

PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND STATEMENT MODIFICATION ORDER

**HIGHWAYS ACT 1980
WILDLIFE AND COUNTRYSIDE ACT 1981**

SOUTH GLOUCESTERSHIRE COUNCIL (FOOTPATH LDO 3/20 AT THE OLD RECTORY, WAPLEY) PUBLIC PATH DIVERSION ORDER 2014

This order is made by South Gloucestershire District 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 and Countryside Act 1981 ("the 1981 Act") because it appears to the authority that the definitive map and statement for the former Sodbury Rural District 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.

Mr and Mrs S Hall of The Old Rectory, Wapley Hill, Wapley, South Gloucestershire 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.

BY THIS ORDER:

1. The public right of way over the land situate at Wapley 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 on the date on which South Gloucestershire District Council certify that work has been carried out to bring the site of the new highway mentioned in Article 3 into a fit condition for use by the public, and thereupon the former Sodbury Rural District definitive map 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 shall continue to have the same rights in respect of the apparatus as they then had.
3. There shall from the date of confirmation of this order be a public footpath over the land situate at Wapley described in Part 2 of the Schedule and shown by a bold broken line on the map contained in this order, and thereupon the former Sodbury Rural District definitive map shall be modified by adding that footpath to it.

AUTHORITY FOR SEALING
 Council Resolution Public Rights of Ways CR
 Sub Committee minute ...94... of ...20/3/14...
 Initials ...LET...

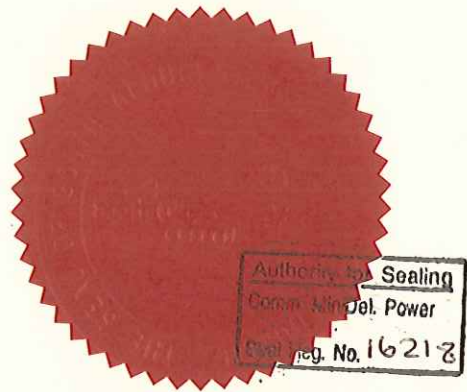
4. The former Sodbury Rural District definitive statement shall be modified as described in Part 3 of the Schedule to this order.

5. 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.

Given under the Common Seal of South Gloucestershire District Council on the 23rd day of July 2014.

THE COMMON SEAL of
SOUTH GLOUCESTERSHIRE
DISTRICT COUNCIL was hereunto
affixed in the presence of:-


Solicitor



SCHEDULE

PART 1

DESCRIPTION OF SITE OF EXISTING PATH OR WAY

That part of public footpath LDO 3 at Wapley in the parish of Dodington from point A on the order plan at grid reference ST 7135 7972 where it meets public footpath LDO 6 running in a generally north easterly direction past St Peter's Church and The Old Rectory before entering and crossing a field for a distance of 148 metres to point B at grid reference ST 7143 7984 at the field boundary and shown by a bold black line marked A-B on the map contained in the order.

PART 2

DESCRIPTION OF SITE OF NEW PATH OR WAY

From public footpath LDO 6 at point C on the order plan at grid reference ST 7142 7970 running across a field in a north north easterly direction for a distance of 105 metres to point D at grid reference ST 7147 7979 thence in a north north westerly direction following alongside the field boundary for a distance of 71 metres to rejoin the unaffected part of footpath LDO 3 at point B, grid reference ST 7143 7984 having a width of 2 metres throughout and shown as a bold broken line marked C-B on the map contained in this order. A total length of 176 metres.

PART 3

LIMITATIONS AND CONDITIONS

Position of path or way to which limitations or conditions apply	Limitations and conditions
Field boundary at Grid Ref. ST 7142 7971	BS Compliant 1m wide Pedestrian Gate

