

16/412
17/084

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

TOWN AND COUNTRY PLANNING ACT 1990

WILDLIFE & COUNTRYSIDE ACT 1981

STAFFORDSHIRE COUNTY COUNCIL

**(PUBLIC FOOTPATH NO.21 (PART) HORTON PARISH AND
NO 117 BIDDULPH TOWN)
PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2016**

This Order is made by Staffordshire County Council ("the authority") under Section 257 of the Town and Country Planning Act 1990 because it is satisfied that it is necessary to divert the footpath to which this Order relates in order to enable development to be carried out namely the extraction of underground gas for power generation at Three Nooks Farm.

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 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.

BY THIS ORDER

1. The public rights of way over the land situate at Horton Parish and Biddulph Town 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 after 28 days from the date of confirmation of this Order, and thereupon the Definitive Map for the District 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 Highways Authority alternative highways for use as a replacement for the said footpaths as provided in Part 2 of the Schedule and shown by bold broken lines on the map contained in this Order and thereupon the Definitive Map for the District of Staffordshire Moorlands shall be modified by adding those paths to it.

3. The diversion of the footpaths shall have effect on the date on which the authority certify that the terms of Article 2 have been complied with.

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

- i) The provision of pedestrian wicket gates in accordance with BS5709:2006 at points C (391548 357937) and D (391550 357932) on the Order plan)

- ii) The removal of farm machinery between points A (391373 358105) and E (391606 358834) on the Order plan to provide a path width of 1.8 metres.
 - iii) The provision of fencing between the drainage pool and the footpath at point C (391548 357937) on the Order plan to provide a path width of 1.8 metres.
 - iv) Improvements to the condition of the path surface between points A (391373 358105) and E (391606 357834) on the Order plan.
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 footpaths are 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 diversion of the footpaths shall have effect on the date on which the authority certify that the works in Paragraph 4 have been satisfactorily completed.

SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That length of Public Footpath No. 117 Biddulph Town running from its junction with Lask Edge Road at point A on the Order plan (391373 358105) and running in a generally south easterly direction for approximately 93 metres to its junction with Public Footpath No 21 Horton at point F on the Order plan (391424 358027).

That length of Public Footpath No. 21 Horton Parish running from its junction with Public Footpath No 117 Biddulph Town at point F on the Order plan (391424 358027) and heading in a generally south easterly direction for approximately 270 metres through Three Nooks Farm to a point approximately 75 metres south of the pond at point E on the Order plan (391606 357834).

