

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

HIGHWAYS ACT 1980, SECTION 119

WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A(2)

STAFFORDSHIRE COUNTY COUNCIL

**(PUBLIC FOOTPATH NO 18 (PART) CHEADLE PARISH)
PUBLIC PATH DIVERSION ORDER 2018**

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 footpath described in paragraph 1 of this Order, it is expedient that the line of the path 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 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 a highway shown or required to be shown in the Map and Statement.

Mrs. S. P. Barker, the said owner, has agreed to defray any expenses which are incurred in bringing the new site of the path into a fit condition for use by the public.

Staffordshire Moorlands District 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 footpath over the land situate at Cheadle Parish and shown by a bold black line on the attached map and described in Part 1 of the Schedule to this Order ("the Schedule") shall be stopped up on the date that the Authority certifies that works have been carried out to bring the site of the new footpath described in Part 2 of the Schedule to this Order into a fit condition for use by the public, and thereupon the Staffordshire definitive map shall be modified by deleting from it that public right of way.
2. There shall be created to the reasonable satisfaction of the Authority an alternative footpath for use as a replacement for the said footpath as provided in Part 2 of the Schedule and shown by bold black dashes on the attached map contained in this order and thereupon the Staffordshire definitive map shall be modified by adding that path to it.
3. The Staffordshire definitive statement shall be modified as described in Part 4 of the schedule to this order.

4. The diversion of the footpath shall have effect on the date on which the Authority certify that the terms of Article 2 have been complied with.

5. The following works shall be carried out in relation to the highway described in Part 2 of the Schedule:

- i) The pedestrian stile at point A on the Order plan (399370 342594) will be replaced with a pedestrian kissing gate in accordance with BS5709:2006.
- ii) A waymark post will be installed at point D on the Order plan (399297 342686)
- iii) The footpath will be kept clear of encroaching vegetation and any unlicensed obstructions by the landowner.
- iv) There are no other limitations or conditions associated with the new path.

6. The landowner is required to pay for the cost of carrying out the said works.

7. Where immediately before the date on which the footpath is diverted there is apparatus under, in, on along or across it, belonging to statutory undertakers for the purposes of carrying on their undertaking, the undertakers shall continue to have the same rights in respect of the apparatus as they then had.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Footpath No. 18 Cheadle Parish running from its junction with woodland at point A on the Order plan (399370 342594) in a generally west south-westerly direction for approximately 237 metres to point B on the Order plan (399175 342469) before heading in a generally north westerly direction for approximately 250 metres to meet the track at point C on the Order plan (398960 342592).

