

NOTICE OF ORDER

TOWN & COUNTRY PLANNING ACT 1990 WILDLIFE & COUNTRYSIDE ACT 1981, SECTION 53

Staffordshire County Council
(Public Footpath No.5 Hednesford Parish) Public Path Diversion and Definitive
Map and Statement Modification Order 2016

Notice is hereby given that the above referenced Order has been submitted to the Secretary of State for Environment, Food and Rural Affairs for determination. An Inspector will be appointed by the Secretary of State to determine the Order.

The **start date** for the above Order is 15 September 2017.

Consideration of the Order will take the form of exchanges of statements of case and comments on statements of case.

The effect of the Order, if confirmed without modifications, will divert that length of Public Footpath No.5 Hednesford Parish commencing at a point on Green Heath Road (NGR 399376-313403, point A on the order plan) running in a generally south-southwesterly direction for approximately 10 metres then in a generally west-southwesterly direction for approximately 70 metres then in a generally southwesterly direction for approximately 87 metres then in a south-southwesterly direction for approximately 132 metres to the southern end of the link footway from Pye Green Road to the rear of 35 Chalcot Drive (NGR 399095-313174, point C on the order plan).

The diverted footpath will commence at a point opposite No. 310 Green Heath Road (NGR 399378-313369, point B on the order plan) and running in a generally west-southwesterly direction for approximately 59 metres (NGR 399322-313369 Point D on the order plan) then in a generally south-southeasterly direction for approximately 25metres to NGR 399328-313345 (point E on the order plan) then arcing in a generally southwesterly direction for approximately 57 metres to NGR 399292-313305 (Point F on the order plan) then running in a westerly direction for approximately 42 metres to NGR 399249-313304 (point G on the order plan) then in a generally north-northwesterly direction for approximately 8 metres to NGR 399245-313310 (point H on the order plan) then in a generally west-southwesterly direction for approximately 6 metres to NGR 399239-313309 (point J on the order plan) then a generally southerly direction for approximately 4 metres to NGR 399240-313305 (point K on the order plan) then in a generally westerly direction for approximately 92 metres to NGR 399149-313288 (point L on the order plan) then in a generally south-southwesterly direction for approximately 126 metres to NGR 399095-313174 at the south end of the link footway from Pye Green Road to the rear of 35 Chalcot Drive (point C on the order plan) to re-join with the remaining part of Public Footpath No.5 Hednesford 5.

Any queries relating to this Order should be referred to Jean McEntee at The Planning Inspectorate, Rights of Way Section, Room 3/G Hawk Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Telephone: 0303 444 5437. Email: jean.mcentee@pins.gsi.gov.uk. Please quote reference number ROW/3179537 on all correspondence.

Any person wishing to view the statements of case and other documents relating to this Order may do so by appointment at Staffordshire County Council

Corporate Reception, Number 1 Staffordshire Place, Tipping Street, Stafford ST16 2DH during normal working hours Monday- Friday. Tel: 01785 277263.

Timetable for sending in statements of case and comments

Within 2 weeks of the start date [by 29 September 2017]

The Order Making Authority must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send a copy (excluding copies of any supporting documents - these will be available to view at the Authority's offices) to everyone who has made an objection or representation, the applicant and any other person who has written to us in respect of the Order.

Within 8 weeks of the start date [by 10 November 2017]

Everyone who has made an objection or representation or any other written representation must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send full copies to the Authority. Copies (excluding copies of any supporting documents - these will be available to view at the Authority's offices) will also be sent to the applicant, every person who has made an objection or representation and any other person who has written to us in respect of the Order.

Within the same period the applicant (if applicable) must ensure their statement of case is received by the Secretary of State. As soon as possible after the deadline, Secretary of State will send a full copy to the Authority. Copies will also be sent to everyone who has made an objection or representation and any other person who has written to us in respect of the Order (excluding copies of any supporting documents - these will be available to view at the Authority's offices).

Within 14 weeks of the start date [by 22 December 2017]

Everyone who has made an objection or representation, the Authority, the applicant (if applicable) and anyone who has written to us in respect of the Order must ensure that their comments on any or every other statement of case is received by the Secretary of State. As soon as possible after the deadline, the Secretary of State will send copies of these comments to everyone else.

Any other person wishing to make representations in writing to the Secretary of State in respect of the above Order must do so in line with the timetable set out above.

In fairness to the other parties everyone should keep to the timetable to ensure that statements of case and comments are received on time. Late documents will be returned.

We cannot accept any libellous, racist or abusive comments. Any documents containing such comments will be returned.

