

17/05/17

**PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION
ORDER**

HIGHWAYS ACT 1980

WILDLIFE & COUNTRYSIDE ACT 1981

STAFFORDSHIRE COUNTY COUNCIL

**PUBLIC FOOTPATH NO 26 (PART) ABBOTS BROMLEY PARISH
PUBLIC FOOTPATH NO 29 (PART) ABBOTS BROMLEY PARISH
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER 2017**

This order is made by Staffordshire 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 owner of the land crossed by the footpaths as described in paragraph 1 of this Order, it is expedient that the line of the paths should be diverted.

This Order is also made under Section 53A (2) of the Wildlife & Countryside Act 1981 (the 1981 Act") because it appears to the authority that the Definitive Map and Statement for the Borough of East Staffordshire requires 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 highways shown or required to be shown in the Map and Statement.

The landowner and Staffordshire County Council have agreed to share any expenses which are incurred in bringing the new site of the paths into a fit condition for use by the public.

East Staffordshire Borough Council has been consulted as to 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 situated at Abbots Bromley and shown by bold black lines on the map contained in this Order and described in part 1 of the Schedule to this Order shall be stopped up after 28 days from the date of confirmation of this Order, and thereupon the Definitive Map for the Borough of East Staffordshire shall be modified by deleting from it those public rights of way.

2. There shall, at the end of 28 days from the date of confirmation of this Order, be public footpaths over the land situate at Abbots Bromley described in part 2 of the Schedule and shown by bold broken dashes on the map contained in this Order and thereupon the Definitive Map for the Borough of East Staffordshire shall be modified by adding those paths to it.

3. The Definitive Statement for the Borough of East Staffordshire shall be modified as described in part 4 of the Schedule to this Order.

4. 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.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Footpath No 26 Abbots Bromley Parish commencing at a point adjacent to Hurd's Farm shown as point A on the Order plan (408948,322714) and continuing in a generally east south - easterly direction for approximately 247 metres to Sunnyside Farm at point B on the Order Plan (409168,322604) and continuing in a generally easterly direction for approximately 321 metres to point D on the Order Plan (409490,322619).

That length of Public Footpath No 29 Abbots Bromley Parish commencing from within the yard at Sunnyside Farm at point B on the Order Plan (409168,322604) and continuing in a generally south easterly direction for approximately 248 metres to point C on the Order Plan (409339,322426).

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

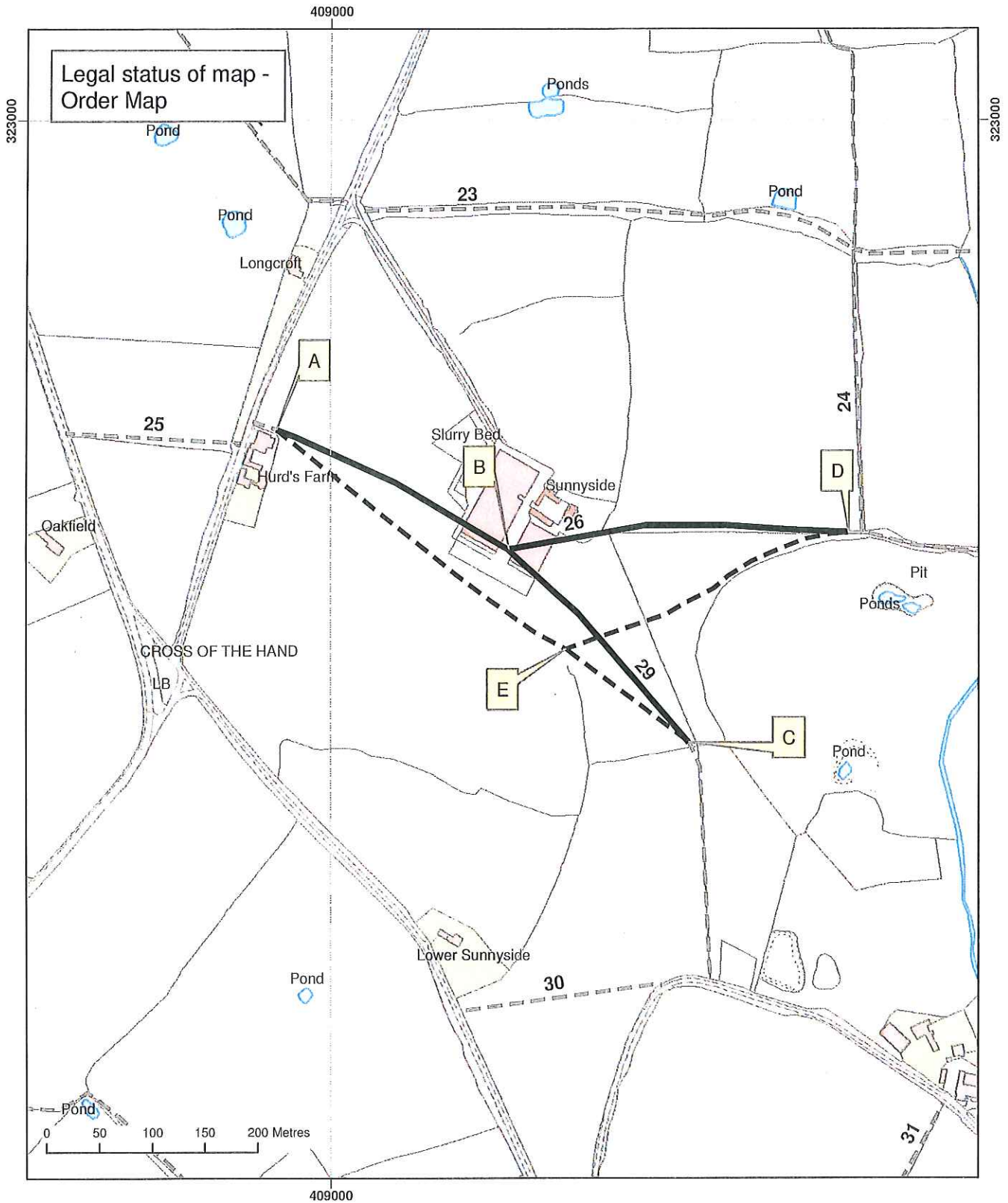
A new length of Public Footpath No 26 Abbots Bromley Parish commencing at a point adjacent to Hurd's Farm shown as point A on the Order Plan (408948,322714) and continuing in a generally south easterly direction for approximately 341 metres to point E on the Order Plan (409222,322513) and continuing in a generally east north - easterly direction for approximately 292 metres to point D on the Order Plan (409490,322619).

