

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

**HIGHWAYS ACT 1980**

**WILDLIFE AND COUNTRYSIDE ACT 1981**

**STAFFORDSHIRE COUNTY COUNCIL**

**STAFFORDSHIRE COUNTY COUNCIL (PUBLIC FOOTPATH NO. 23 (PART) AND  
24 (PART) BLORE WITH SWINSCOE PARISH) PUBLIC PATH DIVERSION AND  
DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER 2016**

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 described in paragraph 1 of this Order, it is expedient that the lines of the paths 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 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 highways shown or required to be shown in the map and statement.

The landowner has agreed to defray any expenses which are incurred in bringing the new site of the paths into a fit condition for use by the public.

Staffordshire Moorlands District Council and the Peak District National (Park) Authority 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 public rights of way over the land situate at Blore with Swinscoe and shown by bold continuous lines on the map contained in this Order and described in Part 1 of the Schedule to this Order shall be stopped up as provided in paragraph 3 below, and thereupon the Definitive Map and Statement for the District of Staffordshire Moorlands shall be modified by deleting from it those public rights of way.
2. There shall be created to the reasonable satisfaction of the authority public footpaths over the land situate at Blore with Swinscoe as described in part 2 of the Schedule and shown by bold broken lines on the map contained in this Order and thereupon the Definitive Map and Statement for the District of Staffordshire Moorlands shall be modified by adding those paths to it.

3. The stopping up of the footpaths as described in Part 1 of the Schedule shall have effect on the date on which the authority certify that the terms of paragraph 2 above have been complied with and upon the occurrence of that stopping up the Definitive Map for the District of Staffordshire Moorlands shall be modified by deleting from it the paths referred to in paragraph 1 of this order and the paths referred to in paragraph 2 of this order shall be added to it, and the Definitive Statement for the District of Staffordshire Moorlands shall be modified as described in Part 4 of the Schedule.

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.

5. Notwithstanding this Order where immediately before the date on which the footpaths are stopped up 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 shall continue to have the same rights in respect of the apparatus as they then had.

6. This Public Path Diversion Order shall not come into force until the Staffordshire County Council Public Path Extinguishment Order in respect of Public Bridleway No 26 (Part) Blore with Swinscoe Parish has been confirmed with or without modification by the Secretary of State or as an unopposed Order by the County Council.

## **SCHEDULE**

### **PART 1**

#### **DESCRIPTION OF SITE OF EXISTING PATH OR WAY**

That length of Public Footpath No. 23 Blore with Swinscoe Parish running from its junction with Public Bridleway No 26 and Public Footpath No 24 Blore with Swinscoe Parish approximately 23 metres south of Ellishill Farm at point A on the Order plan (413465 347405) and running in a generally south-easterly direction for approximately 86 metres to its junction with a farm track at point B on the Order plan (413518 347341).

That length of Public Footpath No 24 Blore with Swinscoe Parish running from its junction with Public Bridleway No 26 and Public Footpath No 23 Blore with Swinscoe Parish approximately 23 metres south of Ellishill Farm at point A on the Order plan (413465 347405) and running in a generally south-south westerly direction for approximately 139 metres to point F on the Order plan (413435 347281).

That length of Public Footpath No 24 Blore with Swinscoe Parish running from a point approximately 5 metres north of Ellishill Brook at point G on the Order plan (413369 347195) in a generally north easterly direction for approximately 62 metres to point H on the Order plan (413412 347243).



## **PART 2**

### **DESCRIPTION OF SITE OF NEW PATH OR WAY**

A new length of Public Footpath No 23 Blore with Swinscoe Parish running from a new junction with Public Bridleway No 26 Blore with Swinscoe via a wicket gate at point C on the Order plan (413476 347534) in a generally south-south easterly direction for approximately 147 metres to the field boundary at point D on the Order plan (413533 347360) then crossing the boundary through a field gate and heading in a generally south westerly direction for approximately 14 metres to new wicket gate in the field boundary at point E on the Order plan (413524 347350) then crossing the boundary and running for approximately 11 metres in a generally south westerly direction to its junction with the farm track at point B on the Order plan (413518 347341).

