

**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 8 (PART) CHEADLE PARISH)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION 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.

Mr. Hammond, the said owner, has agreed to defray any expenses which are incurred in bringing the new site of the path into a fit condition or use by the public.

Staffordshire Moorlands District Council have 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 following works shall be carried out in relation to the highway described in Part 2 of the Schedule:

- i) A waymark post will be installed at point C on the Order plan (401169 341900)
- ii) The landowner will resurface the area where point C on the Order plan (401169 341900) meets Public Footpath No 5 Cheadle Parish.
- 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.

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

6. 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.

7. 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 to this Order.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Footpath No.8 Cheadle Parish running from Little Eaves Farm at point A on the order map (401116 341863) in a generally south easterly direction for approximately 212 metres to point B on the order plan (401296 341735).

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

A new length of Public Footpath No.8 Cheadle Parish running from Public Footpath No.5 Cheadle Parish at point C on the order map (401169 341900) in a generally south easterly direction for approximately 208 metres to point D on the order plan (401308 341750) then turning to head in a generally south-westerly direction for approximately 19 metres to point B on the order plan (401296 341735).

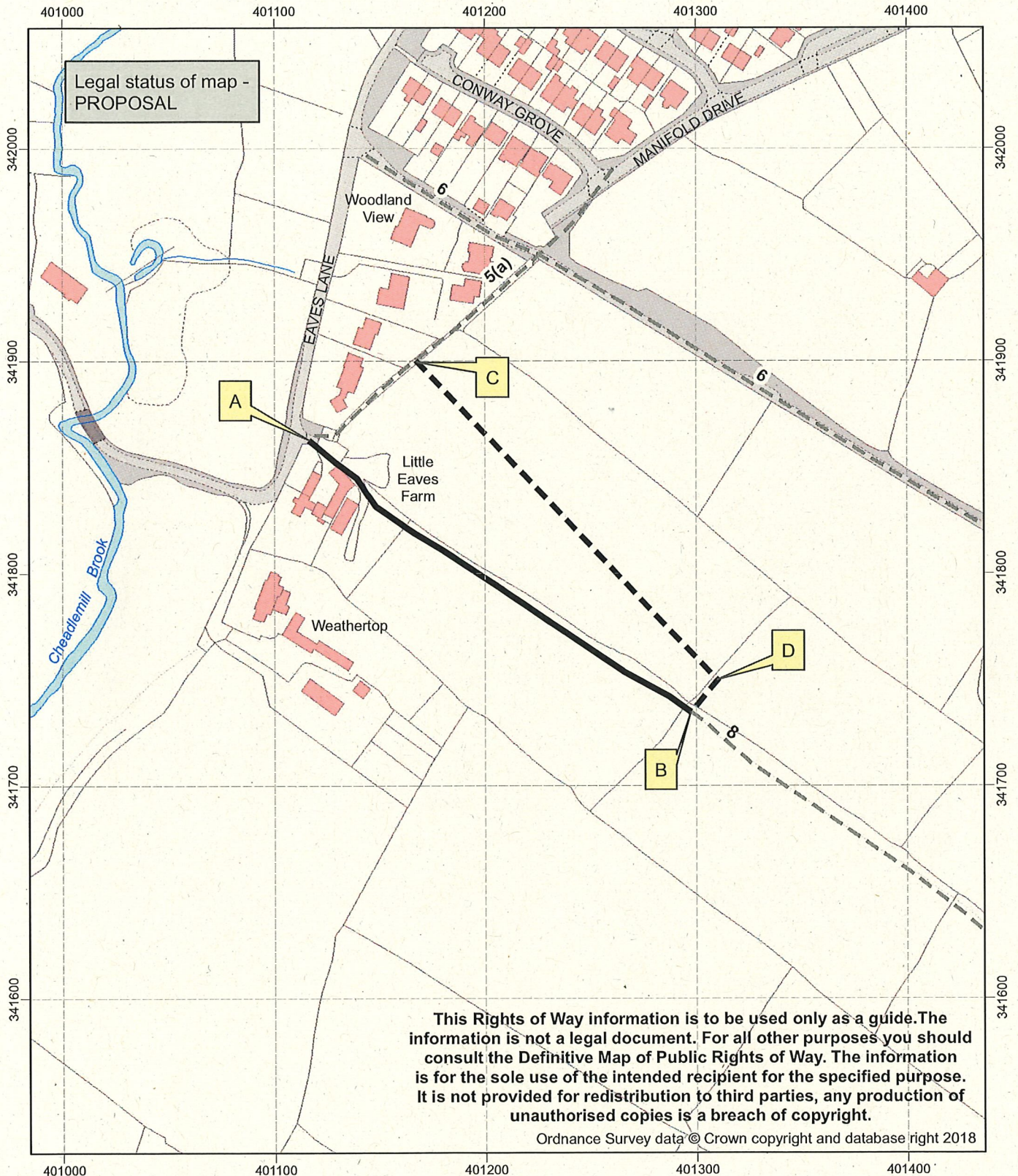
The new route shall have a prescribed width of 2 metres between points C – D - B.

PART 3

LIMITATIONS AND CONDITIONS

A gap will be installed at point C on the Order plan (401169 341900).

Highways Act 1980, Section 119 &
 Wildlife and Countryside Act 1981, Section 53A(2)
PROPOSED Diversion of Public Footpath
 No. 8 (part) Cheadle Parish.



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

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

© Crown Copyright and database rights 2019.
 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, 05/04/2019.

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
8	F.P.	County Road, N. of The Eaves Junction with Public Footpath No. 5 Cheadle Town at grid reference 401169 341900	F.P. 7, about 250 yds. S.W. of Plantation House	Staffordshire County Council (Public Footpath No. 8 (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:

18/115
 18/115



.....
 Authorised Signatory



Confirmed as an unopposed Order on
 the *5th* day of *September*..... Two thousand
 and *Nineteen*



 Authorised Signatory