A new length of Public Footpath No 29 Abbots Bromley Parish commencing from point E on the Order Plan (409222,322513) and continuing in a generally south easterly direction for approximately 145 metres to point C on the Order Plan (409339,322426).

The new route of Public Footpath No 26 Abbots Bromley Parish shall have a prescribed width of 1.8 metres between points A (408948,322714), E (409222,322513) and D (409490,322619) on the Order plan.




The new route of Public Footpath No 29 Abbots Bromley Parish shall have a prescribed width of 1.8 metres between points C (409339,322426) and E (409222,322513) on the Order plan.

Highways Act 1980, Section 119 &
 Wildlife and Countryside Act 1981, Section 53A(2)
 Diversion of Public Footpath No.26 (part)
 and Public Footpath No.29 (part) Abbots Bromley Parish.



Map created at the scale of 1:5,000
 (facsimiles may vary)

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-  Path to be extinguished (A - B - C & B - D).
-  Path to be created (A - E - C and E - D).
- Rights of Way Unaffected**
-  Footpath

PART 3

LIMITATIONS AND CONDITIONS

A pedestrian kissing gate in accordance with BS5709:2006 will be installed at point E (409222,322513) as shown on the Order Plan. The owner of the land is responsible for the maintenance of the surface of the diverted section of Public Footpath No 26 Abbots Bromley Parish to a standard required by Staffordshire County Council and agrees to keep the footpath clear of cattle slurry south west of Sunnyside Farm.

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH

County District: East Staffordshire

Parish: Abbots Bromley

Path No	Type of Path	Path commences at	Path finishes at	Documents creating or modifying the right of way and other relevant information
26	F.P.	County road, N. of Hurd's Farm	Orange Lane, SW of Gilleon's Hall	Staffordshire County Council Public Footpath No.26 (part) Abbots Bromley Parish. Public Path Diversion and Definitive Map and Statement Modification Order 2017.
29	F.P.	F.P 26, S.W. of Dunnyside Junction with FP 26 S.E. of Sunnyside Farm, grid reference (409222,322513).	Orange Lane, near bend N.W. of Ashbrook Farm	Staffordshire County Council Public Footpath No.29 (part) Abbots Bromley Parish. Public Path Diversion and Definitive Map and Statement Modification Order 2017.

Given under the Common Seal of Staffordshire County Council on 17 January
Two thousand and Seventeen.

**THE COMMON SEAL OF
STAFFORDSHIRE COUNTY COUNCIL**
was hereunto affixed in the presence of:

[Handwritten Signature]

.....
Authorised Signatory



Authorised Signatory

[Handwritten Signature]

Confirmed as an unopposed Order on
the 22 day of JUNE Two thousand
and SEVENTEEN