

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

HIGHWAYS ACT 1980

WILDLIFE & COUNTRYSIDE ACT 1981

STAFFORDSHIRE COUNTY COUNCIL

**(PUBLIC FOOTPATH No. 46 (PART) CHEADLE PARISH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2020**



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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 owners of the land crossed by the footpath described in paragraph 1 of this Order it is expedient that the line of the path should be diverted.

JCB Earthmovers Ltd of Leek Road, Cheadle, Staffordshire ST10 2JX have 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 path into a fit condition for use by the public.

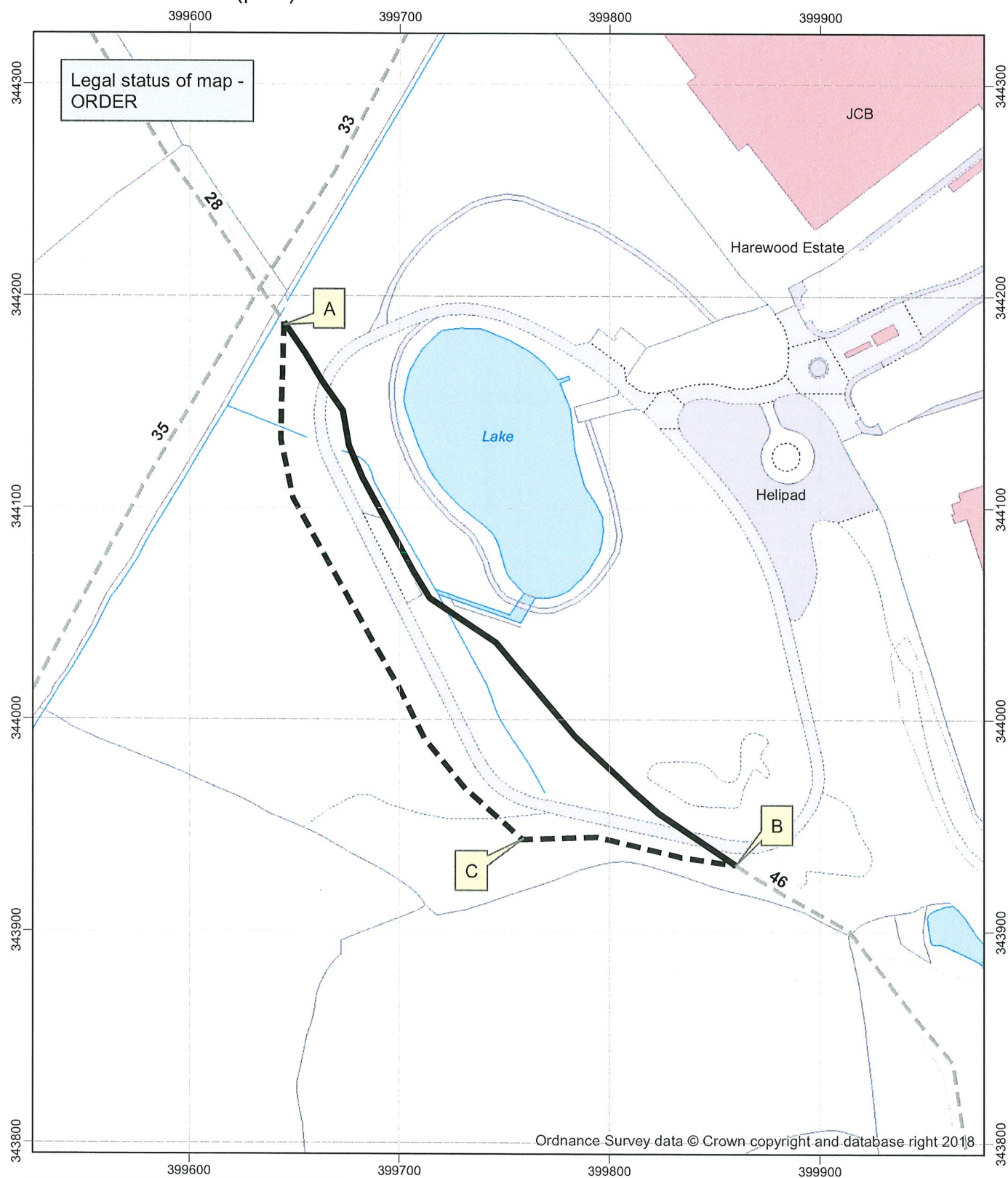
The Staffordshire Moorlands District Council have been consulted as required by section 120(2) of the 1980 Act.

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 District of Staffordshire Moorlands 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.



BY THIS ORDER:

1. The public right of way over the land situate off Leek Road in the Parish of Cheadle 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 with effect from the date on which Staffordshire County Council certify that the works to bring the new site of the footpath, described in Part 2 of the Schedule to this Order, into a fit condition for use by the public has been carried out to their reasonable satisfaction, and thereupon the Definitive Map for the District of Staffordshire Moorlands shall be modified by deleting from it that public right of way.
2. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on, over, along or across it belonging to statutory undertakers for the purpose of carrying on their undertaking, the undertakers

Highways Act 1980, Section 119 &
Wildlife and Countryside Act 1981, Section 53A(2)
Diversion of Public Footpath
No. 46 (part) Cheadle Parish.



Map created at the scale of 1:2500
(facsimiles may vary)

-  Path to be extinguished (A - B).
-  Path to be created (A - C - B).

Rights of Way Unaffected

-  Footpath

shall continue to have the same rights in respect of the apparatus as they then had.

3. There shall upon the date of confirmation of this Order be a public footpath over the land situate off Leek Road in the Parish of Cheadle described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this Order and thereupon the Definitive Map for the District of Staffordshire Moorlands shall be modified by adding that path to it.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

The full width of that part of Public Footpath, Cheadle No 46 commencing at Grid Reference 399645 344187 (Point A on the Plan) and running in a generally south easterly direction for a distance of approximately 343 metres to Grid Reference 399859 343932 (Point B on the Plan)

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

Public Footpath commencing at Grid Reference 399645 344187 (Point A on the Plan) and running up a flight of steps and along the top of an earth bund in a generally southerly and then south south-easterly direction for a distance of approximately 280 metres to Grid Reference 399758 343944 (Point C on the Plan). The footpath then continues in an easterly direction for a distance of approximately 103 metres to Grid Reference 399859 343932 (Point B on the Plan)

The new footpath shall have a width of 1.8 metres throughout its length.

PART 3

MODIFICATION OF DEFINITIVE STATEMENT
VARIATION OF PARTICULARS OF PATH

Path No.	Type of Path	Path commences at	Path finishes at	Documents creating or modifying the right of way and other relevant information
46	F.P.	Junction with F.P. 28, F.P. 33 and F.P. 35 S.E. of Parkhall Colliery	End of county road near Cheadle Mortuary Chapel	The Staffordshire County Council (Public Footpath No. 46 Cheadle) Public Path Diversion and Definitive Map and Statement Modification Order 2020

Given under the Common Seal of the Staffordshire county Council on
.....1st September..... Two thousand and twenty

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



.....
Authorised Signatory

Confirmed as an unopposed Order on
the 28th day of September Two thousand
and twenty-one

.....
Authorised Signatory