PART 4

MODIFICATION OF DEFINITIVE STATEMENT

Variation of particulars of path or way

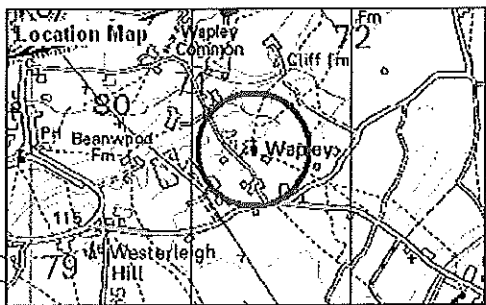
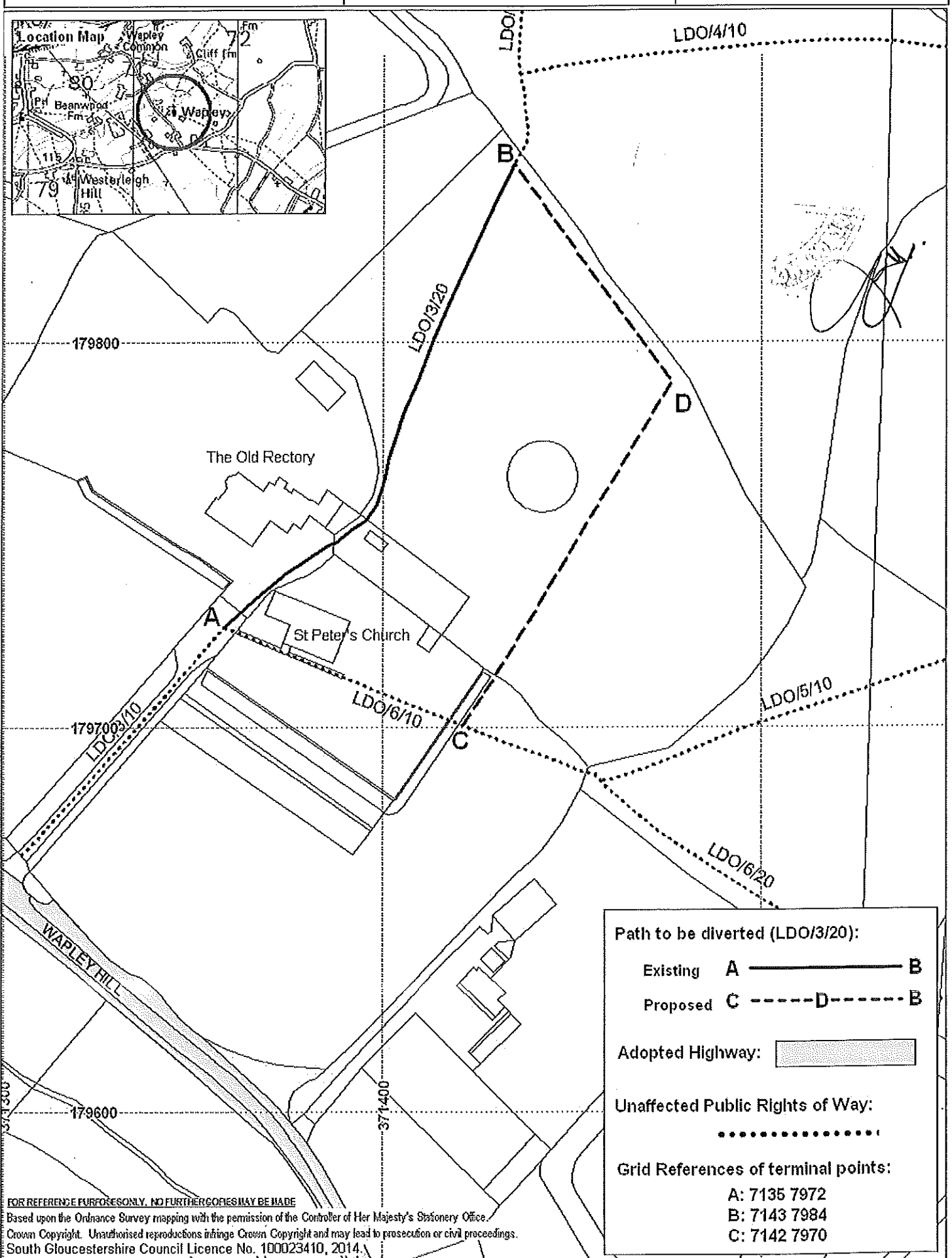
The Definitive Statement is to be modified by the addition of the length of footpath described in Part 2 of the Schedule with description as follows:-

Class & Right of Way Ref.	Description of Route				Particulars as to position, length, width, limitations on conditions as in the opinion of the Authority it is expedient to record	Reason for Inclusion	
	From	To		General Direction			
	County Road or Right of Way	Location	Grid Ref (ST)	County Road or Right of Way	Location	Grid Ref (ST)	
FP LDO 3	Wapley Hill	88m south west of St. Peter's Church.	7130 7966	Dodington Road	82m north, north west of Homestead Farm house.	7252 8134	2 metres width GR ST 7142 7971, 1m wide Pedestrian Gate Submitted by Parish Council and shown on 6" O.S. Glos. 69 Edition of 1924. South Gloucestershire Council (Footpath LDO 3/20 at the Old Rectory, Wapley) Public Path Diversion Order 2014

Date: May 2014

Map No: 402

Scale: 1:1250 at A4



Path to be diverted (LDO/3/20):

Existing A ————— B

Proposed C - - - - - D - - - - - B

Adopted Highway:

Unaffected Public Rights of Way:

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Grid References of terminal points:

A: 7135 7972
 B: 7143 7984
 C: 7142 7970

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