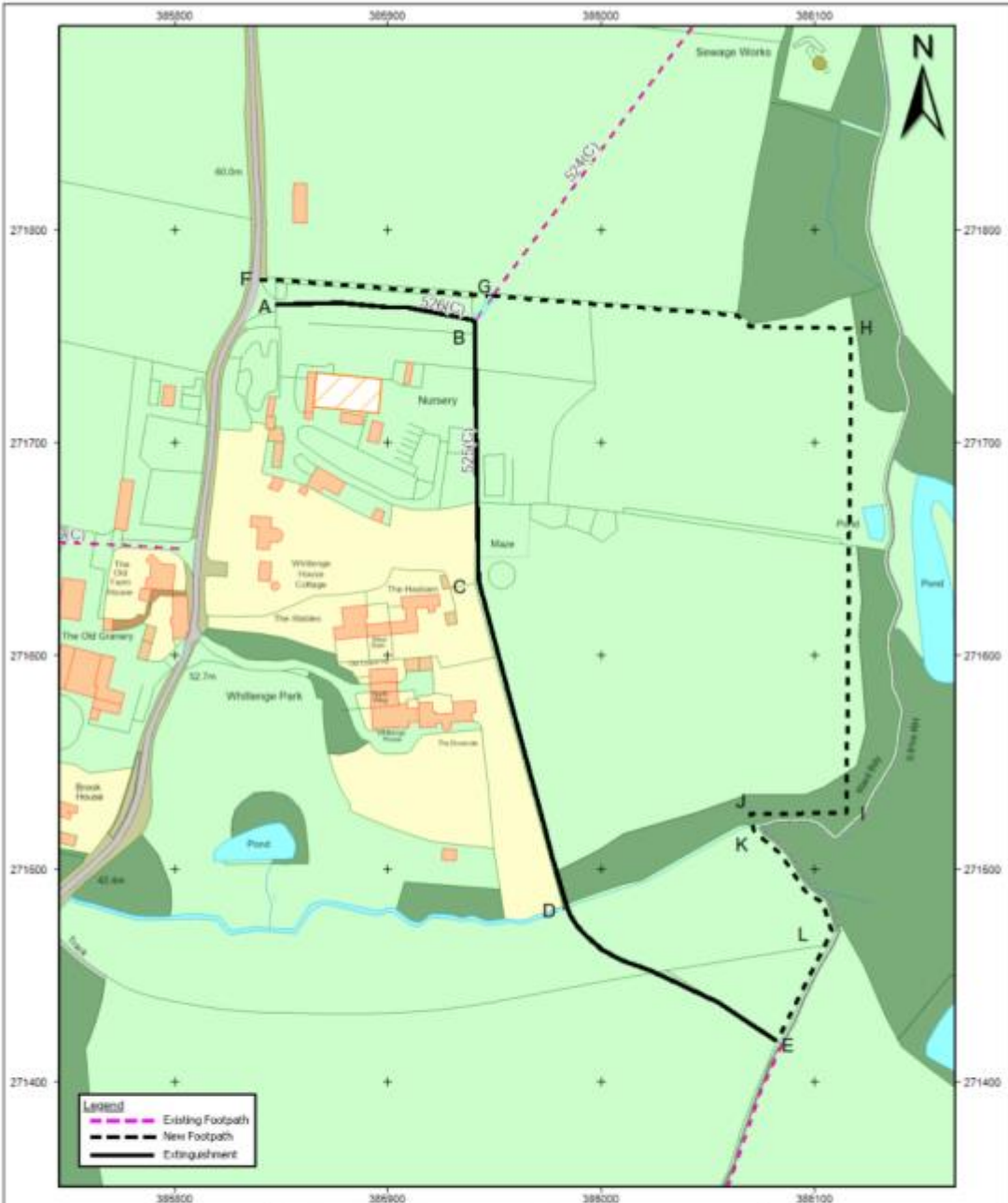
General First field grass, no track; second and third fields ploughed, no tracks; third and fourth field grass, no track; crossing stream; fifth, sixth and seventh fields grass, no tracks.

Stiles, Gates Fence at three stile positions one field gate, two gaps, two stiles.

Stream No footbridge. Footbridge OSGR SO 8607 7152

Crossings

Worcestershire County Council in
exercise of the powers conferred
upon them in that behalf confirmed
this Order on 29th August 2024
Chloe Iqbal
Principal Solicitor



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 Ordnance Survey AC0000809204.



Diversion of HR-525 (part) and HR-526. District of Wychavon, Parish of Hartlebury.

Indicative Scale: 1:2,500

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