A new length of Public Footpath No 24 Blore with Swinscoe Parish running from its junction with the farm track carrying Public Footpath No 23 Blore with Swinscoe Parish at point B on the Order plan (413518 347341) and heading in a generally south westerly direction for approximately 104 metres to point F on the Order plan (413435 347281).

A new length of Public Footpath No 24 Blore with Swinscoe Parish running from a point approximately 5 metres north of Ellishill Brook at point G on the Order plan (413369 347195) in a generally north westerly direction for approximately 33 metres and crossing the farm track via two wicket gates at points J (413352 347223) and K (413351 347226) to point I on the Order plan (413364 347226) then in a generally north easterly direction for approximately 50 metres to point H on the Order plan (413412 347243).

The new route of Public Footpath No 23 (Part) shall have a prescribed width of 1.8 metres between points C, D, E and B.

The new route of Public Footpath No 24 (Part) shall have a prescribed width of 1.8 metres between points B and F and points G, I and H.

## **PART 3**

### **LIMITATIONS AND CONDITIONS**

On Public Footpath No 23 Blore with Swinscoe Parish Wicket Gates conforming to BS5709:2006 will be installed at point C (413476 347524); and point E on the Order plan (413524 347350).

On Public Footpath No 24 Blore with Swinscoe Parish Wicket Gates conforming to BS5709:2006 will be installed at points J (413352 347223) and K (413351 347226) to point I on the Order plan.

**PART 4**

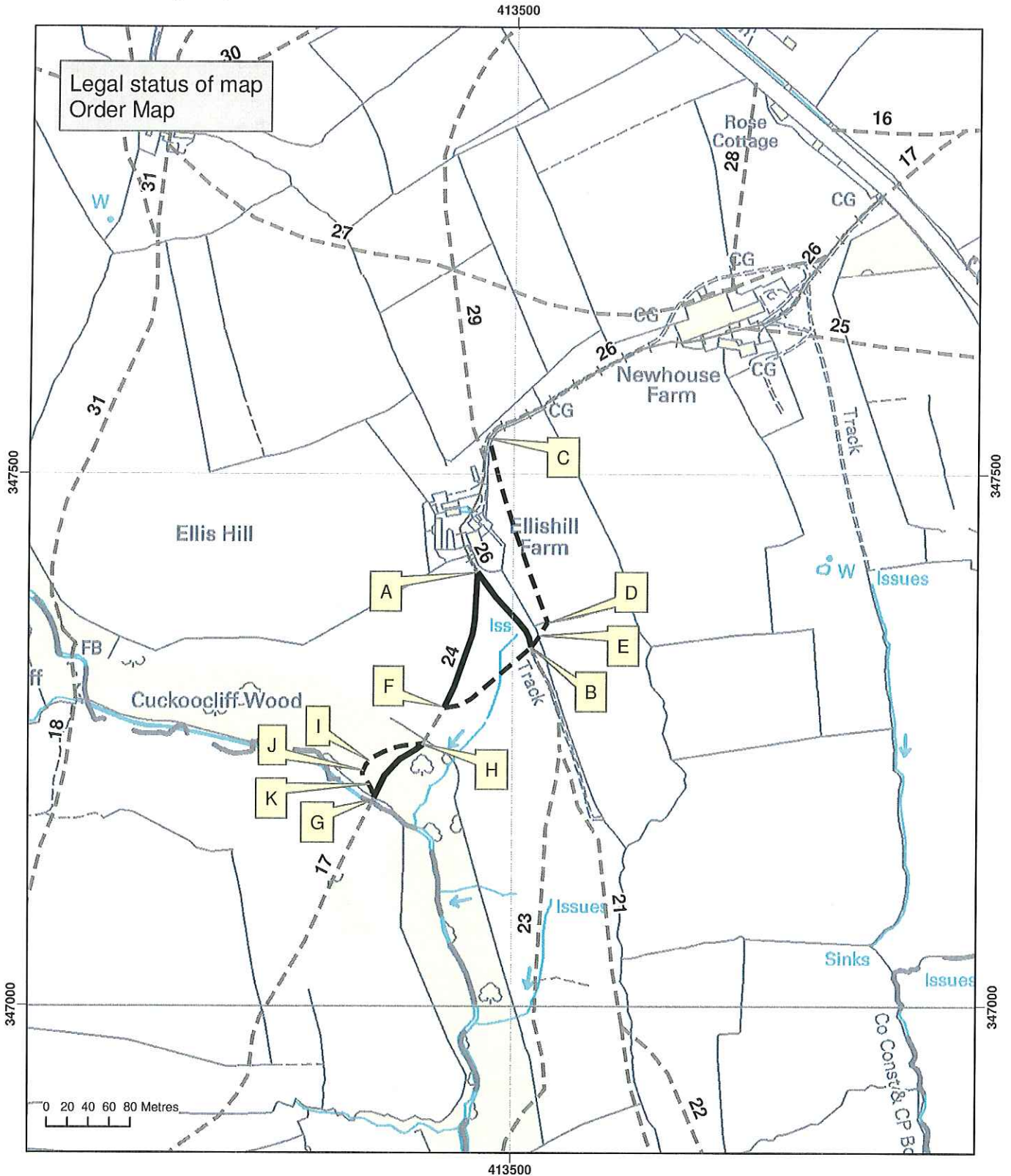
**MODIFICATION OF DEFINITIVE STATEMENT**