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

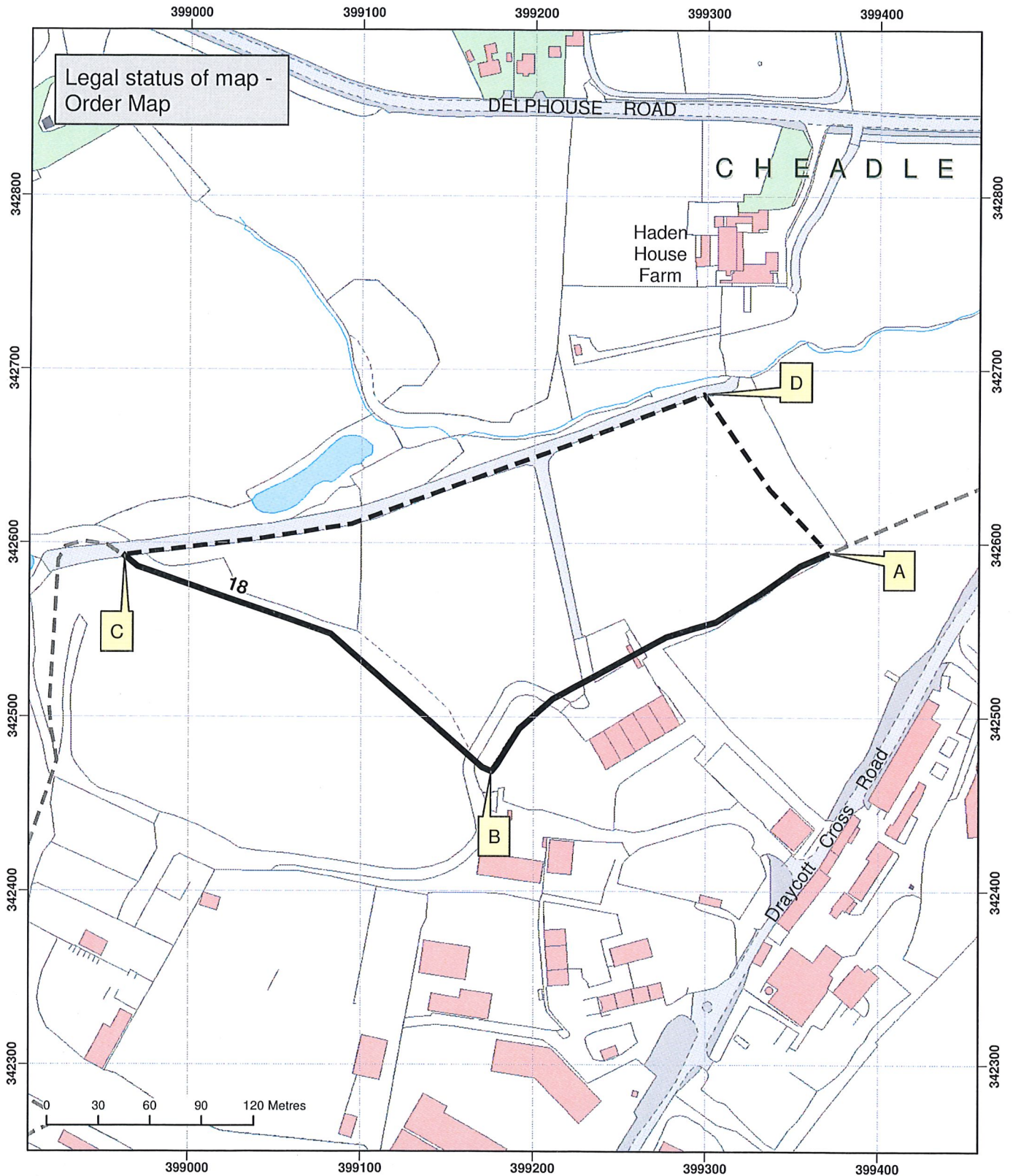
A new length of Public Footpath No 18 Cheadle Parish running from its junction with woodland at point A on the Order plan (399370 342594) and running in a generally north westerly direction for approximately 117 metres to its junction with the track at point D on the Order plan (399297 342686) then heading in a generally west south-westerly direction along the track for approximately 353 metres to point C on the Order plan (398960 342592).

The new route shall have a prescribed width of 1.8 metres between points A-D-C.

Highways Act 1980, Section 119 &
Wildlife and Countryside Act 1981, Section 53A(2)



Diversion of Public Footpath
No. 18 Cheadle Parish.



Legal status of map -
Order Map

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

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

© Crown Copyright and database rights 2018.
Ordnance Survey 100019422. You are not permitted to copy, sub-license, distribute or sell any of this data to third parties in any form. Use of this data is subject to the terms and conditions shown at www.staffordshire.gov.uk/maps.
Produced by Staffordshire County Council, 15/02/2018.

PART 3

LIMITATIONS AND CONDITIONS

A pedestrian kissing gate in accordance with BS5709:2006 will be installed at point A on the Order plan (399370 342594).

PART 4

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
18	F.P.	County road, about 100 yds. S.W. of Roebuck Inn	F.P. 45, near Old Colliery	Staffordshire County Council (Public Footpath No. 18 (Part) Cheadle Parish) Public Path Diversion and Definitive Map and Statement Modification Order 2018

Given under the Common Seal of the Staffordshire County Council on
.....*Thursday 22nd February*..... Two thousand and eighteen.

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



.....
Authorised Signatory



18/114

18/114

19/203



Confirmed as an unopposed Order on
the 11.....day of APRIL..... Two thousand
and NINETEEN.



.....
Authorised Signatory

CLAIR RUSKIN-BROWN