PART 2

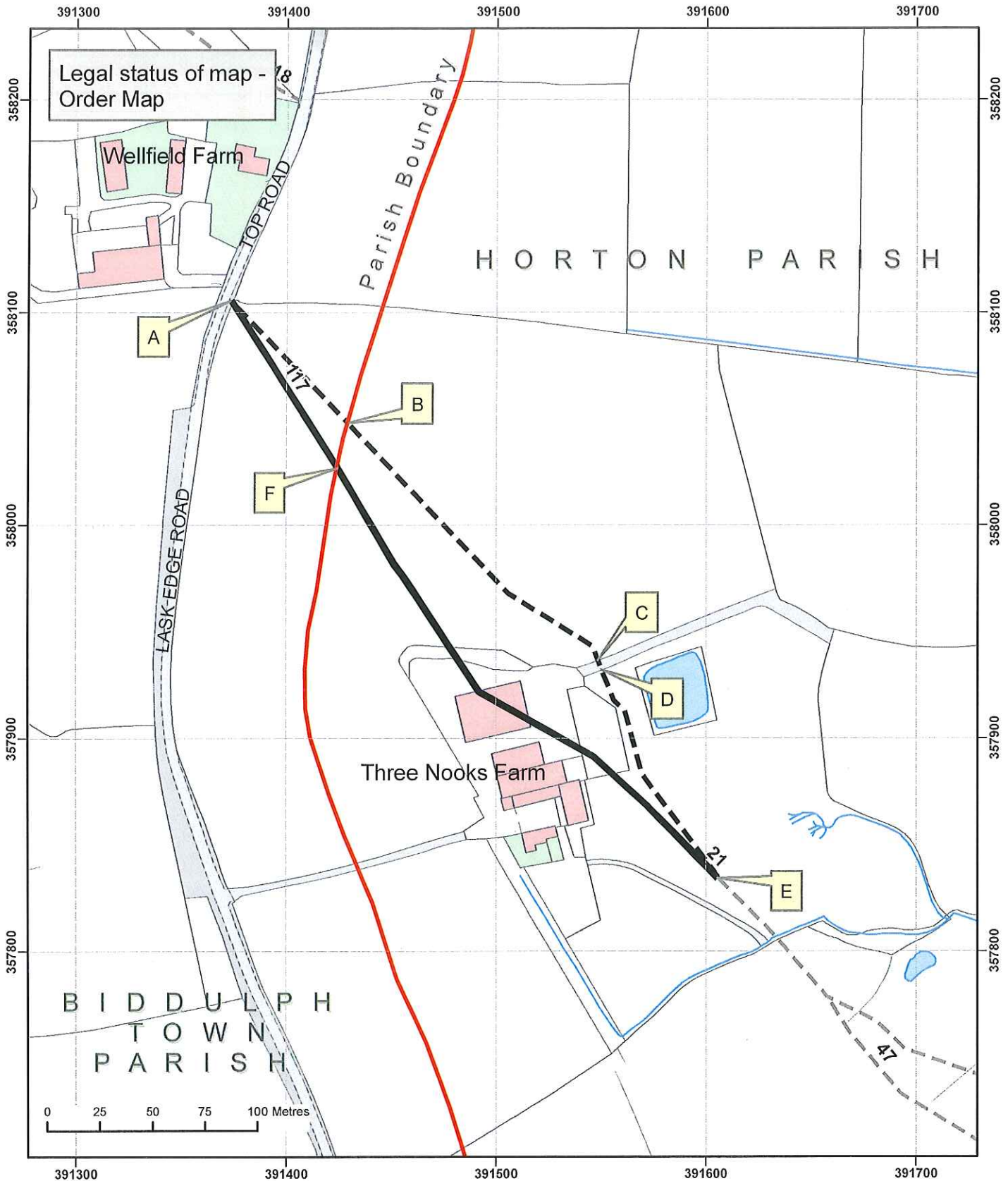
DESCRIPTION OF SITE OF NEW PATH OR WAY

A new length of Public Footpath No. 117 Biddulph Town running from its junction with Lask Edge Road at point A on the Order plan (391373 358105) and running in a generally south easterly direction for approximately 80 metres to its junction with the realigned Public Footpath No 21 Horton Parish at point B on the Order plan (391429 358048).

A new length of Public Footpath No. 21 Horton Parish running from its junction with Public Footpath No 117 Biddulph Town at point B on the Order plan (391429 358048) and heading in a generally south easterly direction for approximately 165




Town and Country Planning Act 1990, Section 257 &
 Wildlife and Countryside Act 1981, Section 53A(2)
 Diversion of Public Footpath

No. 21 Horton Parish and No.117 Biddulph Town Parish.



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

© Crown Copyright and database rights 2016.
 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, 19/02/2016.

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

metres to a kissing gate on the northern side of the farm track at point C on the Order plan (391548 357937) before crossing the farm track to another kissing gate on the southern side of the farm track at point D on the Order plan (391550 357932) then heading in a generally south-south easterly direction for approximately 115 metres to a point approximately 76 metres south of the pond at point E on the Order plan (391606 357834).

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

PART 3

LIMITATIONS AND CONDITIONS

Pedestrian wicket gates in accordance with BS5709:2006 will be installed at points C (391548 357937) and D (391550 357932) as per the Order plan.

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

VARIATION OF PARTICULARS OF PATH

Parish: Biddulph Town

Path No.	Type of Path	Path commences at	Path finishes at	Documents creating or modifying the right of way and other relevant information
117	F.P.	County road, about 50yds. S. of Wright's Farm, Lask Edge.	Horton Parish boundary to the S.E.	Amendment of path particulars as a consequence of abolition of Urban Districts under Local Government Act, 1972. Staffordshire County Council (Public Footpath No. 21 (part) Horton Parish and Public Footpath No 117 Biddulph Town) Public Path Diversion and Definitive Map and Statement Modification Order

Parish: Horton

Path No.	Type of Path	Path commences at	Path finishes at	Documents creating or modifying the right of way and other relevant information
21.	F.P.	County road, N.W. of Blackwood House	Parish boundary, about 200 yds. N.W. of Three Nooks Farm	Staffordshire County Council (Public Footpath No. 21 (part) Horton Parish and Public Footpath No 117 Biddulph Town) Public Path Diversion and Definitive Map and Statement Modification Order 2016

Given under the Common Seal of the Staffordshire county Council on
 12 July Two thousand and sixteen.

16/412

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



Ajora

.....
 Authorised Signatory

Confirmed as an unopposed Order on
 the 24th day of January Two thousand
 and seventeen

17/1084



Michelle Andrews

 Authorised Signatory