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

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257
WILDLIFE AND COUNTRYSIDE ACT 1981, SECTION 53A (2)**

**STAFFORDSHIRE COUNTY COUNCIL (PUBLIC FOOTPATH NO. 5
HEDNESFORD PARISH) PUBLIC PATH DIVERSION AND DEFINITIVE MAP AND
STATEMENT MODIFICATION ORDER 2016**

This Order is made by Staffordshire County Council 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 in accordance with planning permission granted under Part III of the Town and Country Planning Act 1990 namely; to facilitate the housing development off Green Heath Road, Hednesford, Cannock.

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 Cannock Chase 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 hitherto shown or required to be shown in the Map and Statement.

BY THIS ORDER:

1. The footpath over the land 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 diverted, and the Definitive Map and Statement for the District of Cannock Chase shall be modified as provided below.
2. There shall be created to the reasonable satisfaction of Staffordshire County Council an alternative highway 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.
3. The diversion of the footpath shall have effect on the date on which Staffordshire County Council certify that the terms of Article 2 above have been complied with, and upon the occurrence of that diversion the Definitive Map for the District of Cannock Chase shall be modified by deleting from it the path or way referred to in paragraph 1 of this order and the path or way referred to in paragraph 2 of this order shall be added to it, and the definitive statement shall be modified as described in Part 3 of the Schedule.
4. 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.

SCHEDULE

PART I

DESCRIPTION OF SITE OF EXISTING PATH

That length of Public Footpath No. 5 Hednesford Parish commencing at a point on Green Heath Road (NGR 399376-313403, point A on the order plan) running in a generally South-southwesterly direction for approximately 10 metres then in a generally West-southwesterly direction for approximately 70 metres then in a generally Southwesterly direction for approximately 87 metres then in a South-southwesterly direction for approximately 76 metres then in a West-southwesterly direction for approximately 132 metres to the southern end of the link footway from Pye Green Road to the rear of 35 Chalcot Drive (NGR 399095-313174, point C on the order plan).