**VARIATION OF PARTICULARS OF PATH OR WAY**

| <b>Path No.</b> | <b>Type of Path</b> | <b>Path commences at</b>  | <b>Path finishes at</b>             | <b>Documents creating or modifying the right of way and other relevant information</b>   |
|-----------------|---------------------|---|-------------------------------------|--|
| 23.             | F.P.                | B.P. 26 at Ellishill Farm<br>B.P. 26 north east of Ellishill Farm | Road Junction N. of Brund Mill      | Staffordshire County Council (Public Footpath No. 23 (Part) and Public Footpath No. 24 (Part) Blore with Swinscoe Parish) Public Path Diversion and Definitive Map and Statement Modification Order 2016 |
| 24.             | F.P.                | F.P. 23 near Ellishill Farm<br>F.P. 23 south of Ellishill Farm    | Parish boundary at Cuckoocliff Wood | Staffordshire County Council (Public Footpath No. 23 (Part) and Public Footpath No. 24 (Part) Blore with Swinscoe Parish) Public Path Diversion and Definitive Map and Statement Modification Order 2016 |





Highways Act 1980, Section 119 &  
 Wildlife and Countryside Act 1981, Section 53A(2)  
 Diversion of Public Footpath Nos.23(part)  
 and 24(part) Blore with Swinscoe Parish.





Map created at the scale of 1:5000  
 (facsimiles may vary)

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 shown at [www.staffordshire.gov.uk/maps](http://www.staffordshire.gov.uk/maps).  
 Produced by Staffordshire County Council, 19/09/2015.

-  Right of Way to be extinguished (A-B, A-F, H-G).
-  Right of Way to be created (C-D-E-B, F-B, G-K-J-I-H).

Rights of Way Unaffected

-  Footpath
-  Bridleway



Given under the Common Seal of the Staffordshire County Council on the  
31st... May..... Two thousand and ..Sixteen

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

16/309



16/309

J. Evans Authorised Signatory

Confirmed as an unopposed Order on  
the 25<sup>th</sup> day of August... Two thousand  
and Sixteen

[Signature]  
.....  
Authorised Signatory