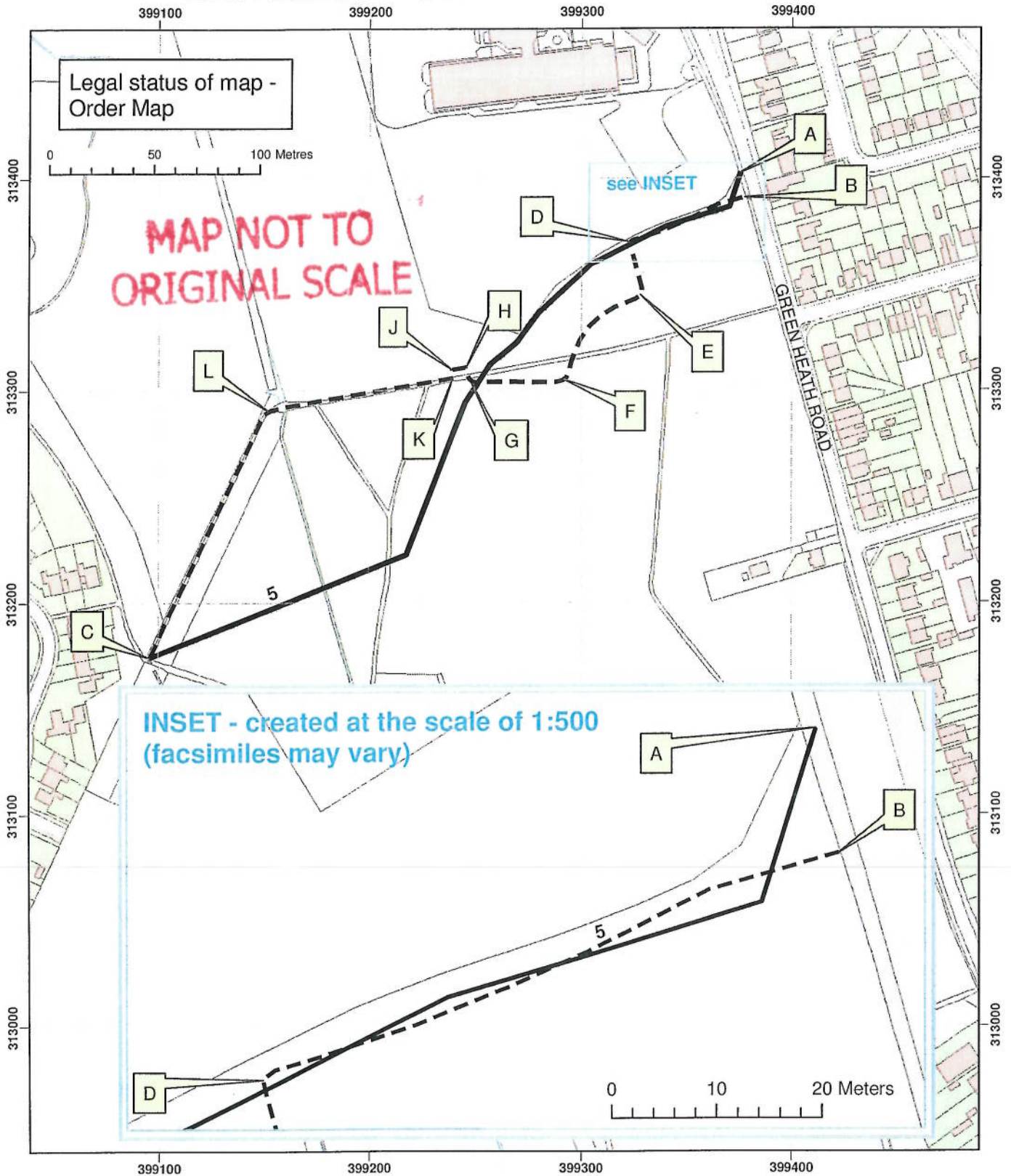
PART II

DESCRIPTION OF SITE OF ALTERNATIVE HIGHWAY

A new length of Public Footpath No. 5 Hednesford Parish commencing at a point opposite No. 310 Green Heath Road (NGR 399378-313391, point B on the order plan) and running in a generally West-southwesterly direction for approximately 59 metres to NGR 399322-313369 (point D on the order plan) then in a generally South-southeasterly direction for approximately 25 metres to NGR 399328-313345 (point E on the order plan) then arcing in a generally Southwesterly direction for approximately 57 metres to NGR 399292-313305 (point F on the order plan) then running in a Westerly direction for approximately 42 metres to NGR 399249-313304 (point G on the order plan) then in a generally North-northwesterly direction for approximately 8 metres to NGR 399245-313310 (point H on the order plan) then in a generally West-southwesterly direction for approximately 6 metres to NGR 399239-313309 (point J on the order plan) then in generally Southerly direction for approximately 4 metres to NGR 399240-313305 (point K on the order plan) then in a generally Westerly direction for approximately 92 metres to NGR 399149-313288 (point L on the order plan) then in a generally South-southwesterly direction for approximately 126 metres to NGR 399095-313174 at the South end of the link footway from Pye Green Road to the rear of 35 Chalcot Drive (point C on the order plan) to re-join with the remaining part of Public Footpath No. 5 Hednesford Parish.



The new route shall have a prescribed width of 2 metres.

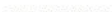
Town and Country Planning Act 1990, Section 257 &
 Wildlife and Countryside Act 1981, Section 53A(2)
 Diversion of Public Footpath
 No. 5 Hednesford Parish.



INSET - created at the scale of 1:500
(facsimiles may vary)

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

-  Path to be extinguished (A - C).
-  Path to be created (B - D - E - F - G - H - J - K - L - C).

Rights of Way Unaffected
 Footpath

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 Produced by Staffordshire County Council, 23/03/2016.

PART III
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
5	F.P.	Cannock Town 8, Hednesford 6, 70m. south west of Pye Green Distributor Road	Green Heath Road, at S.E. edge of Valley, opposite No. 310 (399378 313391)	<p>Part closed under the County of Stafford (Pye Green Secondary School site) Rights of Way Order, 1961 and part now a public road.</p> <p>Staffordshire County Council (Public Footpath No. 6 Cannock Town) Public Path Diversion Order, 1990.</p> <p>Staffordshire County Council Public Path Diversion Order 2008 Public Footpath No. 6 Cannock Town.</p> <p>Former F.P No. 6 Cannock Town Parish transferred under S.I. No 2626 The Cannock Chase (Parish) Order 1999.</p> <p>Staffordshire County Council (Public Footpath No. 5 Hednesford Parish) Public Path Diversion and Definitive Map and Statement Modification Order 2016.</p>

Given under the Common Seal of the Staffordshire County Council on
 26 July Two Thousand and Sixteen

THE COMMON SEAL of THE
STAFFORDSHIRE COUNTY COUNCIL

Was hereunto affixed in the presence

of:- 



Authorised Signatory

STAFFORDSHIRE COUNTY COUNCIL

DATED 26TH JULY 2016

TOWN AND COUNTRY PLANNING ACT 1990, SECTION 257

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

STAFFORDSHIRE COUNTY COUNCIL

**PUBLIC FOOTPATH NO. 5 HEDNESFORD PARISH PUBLIC PATH
DIVERSION AND DEFINITIVE MAP AND STATEMENT
MODIFICATION ORDER 2016**

**STAFFORDSHIRE COUNTY COUNCIL
DIRECTOR OF STRATEGY, GOVERNANCE AND CHANGE
2 STAFFORDSHIRE PLACE
TIPPING STREET
STAFFORD
ST16 2DH**